

# Explanatory Note Regarding Accreditation as a QA Provider

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The Legal Practice Board (**Board**) has set out the information required to accredit a person to be a QA provider of continuing professional development (**CPD**) activities in Western Australia in the [CPD Form 1 Application for Accreditation as a QA Provider of CPD \(Application\)](#).

A QA provider may be responsible for the conduct of legal education activities locally, interstate or overseas providing it fulfils the requirements for accreditation as set out in the conditions of approval by the Board.

A QA provider has three options when obtaining and then complying with its QA provider status in respect of legal education activities being undertaken by an office, (or similar) in another Australian or international jurisdiction.

## Option 1 – local QA provider with responsibility

A QA provider in Western Australia can obtain QA provider status for the Western Australian office and allocate CPD units or points to its local activities. It can also take responsibility for interstate or international seminars insofar as Western Australian practitioners of its office attend, and it can then allocate CPD units or points under its existing QA provider status to those interstate or international activities.

Under this scenario an interstate or international office of a QA provider can undertake a CPD activity with Western Australian practitioners present, in which case the Western Australian practitioners may claim CPD units or points. The Western Australian office must take responsibility for CPD compliance in accordance with the accreditation issued by the Board. For example, the person responsible for CPD compliance by the Western Australian practitioners will be responsible for ensuring the following:

- The content, quality and Relevance\* of the CPD activity (to the legal profession and the professional development of the target audience) is in accordance with accreditation.
- The CPD units or points have been allocated to the appropriate fields or categories.
- The legal education training will be conducted by persons who are qualified by practical or academic experience in the subject or subjects covered in the CPD activity.
- There will be an appropriate evaluation tool to assess the outcome of the CPD activity.
- Appropriate arrangements have been made for maintaining and providing suitable and accurate records of attendance, including dealing with questions of privacy and the need for records to be made available to the Board for audit purposes.

There is no need for the seminar to be notionally “hosted” by the Western Australian office.

**\*Relevance** means a legal education activity that is relevant to a particular Australian legal practitioner’s legal education in an actual or intended: area of practice; business development requirement; professional skills requirement; and includes any general ethical or professional conduct training

### **Option 2 – Approval of individual activity by non-QA provider**

A QA provider can have its QA provider status limited to the Western Australian office and may elect not to take responsibility for a CPD activity undertaken by an interstate or international office. If an interstate or international office of a QA provider wishes to have a particular CPD activity approved for CPD units or points the usual application process for approval of a single activity will then apply for the interstate or international office ([CPD Form 2 Application for accreditation of a CPD Activity by a non-QA Approved provider](#)).

It is also open for a practitioner of a local office to submit a [CPD Form 3S Application for accreditation of a CPD Activity by a solicitor](#), or a [CPD Form 3B Application for accreditation of a CPD Activity by a barrister](#), for CPD activities held in an interstate or international office.

### **Option 3 – National or International QA provider accreditation**

A QA provider can have approval nationally or internationally. If this occurs the Western Australian requirements need to be complied with for every seminar conducted by every office where CPD units or points may be claimed. Invitations sent out by a national or international QA provider will need to clearly specify if CPD units or points are, or are not, available to Australian legal practitioners whose home jurisdiction is WA.

The Board does not recommend this alternative because of the risks of non-compliance by a QA provider in an interstate or international office who is not aware of the Western Australian compliance requirements. The Board is aware of examples where law practices have inadvertently failed to comply with a Western Australian requirement because a Western Australian practitioner was sent an invitation by an interstate office which did not comply with the Western Australian requirements and where it was not clear to that practitioner that CPD units or points were not capable of being allocated to the Australian legal practitioner.

In the case of non-compliance where there is a national or international QA provider, lack of familiarity or understanding of the Western Australian requirements will result in a risk to the accreditation of the QA provider even at a Western Australian level. QA providers with national or international QA provider status should expect to be audited for compliance.

Any questions regarding accredited QA providers and the responsibilities associated with that accreditation should be directed to the Board on (08) 62113600 or by email to [enquiries@lpbwa.com](mailto:enquiries@lpbwa.com).