

# Online CPD Management System: FAQ

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This document addresses the various questions and concerns raised by CPD providers in response to the Board's communications seeking feedback regarding the proposed online CPD Management System (**CPDMS**).

## Definitions

- Activity ID:** ID number issued by a CPD provider; unique to each CPD activity.
- CPDMS:** The online CPD management system.
- CPD provider:** Approved provider of CPD activities, including a QA provider and a provider of an approved single activity.
- CPD Provider ID:** A unique ID number issued to each CPD provider by the Board.
- Practitioner ID:** ID number issued to each practitioner by the Board.
- PCI compliance:** Payment Card Industry data security standard to increase controls around cardholder data to reduce credit card fraud. This standard is applied to the whole database not just the payment components.
- Transitional period:** From the date the CPDMS is live until 31 March 2021.
- Uploads:** The information to be provided to the Board via the online CPDMS via the methods set out under paragraph 2.1 below.
- 2020 CPD year:** 1 April 2020 to 31 March 2021.

## Purpose of the CPDMS

To date, the Board has been reliant on auditing practitioners each year as a way of ensuring that practitioners are complying with their CPD requirements, but also as a way of monitoring CPD providers' compliance with their obligations as practitioners are required to provide the Board with evidence of CPD completed as part of the audit process.

The CPDMS is being implemented to:

- Allow the Board and the profession to consider the delivery of CPD, ensure there is engagement by the profession, and there is value in the delivery and content of activities focussing on genuine learning and development.
- Enable a practitioner to easily identify the CPD activities undertaken in a particular CPD period and to ensure compliance with CPD requirements. CPD providers will be relieved of the requirement to issue certificates to practitioners upon completion of CPD.
- Take a targeted approach to auditing CPD activities and compliance with a view to understand the nature of the profession's compliance with CPD requirements and offer early support to those members of the profession who are in danger of not satisfying the annual requirement.

- Assess the types of CPD activities being delivered to practitioners, track relevant trends, including courses offered and courses attended, and assess the future needs of the profession.
- Provide feedback to the CPD providers on areas of emerging risk and to consider the value of including more effective CPD being provided across all areas of practice.

The above objectives will assist the Board's strategic focus to be an effective, efficient and innovative leader in the regulation of legal services in Western Australia by:

- Promoting competence, capability, and compliance with professional obligations.
- Simplifying access to information and providing tools to encourage best practice and promote self-assessment.
- Enhancing our collaborative relationship with stakeholders to promote our mandate, core functions and strategic direction.
- Being innovative and responsive to change.
- Using data to support a fully informed community and profession.
- Carefully managing our resources to maintain capacity.
- Pursuing innovative process improvements, to better achieve our purpose.

## **Responses to questions raised during the consultation process**

### **1. Timing and go-live dates**

#### **1.1. When does this system go live?**

The Board is still in the development phase of the CPDMS. The Board anticipates that it will be mandatory for CPD providers to use the Uploads to the CPDMS from 1 April 2021 onwards.

#### **1.2. Are CPD providers required to upload data from 2020 CPD year and or earlier?**

No.

CPD providers are required to upload information for activities held on and from the date the CPDMS becomes mandatory. It is expected this date will be 1 April 2021.

CPD providers will be advised by the Board when the CPDMS is live and when using the CPDMS becomes mandatory.

### 1.3. When are CPD providers expected to start using CPDMS?

The Board is expecting the CPDMS to be up and running in January 2021. If CPD providers are ready, they can use the Uploads from the time the CPDMS is live. Otherwise, it is expected that it will become mandatory for CPD providers to use the Uploads from 1 April 2021.

CPD providers will be advised by the Board when the CPDMS is live and when using the CPDMS will become mandatory.

### 1.4. Transitional period

There will be a transitional period from the date the CPDMS becomes live until 31 March 2021 during which time use of the CPDMS will be optional, and including a majority of fields within the Uploads file will also be optional. The following fields will be mandatory in order for the upload to function correctly within the system

- CPD Provider ID
- Practitioner ID
- Activity Type
- Word count (if activity is a publication)

### 1.5. How often are providers expected to upload the information?

The Board recommends that information from a CPD activity conducted by a CPD provider is uploaded into the CPDMS within 2 weeks following the activity.

