

Case Numbers: TRIB-005182

Disciplinary Panel Hearing

Case of:

Mr Stewart Thomson

Wednesday 15 April 2026

Remotely by Microsoft Teams

Panel

Ms Niru Uddin (Lay Chair)

Mr Andrew McFarlane (Surveyor Member)

Mr Paul Curtis (Lay Member)

Legal Adviser

Alastair McFarlane

Tribunal Executive

Mrs Jae Berry

RICS Presenting Officer

Mr Hugh O'Brien Quinn

Regulated Member

Mr Stewart Thomson

ALLEGATION

The charge against Mr Thomson is:

Between 1 January 2024 and 1 February 2025, you have failed to comply with RICS' requirements in respect of Continuing Professional Development (CPD) in that you have not completed and/or recorded, or caused to be recorded, at least 20 hours of CPD on the RICS CPD portal.

Contrary to Rule 1 of the Rules of Conduct effective from 2 February 2022 Mr Thomson is therefore liable to disciplinary action under Bye-law 5.2.2(c)

1. Mr O'Brien Quinn appeared on behalf of RICS. Mr Thomson appeared in person and was unrepresented.

SERVICE

2. Having considered the Notice of Hearing and the witness statement of Mrs Jae Berry, Regulation Manager, the Panel was satisfied that Notice of the Hearing was served on the Relevant Person (Mr Thomson) on 5 March 2026. Whilst this was not in accordance with the requirement for 56 days' notice under Rule 53(1)b RICS Regulatory Tribunal Rules ("RTR"), the Panel was satisfied that Mr Thomson had agreed to waive this requirement.

BACKGROUND

3. Mr Thomson MRICS has been a professional Member of RICS since January 2003.
4. All Members of RICS (AssocRICS, MRICS and FRICS) are required to undertake a minimum of 20 hours of Continuing Professional Development (CPD) each calendar year. Of the minimum 20 hours CPD, at least 10 hours must be “formal” CPD. The remainder can be “informal” CPD.
5. Members must not only complete the minimum required number of hours of CPD but must record their CPD activity online. The activity must be recorded with RICS by 31 January of the following year.
6. By 31 January 2025, Mr Thomson failed to record any hours of CPD for the calendar year 1 January 2024 to 31 December 2024.
7. Rule 1 of the Rules of Conduct states:

“Members and firms must be honest, act with integrity and comply with their professional obligations, including obligations to RICS.”

8. Appendix A of the Rules of Conduct sets out the core professional obligations, the first of which is:

“Members must comply with the CPD requirements set by RICS.”

9. This case was allocated to a Single Member who found the matter proved and imposed a sanction. This Disciplinary Panel is considering the matter afresh following Mr Thomson exercising his right under rule 115 RTR.

10. On 13 November 2024 and 11 December 2024, RICS sent reminder emails to those Members who had not yet recorded their requisite CPD activity with RICS. Only Members with email addresses recorded on their membership records would have been sent those emails. Mr Thomson had an email address listed on his membership record at all relevant times. Those emails would have been sent in bulk to a large number of email addresses. RICS accept that it is possible that an individual's email configuration would result in bulk emails being stored in a junk or spam email folder.
11. Four further reminder emails were sent by RICS between 15 January 2025 and 12 March 2025 to those who still had not recorded the required amount of CPD activity.
12. Although RICS sent reminder emails, it is each Member's responsibility to ensure that they complete and record the requisite CPD activity. As set out above, it is a core professional responsibility for Members to comply with RICS' CPD requirements.
13. Mr Thomson did not record any hours of CPD activity for the 2024 calendar year by the cut-off date of 31 January 2025 or following the reminder emails in February and March 2025.
14. As no CPD activity had been recorded, disciplinary proceedings were initiated by RICS. On 24 October 2025, Mr Thomson was sent an email informing him that his alleged breach of the CPD requirements was to be referred to Head of Regulation to make a decision whether to refer the matter to a Single Member of RICS' Regulatory Tribunal. Attached to that email were the bundle of evidence relied on and a listing questionnaire. Mr Thomson was asked to return the completed listing questionnaire together with any representations or evidence that he might want to provide by 7 November 2025.
15. Mr Thomson replied to that email on the same day (24 October 2025) stating:

'Sorry I am confused, why are you raise disciplinary proceeding against me?'

