Think Ahead ACCA

HEARING

DISCIPLINARY COMMITTEE OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	**Ms Bingqian Fan**
Heard on:	**Tuesday, 3 November 2026**
Location:	**Remotely via Microsoft Teams**
Committee:	**Ms Valerie Paterson (Chair)** **Mr David Horne (Accountant)** **Ms Yvonne Walsh (Lay)**
Legal Adviser:	**Ms Katrina Hyde**
Persons present and capacity:	**Ms Kimberley Clifton (Case Presenter on behalf of ACCA)** **Miss Nicole Boateng (Hearings Officer)**
Summary:	**Misconduct found proved.** **Exclusion from membership with immediate effect.**
Costs:	**£6461 to be paid by Ms Fan to ACCA.**

PRELIMINARY APPLICATIONS/SERVICE OF PAPERS

1. The Disciplinary Committee ("the Committee") convened to consider allegations against Ms Fan, who did not attend and was not represented.

2. The papers before the Committee were in a Bundle numbered 1 to 284, a Supplementary Bundle of 80 pages, a Service Bundle of 16 pages, a Simple Costs Schedule and a Detailed Costs Schedule.

3. The Committee considered first of all, whether the appropriate documents had been served in accordance with the Complaints and Disciplinary Regulations 2014 ("the Regulations"). The Service Bundle included the Notice of Hearing dated 6 October 2026. This had been sent by email to Ms Fan, to the email address she had registered with ACCA, and the email was included at page 9 of the Service Bundle. Confirmation of delivery was also in the Bundle.

4. The Committee noted that the Notice of Hearing included the information required by Regulation 10 of the Regulations. This included information about the time, date and venue for the hearing and also Ms Fan's right to attend the hearing, in person or on the phone, and to be represented. In addition, the Notice provided information about applying for an adjournment and the Committee's power to proceed in Ms Fan's absence, if considered appropriate. The Committee also took into account that on several occasions, ACCA had telephoned Ms Fan regarding her hearing. However on the first occasion there was no answer and subsequently the number was stated to be "not defined." ACCA had sent follow up emails, to which there was no reply from Ms Fan. Copies of the telephone notes, follow up emails and confirmation of delivery were also in the Service Bundle.

5. Overall, the Committee was satisfied on the balance of probabilities that Ms Fan had been properly notified of the hearing, in accordance with the Regulations. The Committee was also satisfied that the 28-day notice requirement had been met.

PROCEEDING IN ABSENCE

6. The Case Presenter made an application to proceed in the absence of Ms Fan. The Committee bore in mind that although it had a discretion to proceed in Ms Fan's absence, it should exercise that discretion with care and caution.

7. Having carefully considered the issues, the Committee concluded that it was in the public interest for the matter to proceed. It was satisfied that it was not likely

an adjournment would serve any useful purpose. It was also satisfied that it was unlikely that Ms Fan would attend on another occasion, as she had not applied for an adjournment or been in contact with ACCA to indicate a desire to attend. The Committee considered the fairness of the proceedings and concluded that there was a clear public interest in the case being heard without undue delay.

APPLICATION TO AMEND

8. ACCA submitted that in paragraph 3(b) of the allegations there was a typing error in that the figure "38" appeared instead of "36." The Committee was content that there was no prejudice to Ms Fan and agreed that the allegation should be amended to "36."

ALLEGATIONS

Ms Bingqian Fan ('Ms Fan'), at all material times an ACCA trainee:

1) Applied for membership to ACCA on or about 2 July 2022 and in doing so purported to confirm in relation to her ACCA Practical Experience training record:

    a) Her Practical Experience Supervisor (non IFAC qualified line manager) in respect of her practical experience training in the period from 7 March 2018 to 12 December 2021 was Person A when Person A did not supervise that practical experience training in accordance with ACCA's requirements as published from time to time by ACCA, or at all;

    b) Her Practical Experience Supervisor (IFAC qualified external supervisor) in respect of her practical experience training in the period from 7 March 2018 to 12 December 2021 was Person B when Person B did not supervise that practical experience training in accordance with ACCA's requirements as published from time to time by ACCA or at all.

c) She had achieved the following Performance Objectives:

- Performance Objective 1: Ethics and professionalism
- Performance Objective 2: Stakeholder relationship management
- Performance Objective 4: Governance, risk and control
- Performance Objective 5: Leadership and management
- Performance Objective 8: Analyse and interpret financial reports
- Performance Objective 9: Evaluate investment and financing decisions
- Performance Objective 11: Identify and manage financial risk
- Performance Objective 13: Plan and control performance

