

CPD Policy

Last updated: 27/03/2019

Scope

This policy applies to Bentleys (QLD) Advisory Pty Ltd, in compliance with *Corporations (Relevant Providers Continuing Professional Development Standard) Determination 2018*. Specifically, it applies to all relevant providers *authorised* by the stated licensee.

Purpose

Continuing Professional Development (CPD) is an essential component of being a professional and embeds a culture of lifelong learning. This policy embeds a CPD framework and outlines the CPD requirements under *Corporations Amendment (Professional Standards of Financial Advisers) Act 2017* (Cth) and *Corporations (Relevant Providers Continuing Professional Development Standard) Determination 2018*, which requires all individuals identified as 'relevant providers' to meet the requirements for CPD set by the Financial Adviser Standards and Ethics Authority Limited (FASEA).

This document outlines the overarching CPD policy and provides a summary of the relevant provider requirements.

This CPD policy embeds the following principles:

- CPD maintains currency of technical knowledge
- CPD enhances and extends knowledge and skills
- CPD involves critical reflection and development
- CPD is relevant and flexible
- CPD is integral to ethical and professional practice

Definitions

Act: Corporations Amendment (Professional Standards of Financial Advisers) Act 2017

CPD year: The 12-month period beginning on the day of the year included in the most recent notice given by the licensee under section 922HA of the Act.

Relevant provider: a person is a **relevant provider** if the person:

- (a) is an individual; and
- (b) is:
 - (i) a financial services licensee; or
 - (ii) an authorised representative of a financial services licensee; or
 - (iii) an employee or director of a financial services licensee; or
 - (iv) an employee or director of a related body corporate of a financial services licensee; and
- (c) is authorised to provide personal advice to retail clients, as the licensee or on behalf of the licensee, in relation to relevant financial products.

Provisional relevant provider: a relevant provider who is undertaking work and training in accordance with subsection 921B(4) of the Act.

Formal relevant education: includes any of the following:

- (a) a degree or equivalent qualification approved under the *Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Determination 2018*
- (b) a course determined in a legislative instrument under paragraph 1546B(1)(b) of the Act
- (c) education or training provided or approved by a professional association
- (d) formal education or training study towards qualifications or designations relevant to practice as a relevant provider.

Professional or technical reading: reading of relevant magazines, academic readings or journal articles that is unstructured and does not contain an assessment.

CPD Year

Bentleys (QLD) Advisory Pty Ltd, CPD Year is 1 July to 30 June as per the most recent notice provided to ASIC under section 922HA of the Corporations Act 2001.

CPD obligations of relevant providers

Total minimum target: 40 hours of ‘qualifying CPD’ per CPD year.

Qualifying CPD activities must include a minimum in the following areas:

CPD Area	Minimum requirement (relevant Provider holds limited authorisation)	Minimum requirement (all other relevant providers)
Technical Competence	10 hours	10 hours
• Superannuation	4 hours	2 hours
• SMSF	4 hours	2 hours
• Life Products	2 hours	2 hours
• Securities		2 hours
• Margin Lending		2 hours
Client Care and Practice	5 hours	5 hours
Regulatory Compliance and Consumer Protection	5 hours	5 hours
Professionalism and Ethics	9 hours	9 hours
General	11 hours	11 hours

CPD areas

A CPD activity must relate to one of the following CPD areas:

Item	CPD area	Definition
1.	Technical Competence	The activity is designed to enhance participants’ technical proficiency and ability to develop and provide advice strategies that are appropriate to the objectives, financial situations and needs of different classes of retail clients.
2.	Client Care and Practice	The activity is designed to enhance participants’ ability to act as a client-centric practitioner in advising retail clients.

3.	Regulatory Compliance and Consumer Protection	The activity is designed to enhance participants' understanding of applicable legal obligations and how to comply with them.
4.	Professionalism and Ethics	The activity is designed to enhance participants' capacity to act as an ethical professional.
5.	General	The activity is designed to maintain and extend participants' professional capabilities, knowledge and skills, including keeping up to date with regulatory, technical and other relevant developments, but is not in an area referred to in another item of this table.

Maximum restrictions

In any CPD year, no more than the specified hours in each activity below may be counted as follows:

- 30 hours of formal relevant education
- 4 hours of professional or technical reading

Assessment and approval of CPD plans

Training plans are to be prepared annually in or around May and approved by the Partner in conjunction with any other training proposed to be undertaken. Once approved the details are to be saved into our AFSL drive under 'Advisor Resources'. The compliance committee will review the final proposed training plans for all Relevant Providers prior to 1 July each year and advise of their approval, or of any changes required.

Approval of qualifying CPD activities

70% of all CPD activities undertaken by relevant providers must be assessed and approved by the licensee.