However, the frequency of Uploads can happen at the discretion of the CPD provider provided all records of CPD activities for the CPD year ending 31 March are uploaded by 30 April. This will allow information to be accurate for the renewal of practising certificates.

### 1.6. Are CPD providers required to upload information for activities that are held by other CPD providers?

No. A CPD provider is only required to upload information regarding activities it conducts.

If a practitioner employed by a CPD provider attends other activities it is the responsibility of the CPD provider conducting that activity to upload the information to the CPDMS.

2. If the activity is not conducted by the CPD provider, it is the responsibility of the practitioner to submit a CPD Form 3 *Application for Approval of a CPD Activity by Practitioner*. **Data capture**

#### 2.1. Are CPD providers required to use the Board's upload file?

CPD providers can provide the information required by the CPDMS to the Board in any combination of the following three ways:

1. CPD providers can export data from their own systems into the Board's upload file and then upload online. This is more suitable for CPD providers with existing learning management systems capturing and maintaining this information; or

2. Manually fill in the Board's upload file and then upload online. This is more suitable for CPD providers who hold this information in any other method, for example excel spreadsheets; or
3. Manually enter the required information directly through the online CPDMS without the use of the Board's upload file. This is more suited for CPD providers who are conducting a small number of activities or conducting single activities (for example a Discussion group).

## 2.2. Uploads

The Board has received feedback from CPD providers raising concerns that the format of the information being stored within CPD providers' existing systems is not exactly the same as that within the Board's Uploads file.

After considering the feedback from CPD providers, the Board has made amendments to the mandatory fields in the CPDMS.

From 1 April 2021, after the transitional period, it will be mandatory that Uploads include the following:

- CPD Provider ID\*
- Practitioner ID\*\*
- Activity ID (see item 3 below)
- Practitioner name
- Activity attended
- Date of Activity
- Points gained
- Competency area
- Role
- Interactive or non-interactive
- Word count (if the activity is a publication)

\*The CPD Provider ID will be issued by the Board to each CPD provider prior to 1 April 2021.

\*\*The Practitioner ID will be issued to every practitioner prior to 1 April 2021.

CPD providers will be advised once practitioners have their Practitioner ID.

Only during the transitional period will the practitioner ID field within the Uploads file be optional. Though including the practitioner ID, where possible, during the transitional period will allow for more accurate records.

There will be an option for Uploads to include the following information:

- Sign in time for each practitioner
- Sign out time for each practitioner

However, if this information is not uploaded, it **must** be recorded and made available to the Board upon request. This is a condition of approval as a CPD provider.

## 2.3. Sign in and out times

The Board has received feedback indicating that many CPD providers are currently using systems that:

- Do not allow the recording of times a practitioner enters and leaves a CPD activity; or
- Allows the times to be recorded, but not in a format that can be exported to the CPDMS Uploads file.

It is of note that the Board only requires a sign out time for a practitioner who leaves an approved CPD activity early.

Based on the feedback provided to the Board, the Uploads file has been amended so that these fields are optional.

However, this information must still be recorded and made available to the Board upon request as this is a condition of approval as a CPD provider.

#### **2.4. Will the uploads include e-learning?**

Yes.

E-learning activities are considered non-interactive activities unless the CPD provider satisfies the requirement that the activity is interactive.

The duration of an e-learning activity is to be advised by the CPD provider.

CPD providers are required to record the time a practitioner signed into and logged out of an e-learning activity. This information will be included in the sign in and sign out section of the Uploads file, but it is an optional field (see item 2.3 above).

#### **2.5. In what way is the upload file intended to capture presentation or preparation points?**

The Uploads file has been amended to include the allocation of points to a presenter(s) of an approved CPD activity. Please note a different allocation of points applies depending on whether the presenter(s) prepared the content of the approved CPD activity.

#### **2.6. Exported data from own learning management systems are not in the same format as the CPDMS and the mandatory use of the CPDMS will require extensive work.**

The Board's purpose for introducing the CPDMS is stated at the introduction to this document, including the benefits for the CPD providers and the profession itself.

The Board is aware that to achieve the aims of the CPDMS there will be some work on the part of the CPD providers to adjust present systems to allow Uploads to the CPDMS that are compliant with the Board's requirements. However, the longer term benefits of the CPDMS to bring together a system of compliance, access to professional development trends and tools, and engagement with the regulator, will play its part in ensuring Western Australia has an engaged, active, competent and ethical legal profession.