2) Ms Fan's conduct in respect of the matters described in Allegation 1 above was:

a) In relation to Allegation 1a), dishonest in that Ms Fan sought to confirm her Practical Experience Supervisor was Person A and Person A supervised her practical experience training in accordance with ACCA's requirements or otherwise which she knew to be untrue;

b) In relation to Allegation 1b), dishonest in that Ms Fan sought to confirm her Practical Experience Supervisor was Person B and Person B supervised her practical experience training in accordance with ACCA's requirements or otherwise which she knew to be untrue;

c) In relation to Allegation 1c), dishonest in that Ms Fan knew she had not achieved all or any of the performance objectives referred to in Allegation 1 above as described in the corresponding performance objective statements.

d) In the alternative, any or all of the conduct referred to in Allegation 1 above demonstrates a failure to act with Integrity.

3) In the further alternative to Allegations 2a), 2b) and 2c) above, such conduct was reckless in that Ms Fan paid no or insufficient regard to ACCA's requirements to ensure:

a) Her practical experience was supervised;

b) Her Practical Experience Supervisor, Person A, was able to personally verify she had achieved 36 months of relevant practical experience;

c) Her Practical Experience Supervisor, Person B, was able to personally verify the achievement of the performance objectives she claimed and/or verify they had been achieved in the manner claimed;

d) That the performance objective statements referred to in paragraph 1c) accurately set out how the corresponding objective had been met.

4) By reason of her conduct, Ms Fan is guilty of misconduct pursuant to ACCA Bye-law 8(a)(i) in respect of any or all the matters set out at 1 to 3 above.

ABBREVIATIONS

9. The following terms have been abbreviated:

- The Chartered Certified Accountants' Complaints and Disciplinary Regulations 2014, amended 1 January 2025 (the "Regulations")
- Practical Experience Requirement ("PER")
- 36 months' practical experience in a relevant role ("Practical Experience")
- Performance Objective ("PO")
- The Chartered Certified Accountants' Membership Regulations 2014, amended 1 January 2026 ("Membership Regulations")
- Practical Experience Supervisor ("Supervisor")
- International Federation of Accountants ("IFAC")

- ACCA Guidance for Disciplinary Sanctions, 10 February 2026 ("Sanctions Guidance").

BACKGROUND – Practical experience requirement

10. Upon an ACCA student completing all their ACCA exams, they become an ACCA affiliate. To apply for full ACCA membership, they are required to obtain at least 36 months' practical experience in a relevant role. A person undertaking practical experience is often referred to as an ACCA trainee (note: the term used to describe Ms Fan's status in the allegations, the ACCA report and the supporting evidence bundle).

11. An ACCA trainee's practical experience is recorded in that trainee's PER training record which is completed using an online tool called 'My Experience.' This is accessed via the student's MyACCA portal. As part of their practical experience, each trainee is required to complete nine PO's under the supervision of a qualified accountant.

12. An accountant is recognised by ACCA as a qualified accountant if they are a qualified accountant recognised by law in the trainee's country and or a member of an IFAC body. Once a trainee believes they have completed a PO, they are required to provide a statement in their PER training record describing the experience they have gained. Through the online tool, the trainee then requests that their Supervisor approves that PO.

13. In addition to approval of their PO's, the trainee must ensure their employment where they have gained relevant practical experience (being a minimum of 36 months) has been confirmed by the trainee's line manager who is usually also the trainee's Supervisor. This means the same person can approve both the trainee's time and achievement of PO's.

14. If the trainee's line manager is not qualified, the trainee can nominate a Supervisor who is external to the firm to supervise their work and approve their PO's. This external Supervisor must have some connection with the trainee's firm, for example as an external accountant or auditor.

15. Once all nine PO's have been approved by the Supervisor (whether internal or external) and their minimum 36 months of practical experience has been approved, the trainee is eligible to apply for membership - assuming they have also passed all their ACCA exams and successfully completed ACCA's Ethics module.

SUMMARY OF ACCA's POSITION

16. There was a witness statement in the Bundle from an ACCA employee regarding the ACCA membership application process. Ms Fan was admitted to ACCA membership on 7 July 2022. Persons A and B were the persons registered by Ms Fan as her Supervisors in respect of the PER. Person A was recorded as the 'non-IFAC qualified line manager.' Person B was recorded as the 'IFAC external supervisor.' In the Bundle, there was a second witness statement by another employee of ACCA. This was regarding the details of the PER process. Both Person A and Person B had been contacted by ACCA as part of its investigation and neither provided satisfactory information. In particular, Person A had held themself out as a Supervisor for six trainees who were all full-time. It was not plausible that someone could supervise this many trainees (who were, it was noted, full-time) properly and in accordance with ACCA requirements. It was submitted that the answers from both Person A and Person B were vague. In addition, Ms Fan herself was unable to provide evidence of their supervision. It was most likely that Person A and Person B had not supervised Ms Fan at all.

