

CPD Audit

Frequently Asked Questions

You may contact the Legal Practice Board (**Board**) for further information if your question is not answered in:

1. The frequently asked questions below; or
2. The [CPD Guidelines](#); or
3. The [CPD Audit checklist](#).

However, please note, that during the CPD Audit period it may take some time for the Board to respond to email or telephone enquiries.

1. Why do I need to do CPD and what competency areas do I need to do my CPD points in?

Pursuant to rule 13B of the *Legal Profession Rules 2009 (WA)* (**Rules**) a legal practitioner is required to complete a minimum of 10 CPD points in every CPD year (**CPD condition**). A legal practitioner holding a practising certificate for less than 12 months will be required to obtain a minimum number of CPD points in accordance with the table under rule 13B of the Rules (please also refer to the [CPD Guidelines for Pro Rata Practice](#)).

Of the 10 CPD points required, a minimum of 6 points should be interactive and at least 1 point should fall within each of the 4 competency areas, being:

Competency Area 1: Practice Management

Competency Area 2: Professional Skills

Competency Area 3: Ethics and Professional Responsibilities

Competency Area 4: Substantive Law

Each QA provider should advise a legal practitioner of the number of points obtained and in which relevant competency area(s) upon completion of an approved CPD activity.

For further information please see rule 10 of the Rules.

2. Why am I required to provide information under a CPD Audit?

In accordance with rule 13B(3) of the Rules, if requested, a practitioner must provide the Board with documentation or information in relation to a practitioner's compliance with the CPD condition.

Each year the Board audits approximately 10% of the profession to ascertain general compliance with the CPD condition. If selected for a CPD Audit, it is expected that a legal practitioner will provide the information requested under the audit process.

3. When will I receive a response to the CPD Audit?

A legal practitioner should receive an automatic confirmation email at the time of submitting a response to the Board.

The Board will not send a further email confirming receipt of a legal practitioner's response to the CPD Audit.

It is anticipated that a legal practitioner will receive a response from the Board within 8 weeks of submitting the CPD Audit information. However, it may take some time to assess a legal practitioner's audit, and a response will be provided as soon as practicable.

4. What do I need to include in my audit submission?

A legal practitioner is required to submit a [CPD Record Card](#) (either in word, pdf, or excel) along with any required attachments. Please see the [CPD Audit Checklist](#).

5. How do I know if an event is held by a QA provider? How do I know if an event has been approved?

A list of approved QA providers can be found on the Board's website. Please note QA providers can be restricted in the delivery of CPD and it is important to check the CPD activity you are undertaking is an approved activity.

If an event is approved as a single activity, the activity will be included in a [list of approved single activities](#) found on the Board's website.

6. I attended a CPD activity through an approved QA provider. Do I need to attach a certificate of attendance?

Yes. If you are unable to obtain a certificate, please provide other evidence to demonstrate your participation in the CPD activity.

7. What happens if an event has not been approved for CPD points?

A legal practitioner can submit a [CPD Form 3 Application for Approval of a CPD Activity by Practitioner](#). The applicable fee is \$60.00. CPD Form 3 can be downloaded from the Board's website.

8. What is the maximum amount of CPD points that can be claimed through a single CPD activity?

The maximum amount of CPD points that can be claimed for a single CPD activity (even if the activity goes for more than 1 day) is 6 CPD points. A Conference is considered to be a single CPD activity.

9. Where is the payment option form?

The [Payment Options Form](#) can be downloaded from the Board's website.

10. What should I do if I am practising overseas?

If a legal practitioner has completed CPD overseas, a [CPD Form 4 Application for Variation of CPD Condition](#) should be completed. CPD Form 4 can be downloaded from the Board's website.

Please note if CPD points have been undertaken through an approved QA provider, a CPD Form 4 will not be required.

11. I presented a CPD presentation. How many points can I claim?

CPD points that can be obtained by completing an approved CPD activity are set out under rule 13F of the Rules. Please note the activity must be through an approved QA provider or be an approved activity under rule 15 of the Rules.

Please refer to the table below for presenter points.

Interactive activity	
Presenter who prepared the material used in the activity	1.5 points for each complete 30 minutes
Presenter who presents material prepared by someone else	1 point for each complete 30 minutes
Commentator	1 point for each complete 30 minutes
Chair	0.5 points for each complete 30 minutes

12. Is a publication an approved CPD activity?

It can be. CPD points that can be obtained by completing an approved CPD activity are set out under rule 13F of the Rules. Please note the activity must be through an approved QA provider or be an approved activity under rule 15 of the Rules. Please refer to the table below:

Publication activity	
All publication activities	0.5 points for each set of 500 words to a maximum of 5 points for a single article.
As editor, as an alternative to the previous item.	1 point for each edition to a maximum of 5 editions.

13. Can I complete all my points online?

Yes, a legal practitioner may complete all CPD points online, providing at least 6 are by an interactive activity (please note, there are no longer any Covid-19 exemptions to this rule).

An activity is considered interactive if there is a testing component during the activity, or if it is a live webinar, or if it requires face-to-face interaction where questions may be asked.

14. I have not met my CPD requirements, what do I do now?

A legal practitioner who has not complied with the CPD condition is still required to respond to the CPD Audit, notifying the Board that CPD requirements have not been met.

The Board will consider the circumstances of the breach of the CPD condition and respond to the legal practitioner on an individual basis.

Please make sure that when you apply to renew your practising certificate you answer 'no' to question 10(a) "[h]ave you complied with your CPD requirements".

15. Am I required to still do all my points if I only work part-time?

Yes, if you have chosen not to practice, are employed in a non-legal role or work part-time and hold a current local practising certificate, you are still required to complete all CPD requirements.

16. How many points are I required to complete if I am on parental leave or taking extended leave?

The requirement to complete CPD is a condition on a practising certificate, and continues as long as a legal practitioner holds a practising certificate, unless an exemption is granted by the Board.

A legal practitioner on parenting leave, or on another form of absence from legal practice that may warrant a reduction of CPD points, such as illness, needs to inform the Board of the absence and submit a [CPD Form 4 Application for Variation of CPD condition](#). CPD Form 4 can be downloaded from the Board's website.

Please also refer to the [CPD Guidelines for Parenting Leave](#) found on the Board's website.

17. Can I submit my response to the CPD Audit by post?

An electronic submission is preferred. Please email general@lpbwa.com with your completed audit information.

18. I did not complete my CPD by 31 March 2021, however I did complete it the first week of April 2021. Can these points be included in my compliance for the CPD year ending 31 March 2021?

No. CPD activities completed after 31 March 2021 form part of a legal practitioner's CPD compliance for the CPD year commencing 1 April 2021.

Please make sure that when you apply to renew your practising certificate you answer 'no' to question 10(a) "[h]ave you complied with your CPD requirements".

19. What if I commenced the CPD activity prior to 31 March 2021, however I only completed the activity after 31 March 2021, will these points be recognised?

No. The activity must be fully completed by 31 March 2021.

20. I hold a local practising certificate, but I have not been practising, do I still need to complete CPD?

Yes. If a legal practitioner holds a current practising certificate, then the legal practitioner must comply with the CPD condition, unless an exemption has been granted.

21. If I have submitted an application to the Board but it has not been assessed, can I count this as CPD completed?

No, CPD activities can only be included once you have received approval from the Board.

You should still respond to the CPD Audit, however a note should be included with your submission if approval for an activity is pending.

Other handy links:

[Guidelines for the Allocation of Topics to CPD Competency Areas.](#)

[Downloadable forms](#) available on the Board's website.