16. The investigator responded on 3 November 2025. In her reply, she reminded Mr Thomson of the need to reply by 7 November 2025 (per the original email). No further communication was received from Mr Thomson.
17. On 25 November 2025, Mr Thomson was sent an email informing him that the matter was to be referred to a Single Member and attaching another copy of the evidence bundle.
18. On 11 December 2025, Mr Thomson sent an email to RICS rejecting the decision of the Single Member of the Regulatory Tribunal.

RICS SUBMISSIONS

The Allegation

19. RICS relied upon Mr Thomson's admission. It also submitted that the records show that by 31 January 2025, Mr Thomson had failed to record any hours of CPD for the calendar year 1 January 2024 to 31 December 2024. It relied upon the statement of Rohima Akhtar, an RICS Regulatory Support & CPD Officer, which confirms that she undertook a review of the RICS computer system and the records kept on that system relating to Mr Thomson and that no hours were recorded for the year 2024.
20. In his email of 11 December 2025, Mr Thomson stated that it had been an oversight in failing to record his CPD activity as he is an exceptionally busy individual. His delay in providing a defence was due to his workload. Mr Thomson stated that had reminder letters been sent, he would have had an opportunity to address the default. Mr Thomson also stated that he had ongoing training and attended numerous seminars/conferences.

21. RICS accepted that Mr Thomson had completed the CPD for 2024 but had not recorded it. Mr Thomson would have been aware of his obligation to record his CPD activity as he had managed to do so for the eight years from 2014 to 2021.
22. RICS submitted that the Member's conduct as set out in the Allegation was in breach of Rule 1 of the Rules of Conduct Global (effective from 2 February 2022).

Liability to Disciplinary Action:

23. RICS accepted that not every breach of the bye laws renders a member liable to disciplinary action. Those breaches must be sufficiently serious. This case involves a breach of a core professional obligation. This, if found to be proved, is the third occasion on which that professional obligation has been breached. RICS' Sanctions Policy version 9 emphasises the importance placed by RICS on the need to comply with CPD requirements. Even a single breach of a Member's CPD obligations results in a fixed penalty caution which itself is a disciplinary sanction. A third similar breach carries a presumption of expulsion (Paragraph 22 of Sanctions Policy). It is submitted that RICS' sanction policy demonstrates that a third breach of a Member's CPD obligations easily passes the threshold for liability to disciplinary action.

SUBMISSIONS ON BEHALF OF MR THOMSON

24. Mr Thomson admitted the Allegation at the outset of the hearing on the basis that whilst he had completed the CPD for the calendar year 2024 he accepted that he had failed to record it in accordance with his duty. The basis of this admission was accepted by RICS.
25. In his email to RICS dated 11 December 2025 Mr Thomson stated:
"Clearly this failure of mine to populate the CPD requirements is an oversight. I am an exceptionally busy individual, working overseas on high profile, high pressurized projects and my time is limited. This is an oversight! I have regularly paid my

membership fees and have ongoing training and attended numerous seminars/conferences.

My delayed defense and engagement is purely down to workload.

There was no warning letters to advise me that I had failed to do my CPD, you went straight to Tribunal.

If there were warning letters, I would have had the opportunity to address this default. I will address this default for 2025 and beyond.”

FINDINGS OF FACT

26. The Panel found the Allegation proved by virtue of Mr Thomson's admission.
27. The Panel would add that had it been necessary it would have been satisfied on the documentary evidence before it that the allegation was proved. The documentary evidence establishes on the balance of probabilities that Mr Thomson had not recorded any CPD for 2024.
28. The Panel accepted RICS submission that the Member's conduct as set out in the Allegation was in breach of Rule 1 of the Rules of Conduct Global (effective from 2 February 2022). Accordingly, it was satisfied that the Allegation was proved.

LIABILITY FOR DISCIPLINARY ACTION

29. The Panel next considered whether the proved Charge rendered Mr Thomson liable to disciplinary action under bylaw 5.2.2 (c).