17. In relation to PER training records, ACCA's position was that statements in them should be unique to each trainee, because the record is required to be a description of their own experience. It was clear that the material in Ms Fan's PER training records was substantially the same as that of fifteen other trainees. The results were set out in side-by-side comparison tables before the Committee, in the main ACCA report and also in the supplementary bundle.

18. ACCA submitted that there was extensive advice online in English and in Mandarin on how an ACCA trainee must complete their PER training record. ACCA submitted that it was clear that (i) a trainee's experience had to be approved by a Supervisor who had acted as their Supervisor for the period of experience claimed (ii) statements supporting their PO's had to be written by

trainees in their own words and as such must be unique, and (iii) PO's have to be approved by an IFAC qualified supervisor who has supervised them sufficiently to be in a position to approve those POs. It appeared that Ms Fan had copied the majority of her statements using material from other individuals, and in an effort to make them look like her own, had made cosmetic changes to individual words and parts of some sentences. ACCA had checked whether any of her statements were received first in time; it submitted that the POs which were the subject of the allegations were not received first in time.

19. ACCA submitted that given the extensive advice available online, it must be right that Ms Fan was aware that her PO's had to be in her own words. Moreover, ACCA had asked Ms Fan to provide evidence of other matters, however she was unable to provide evidence that was satisfactory.

SUMMARY OF MS FAN'S POSITION

20. ACCA sent Ms Fan several queries and she replied in correspondence. In this correspondence she provided an employment contract and answers regarding Person A and Person B. She said that Person A showed *"professional ability"* and taught her *"a lot of useful practical skills."* She said that she worked with Person B on a long-term audit project and Person B's role with her employer was to help clients conduct tax audits, including checking the compliancy of the client's tax declaration, tax supervision, accounting treatment of VAT and income tax. ACCA asked whether Person B would have assessed her work in sufficient detail in order to ultimately decide whether or not to sign off the POs. In relation to this Ms Fan answered: *"Yes, (Person B) performed the supervisor role in such manner."* She said also that because she had left her employment in 2021, she no longer had access to her emails with her Supervisors, having left the firm at which she was then employed.

21. ACCA also asked her why the contents of her PER record were so similar to those of other students. She responded:

"I think the reason is that the staff levels in accounting firms are similar, and the work allocated to different level staffs are normally fixed. For example, junior associate are responsible for cash account, while senior staff are in charge of revenue account. Because of the similarity of audit procedures, the daily work

described by us may also overlap to a certain extent. Therefore first in time rules may not applied to this situation and the reality of the work experience may not be challenged."

DECISION ON FACTS/ALLEGATIONS AND REASONS

22. The Committee considered all the evidence presented and the submissions made by the ACCA Case Presenter. The Committee took into account that there had been no admissions from Ms Fan and it accepted the advice of the Legal Adviser.

Allegation 1

23. The Committee was satisfied on the balance of probabilities that Allegations 1 (a) to (c) were proven. Person A had been recorded as acting as full-time manager for six trainees, which included Ms Fan. The Committee was of the view that it was not plausible that a person could provide proper supervision for as many as six trainees, and do so in accordance with the PER. In addition, they had been asked by ACCA to confirm whether they had acted as a supervisor for a list of trainees, of which Ms Fan was one. To this they replied: *"Yes."* However when asked: "*Please confirm whether or not you acted as line manager for any of the above trainees,*" they responded: *"Not applied."* The Committee was of the view that this was not a satisfactory response.

24. Person B had not been willing to provide any evidence that they had supervised Ms Fan. They merely replied that they were retired and asked to not be contacted again. Their reply was at page 105 of the Bundle, it read:

"Sorry, I am currently legally retired and no longer involved in any professional or business activities, so I am unable to provide any assistance. Please do not send such emails again."

25. The Committee considered the content of the response of Person B was surprising. It noted that a person properly supervising a trainee would have worked closely with them and would have been aware of their POs. This response tended to support ACCA's submission that Ms Fan has not been properly supervised.

26. Moreover, the Committee was satisfied that it was clear from the documentation and witness statements in the Bundle that Ms Fan had purported to confirm that she achieved the POs set out in the allegations.