Board staff are available to talk through and assist CPD providers, where possible, with exporting data.

## **2.7. Some fields in the Board's datasheet don't exist in our learning management systems or its reports**

The information required is the minimum necessary to provide practitioners with a means of managing their CPD compliance and become records that are required to be maintained by CPD providers as part of their approval as a QA provider or the approval of a single activity.

## **3. Activity IDs**

### **3.1. What is an Activity ID?**

An Activity ID uniquely identifies an approved CPD activity.

If a CPD provider has an unique identifier as part of their current system, this ID may be used in the CPDMS.

If a CPD provider does not have a system that creates an Activity ID, one can be manually assigned using the steps set out below.

### **3.2. How to create an Activity ID**

The Board's system will require an Activity ID in order to establish unique identifiers for each approved CPD activity being conducted, across all CPD providers.

As a suggestion a CPD provider can use a combination of the first three letters or initials of the organisation's name, the date the activity was held and a sequential number if more than one is held on the same day.

For example, ABC Law Firm could use the following unique identifiers for approved CPD activities being conducted on 25 November 2021:

- 'ABC2020112501' for the first CPD activity
- 'ABC2020112502' for the second CPD activity.

### **3.3 Do CPD providers need to maintain a record of Activity IDs?**

The Board does not require CPD providers to keep these records. However, it is a requirement that each activity has its own Activity ID.

It is preferred that CPD providers choose a format that remains consistent.

## **4. Data Security**

A number of security measures will be in place to ensure all data is kept private and confidential.

### **4.1. Two Factor Authentication**

A Two Factor Authentication (**2FA**) is a security process in which users provide two different authentication factors to verify themselves.

The Board will be implementing 2FA to all users who log into the Board's website. It is most likely that the Board will be implementing 2FA with the use of authentication apps and one time passcodes.

The Board will advise CPD providers and practitioners of the chosen 2FA methods to be used.

#### **4.2 Security roles**

The CPDMS will be configured in such a way that only those who are assigned with a Security Role will be able to enter or upload the information required by the CPDMS.

CPD providers will be requested to nominate a contact person(s) for their organisation to fulfil the Security Role. Any person in a Security Role will be assigned a username and password to log into the CPDMS.

A CPD provider may nominate up to [insert number] persons to fulfil the security role.

#### **4.3 Database security**

The Board's CPDMS database uses iMIS, a customer management system, supplied and developed by Advanced Solutions International.

iMIS is used by the Board for a range of purposes in the management of data and is PCI compliant that ensures secure management of personal information as well as secure credit card and online payment transactions.

Both iMIS and the Board's website operate on SSL 3.0/TLS 1.3. This means that data transfers between the CPD provider and the Board's database is encrypted. The risk of interception of data is no higher than any other HTTPS website. Some references regarding the SSL certificates and TLS protocols can be found here:

<https://www.networkworld.com/article/2303073/lan-wan-what-is-transport-layer-security-protocol.html>

<https://www.cyber.gov.au/acsc/view-all-content/publications/implementing-certificates-tls-https-and-opportunistic-tls>

There are no usernames or passwords stored in the upload transfers that can be decrypted or used.

### **5. Practitioner IDs**

#### **5.1. When will practitioners receive their Practitioner IDs?**

All practitioners who hold a Western Australian practising certificate were provided with their Practitioner IDs via email sent in the week ending 22 January 2021.

If a practitioner has not received their login credentials or their Practitioner ID, they should email the Board at [general@lpbwa.com](mailto:general@lpbwa.com) with the subject line "CPDMS Practitioner ID."

#### **5.2. Will CPD providers be provided with all Practitioner IDs?**

No. The Board will not provide CPD providers with Practitioner IDs.

It is a practitioner's responsibility to provide the CPD provider with the Practitioner ID when they register to attend a CPD activity.

### **5.3. Will law practices be provided with employees' Practitioner IDs?**

Yes. To assist with the implementation of the CPDMS the Board will provide law practices with its employees' Practitioner IDs. This list will reflect the Board's records as at [insert date]. After this time it will be the practitioner's responsibility to provide future employers with their Practitioner ID, if required.

CPD providers who are also law practices will receive a list of Practitioner IDs for the practitioners employed by their firm.