30. The Panel accepted the advice of the Legal Adviser. It reminded itself that liability to disciplinary action was a matter for the judgment of the Panel. It was satisfied that the requirement to record CPD was an important requirement on RICS members to ensure the protection of the public and to maintain the reputation of the profession. It noted that Mr Thomson accepted his failure rendered him liable for disciplinary action. In its judgment the conduct in not recording his CPD was sufficiently serious, given the need for the Regulator to be able regulate the profession and ensure compliance with the CPD obligations, to render Mr Thomson liable to disciplinary action.

SANCTION

31. The Panel next considered the matter of sanction. The Panel accepted the advice of the Legal Adviser. It had regard to RICS' Sanctions Policy and that under paragraph 22.1 c) in relation to sanctions for CPD breaches there is a presumption of expulsion.
32. The Panel noted the submissions of RICS and from Mr Thomson. In particular it had regard to the overriding principles of acting in the public interest, to protect the public, the reputation of the profession and to declare and uphold proper standards and bore in mind the overriding principles of proportionality. The Panel took account of Mr Thomson's interests, his responses and his desire to remain an RICS member. The Panel noted the acceptance from Mr O'Brien Quinn for RICS that had Mr Thomson contacted the Regulator at an earlier stage, given that the CPD had been completed, that the case would not have been before the regulator and that the circumstances of non-recording CPD were plainly "a far lower level of culpability" as opposed to CPD not being undertaken.
33. The Panel exercised its own judgement as to the proportionate and appropriate sanction in the circumstances. The Panel reminded itself that the purpose of sanctions is not to be punitive, though that may be their effect. It weighed the mitigation advanced by Mr Thomson against the public interest – which includes the necessity to uphold

the reputation of the profession, declare proper standards of conduct and to deter other members of the profession from such breaches.

34. The Panel considered mitigating and aggravating factors as well as the issue of proportionality in weighing up the appropriate sanction.

35. The aggravating factors the Panel identified were:

- The serious impact on the reputation of the profession
- The repeated failure of Mr Thomson to respond to emails sent out by his regulator in relation to compliance with his CPD obligations
- The fact that this was the third time Mr Thomson had failed to comply with the CPD obligations
- Only limited insight into the seriousness of the failure was demonstrated by Mr Thomson

36. The mitigating factors the Panel identified were:

- Mr Thomson admitted the breach
- He was under significant external work pressures at the time of the failure and in relation to the previous breaches
- Mr Thomson expressed remorse and apology.
- Steps taken including the flagging of RICS emails and getting help from his Executive Assistant to ensure that such failures will not occur again.

37. Whilst the Panel noted that the level of culpability for non-recording was lower than not completing CPD, the Panel did consider that the failure to record was serious

and gave a careful consideration as to whether the presumption of expulsion should apply in this case. It was however persuaded that a combination of a Reprimand, and a Fine was sufficient to highlight to the profession and the public the seriousness of the proven conduct. In considering RICS Sanctions Policy, the Panel noted that the factors (at paragraph 7) of admissions and regret were present as was a previous history for the same breach.

38. The Panel was satisfied that Mr Thomson had rebutted the presumption of expulsion. It noted that he was now engaging with the regulator, had completed and recorded his CPD for 2025, had expressed regret for his failure and was undertaking measures to ensure such recording failures would not happen again. In the circumstances the Panel was satisfied that the appropriate and proportionate sanction was a Reprimand and a Fine of £2000. The Panel would add that Mr Thomson should be aware that any further CPD breaches would be highly likely to result in his expulsion.

PUBLICATION

39. The Panel was satisfied that no justifiable basis was advanced by Mr Thomson for departing from the presumption of publication. The Panel considered the policy on publication of decisions, The Sanctions Policy Supplement 3 - Publication of Regulatory Disciplinary Matters. This decision will be published on the RICS website and in the RICS magazine Modus.

COSTS

40. The Panel noted Mr Thomson's submissions as to costs and his completed statement of means. RICS has submitted a schedule of costs in the sum of £3,720.

41. The Panel was satisfied that it was appropriate to make an award of costs in this case in favour of RICS. It was further satisfied that the costs claimed by RICS were appropriate and proportionate. Mr Thomson did not argue against an award of costs. Accordingly, it awarded RICS costs in the sum of £3,720.

APPEAL PERIOD

42. The Regulated Member has 28 days, from the service of the notification of the decision, to appeal this decision.