Allegation 2

27. The Committee moved on to consider whether Ms Fan had been dishonest. The Committee found Allegations 2 (a) to (c) proved, namely that Ms Fan had behaved dishonestly. The Committee took the view that on the balance of probabilities, the most likely explanation for the high number of similarities between all the training records was Ms Fan had copied them. In addition, it seemed most likely that Person A and Person B did not supervise her in line with the PER. Ms Fan had provided an explanation that one of her supervisors might have the same name as another. However, the Committee did not find this persuasive, as it was clear that her purported Supervisor had used the same e-mail address, so it was clearly the same person.

28. In considering its decision the Committee applied the test in the case of *Ivey v Genting Casino*. The Committee concluded that objectively, this was clearly dishonest behaviour. The Committee concluded that by the standards of ordinary decent people, they would consider it dishonest to purport to have been supervised in accordance with the rules and to have gained achievements when one had not in fact been supervised and had not in fact achieved them.

29. The Committee did not consider Allegations 2(d) or Allegation 3 as they were in the alternative.

Allegation 4

30. Having found the facts as set out above and Allegation 2(a) to (c) proved, the Committee then moved on to consider misconduct. The Committee concluded that what Ms Fan had done was serious and fell far short of what was expected of a member of the profession. It had the potential to impact public confidence and trust in the profession. For these reasons, the Committee was satisfied that Ms Fan was guilty of misconduct under Allegation 4.

SANCTIONS AND REASONS

31. The Committee considered the appropriate sanction in line with the framework set out in the Sanctions Guidance. In relation to seriousness, the Committee was satisfied that it was most likely that Ms Fan's conduct had been deliberate. Also in relation to the Sanctions Guidance, the Committee took note of Section E2: *"Dishonesty, even when it does not result in direct harm and/or loss, or is related to matters outside the professional sphere undermines trust and confidence in the profession."*

32. The Committee also considered aggravating factors and mitigating factors. It took care not to engage in double counting. The Committee accepted the advice of the Legal Adviser. The Committee reminded itself that the Sanctions Guidance stated:

"the principal function of sanctions is not punitive but to protect the public interest"

33. In terms of mitigation, the Committee took into account the lack of prior disciplinary proceedings against Ms Fan.

34. In relation to aggravating factors the Committee took into account that the misconduct had also likely been premeditated. It was repeated behaviour over a protracted period of time. In addition, there was no evidence that Ms Fan had gained any insight into her behaviour.

35. The Committee considered sanctions, starting with lesser sanctions; no further action, admonishment, reprimand or severe reprimand. In relation to these, the Committee was satisfied that Ms Fan's conduct and the circumstances of the case did not fall within any of the relevant paragraphs in the Sanctions Guidance. The criteria set out in the Guidance made it clear that these would not be appropriate, given the specific context around Ms Fan's misconduct. There was no evidence that she had insight into her failings, nor of genuine regret. The behaviour was deliberate. Also, the Committee took the view that the seriousness of the conduct involved meant that such sanctions would not be appropriate.

36. The Committee considered that the only appropriate and proportionate sanction was that Ms Fan be excluded from membership. It was proportionate, necessary to protect the public from the risks posed by Ms Fan and necessary to protect the confidence of the public in the profession.

37. In relation to the timing of the exclusion, the Committee considered that given the findings of this case, there was a need for it to be immediate. In addition, there was also the risk that if Ms Fan submitted false POs, then she could potentially hold herself out as a member of ACCA without having the genuine experience and knowledge. Therefore it was necessary for the order to take immediate effect.

COSTS AND REASONS

38. The Committee had not received any documentary evidence as to Ms Fan's financial circumstances, and having considered ACCA's Guidance as to costs, accordingly, it inferred that Ms Fan was able to meet the costs as assessed by the Committee. Having considered this and bearing in mind the context of its overall findings and decision, the Committee was satisfied that ACCA was entitled to receive its costs. It took into account ACCA's Guidance for Costs Orders. The Committee was satisfied that overall the costs claimed were appropriate and reasonable, having considered the detailed and simple schedules submitted. However, the Committee made a reduction, because the hearing had taken less time than had been anticipated. It reduced the costs attributable to the hearing time by £600. The final costs order made in favour of ACCA was £6461.

SUMMARY

39. The Committee ordered as follows:

(a) Ms Fan shall be excluded from membership with immediate effect.
(b) Ms Fan shall pay costs to ACCA assessed at £6461.

Ms Valerie Paterson
Chair
3 November 2026