

HEARING

CONSENT ORDER CHAIR OF THE ASSOCIATION OF CHARTERED CERTIFIED ACCOUNTANTS

REASONS FOR DECISION

In the matter of:	Mrs Julie Ann Ward
Heard on:	Friday, 20 September 2024
Location:	Remotely via Microsoft Teams
Chair:	Mr Tom Hayhoe
Legal adviser:	Mr Alastair McFarlane
Outcome:	Consent Order approved

DOCUMENTS BEFORE THE CHAIR

1. The Chair received a bundle of papers, including a signed draft Consent order, numbered pages 1-94, a signed draft Consent order, numbered pages 1-7, and a service bundle numbered pages 1-3.

ALLEGATIONS

Allegation 1

From 1 April 2002 - Present, Mrs Julie Anne Ward, a Member of ACCA, held

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a shareholding of over 45% in Company A which in effect put her in a position of principal of Company A, a company referred to on Companies House as having a SIC code of 69201 'Accounting and auditing activities', without holding an ACCA practising certificate, contrary to Regulation 3(2)(b) of ACCA's Global Practising Regulations (as applicable from 2006 - 2023).

Allegation 2

From 1 May 2002 - Present, Mrs Julie Anne Ward, a Member of ACCA, carried on public practice by virtue of being responsible for producing and signing accounts at Company A without holding an ACCA practising certificate, contrary to Regulation 3(1)(a) of ACCA's Global Practising Regulations (as applicable from 2002 - 2023).

Allegation 3

On the dates outlined in Schedule 1, Mrs Julie Anne Ward, a Member of ACCA, caused to be submitted to ACCA annual CPD declarations in which she confirmed that she was not carrying on public practice as defined by Regulation 4 of ACCA's Global Practising Regulations, when this was not the case.

Allegation 4

Mrs Julie Anne Ward's conduct in respect of allegation 3 was reckless in that she failed to have sufficient regard to the declaration she gave when she wrongly confirmed that she had not been carrying on public practice activities without holding a practising certificate (as per Global Practising Regulations 3 and 4).

Schedule 1

26 November 2013

6 November 2014

2 December 2015

29 November 2016

8 January 2018

18 January 2019

17 December 2019

4 January 2021

31 December 2021

12 January 2023

BACKGROUND

2. Mrs Ward has been a member of ACCA since 1999.
3. On 3 May 2023, a complaint was received by ACCA on the basis that Mrs Ward appeared to be carrying on and or holding out to be in public practice without a practising certificate. This became known following Mrs Ward's application for a practice certificate waiver, in which she confirmed that she satisfied the experience criteria by being directly responsible for the full accounting and bookkeeping services offered by Company A.
4. Companies House records showed that Company A was incorporated on 30 April 2002 and that the nature of the business was "accounting and auditing activities". The filing history indicated that Mrs Ward has held a shareholding in the Company since 1 May 2002.
5. Following a request from ACCA, Mrs Ward responded on 28 December 2023 confirming that she had previously held a 50% shareholding in Company A which changed to 45% on 3 August 2022. She further confirmed that she is responsible for preparing accounts and signing them off and repeated that she was unaware that this working arrangement breached ACCA Regulations until it was brought to her attention in 2019. Further, she recognised that although she had made efforts to regularise position by applying for a practising certificate waiver, this had failed to progress owing to numerous personal matters. She had agreed to sign an undertaking confirming she would not sign off public practice work until she had regularised position with ACCA. This was achieved when Mrs Ward resigned from ACCA on 2 April 2024.
6. On 30 April 2024, ACCA proposed that the matter was dealt with by way of a consent order and on 28 May 2024 the legal representative for Mrs Ward confirmed that she was willing to agree the consent order and the payment of any associated costs.

COMMITTEE'S DECISION

7. Under Regulation 8(8) of the Complaints and Disciplinary Regulations 2014, I must determine whether, based on the evidence before it, the draft consent order should be approved or rejected. I had regard to the Consent Orders Guidance.
8. I noted that under Regulation 8(12) I shall only reject the signed Consent Order if I am of the view that the admitted breaches would, more likely than not, result in exclusion from membership.
9. I agree that an investigation of an appropriate level was conducted by ACCA.
10. I note that Mrs Ward has admitted all allegations.
11. I considered the seriousness of the breaches as set out and the public interest, which includes the protection of the public, the maintenance of public confidence in the profession and the declaring and upholding of proper standards of conduct and performance. I balanced this against Mrs Ward's interests, and her mitigation and personal circumstances. I note that Mrs Ward has no disciplinary history and has been a member of ACCA since 1999 – a period of nearly 25 years without any previous complaints.
12. I noted and accepted the list of aggravating and mitigating factors advanced at paragraphs 9 and 10 of the draft Consent Order bundle. The breaches were serious ones aggravated, in particular, by the length of time (over 20 years) that Mrs Ward had undertaken public practice without holding an ACCA practising certificate and the incorrect signing and submitting annual CPD declarations over the prolonged period. I noted that Mrs Ward had now regularised position by resigning from ACCA. I noted that Mrs Ward had apologised and expressed genuine remorse.
13. I had regard to ACCA's Guidance for Disciplinary Sanctions. I was satisfied that the risk to the public and profession had ceased by Mrs Ward resigning as a member.
14. For the reasons set out above, I was satisfied that the admitted breaches would be unlikely to result in exclusion from membership, and therefore there was no

basis for me to reject the consent order under Regulation 8 (12). I noted the proposed consent order, and considering all the information before it, was satisfied that a severe reprimand accompanied by a fine of £8,320 (which was calculated with reference to the fees that Mrs Ward would have paid for renewing a practising certificate over the period) was an appropriate and proportionate disposal of this case.

15. I am further satisfied to award ACCA's costs in the sum of £1,351.50 which I find to be a reasonable and proportionate amount for the work undertaken.

ORDER

16. The Chair, pursuant to its powers under Regulation 8, made an Order in terms of the draft Consent Order, namely that Mrs Ward be severely reprimanded and pay a fine of £8,320. In addition, Mrs Ward is to pay ACCA's costs of £1,351,50.

Mr Tom Hayhoe
Chair
20 September 2024