The following approval process is required:

Activity	Approval process (relevant Provider holds limited authorisation)	Approval process (all other relevant providers)
Kaplan Professional Ontrack content/L4A content	Automatically approved	Automatically approved
Kaplan Professional higher education subjects	Automatically approved to a maximum of 30 hours per subject	Automatically approved to a maximum of 30 hours per subject
CPA/CA/Heffron/BGL/SuperConcepts/NTAA	Automatically approved	Automatically approved
All other activities	Approval required by compliance committee	Approval required by compliance committee

Assessment of qualifying CPD activities

A CPD activity must meet and provide evidence of the following requirements to be approved as a 'qualifying CPD activity':

- Clearly defined aims and learning outcomes
- Clearly defined, logical structure that follows adult learning principles
- Is current, accurate and up-to-date
- Relates to one of the FASEA CPD areas
- Is the appropriate learning level and has appropriate technical or practical content

- Deals primarily with matters related to the provision of financial product advice, financial advice services and financial advice business
- Is led or conducted by one or more persons with appropriate expertise, academic qualifications and practical experience
- Enhances advisers' knowledge and skills, and/or contributes to the maintenance of knowledge and skills in areas relevant to the provision of financial product advice and financial advice services
- Includes one or more of the following: workshop, face-face presentation, multimedia, worked examples, activities, case studies, tips, warnings, and if appropriate, reference to relevant legislation
- Preference is given to activities with a structured assessment component. Evidence of the successful completion of the assessment is required

Evidence requirements

For approval to be granted for a 'qualifying CPD activity' the following evidence is required:

- Proof of attendance/completion (e.g. certificate, digital record, transcript), which includes as a minimum:
 - The name of the activity and the provider
 - The date the activity was undertaken
 - An overview of the activity
 - A bio or CV of person(s) who developed or presented the activity, including academic qualifications and experience
 - The CPD area to which it relates
 - The duration in minutes/hours of the activity
 - The letterhead and/or signature of the provider or an appropriate authorised person.

Bentleys (QLD) Advisory Pty Ltd will approve at a minimum as many activities as will enable a relevant provider to comply with their CPD requirements. However, Bentleys (QLD) Advisory Pty Ltd will not approve an activity unless the activity meets the qualifying CPD activity requirements and evidence requirements set out in this policy.

Allocation of hours

CPD hours will be assessed and allocated on the estimated time taken to complete all content components (including video and/or multimedia) **plus** the completion of the assessment, on the basis of a 'reasonable person', with the appropriate knowledge.

Record keeping

The Kaplan Professional Ontrack platform or Evolve platform will be used to record the completion of CPD activities. CPD plans will specify each relevant provider's:

- individual overall CPD target
- minimum requirements in each CPD area
- any other specific requirements that must be met

The platform will monitor individual progress and provide reporting.

For CPD activities undertaken and completed outside the Ontrack/Evolve platform, each individual relevant provider is required to upload details into Ontrack/Evolve and submit evidence for assessment and approval to the Compliance Manager.

It is the relevant provider's responsibility to maintain complete and accurate records within Ontrack/Evolve.

Career breaks

If a relevant provider has not been practicing or authorised as a relevant provider for a continuous period of 2 years or more, then they must comply with the following career break requirements.

Bentleys (QLD) Advisory Pty Ltd must approve the relevant providers CPD plan for the first CPD year prior to resuming practice. Their first CPD plan may require additional CPD hours be completed to ensure Bentleys (QLD) Advisory Pty Ltd is satisfied that it is appropriate to address gaps in the relevant provider's competence, knowledge and skills arising from the relevant provider's absence from practice.

Extenuating circumstances

Should a Relevant Provider be unable to meet their CPD requirements due to extenuating circumstances such as (but not limited to) illness, medical conditions, disability or parental leave their situation will be considered on a case by case basis by the compliance committee with the Board to approve any proposed plan.

Provisional relevant providers

Provisional relevant providers who are completing their Professional Year are not required to meet CPD requirements.

In the first CPD year as a relevant provider, CPD requirements will be pro-rated for the period between the completion of the professional year and the CPD year.

Existing relevant providers new to Bentleys (QLD) Advisory Pty Ltd

CPD undertaken with a previous licensee may be recognised at the discretion of the Licensee. Details of the CPD undertaken is to be submitted to the Compliance Committee for review with approval to be provided by the Board.

The Compliance Committee will advise the Relevant Provider of the approval, or where approval is not given the reasons why the CPD was not recognised.

Monitoring

Monitoring of the completion of CPD requirements by each relevant provider will be undertaken using the reporting functionality of Ontrack or Evolve on a *half yearly* basis.

Relevant Providers undertake a formal review process annually and an informal review half yearly.

During the half-yearly review the Relevant Providers CPD will be reviewed to ensure they are on track. At the annual formal review CPD will be reviewed to ensure the training plan has been met.

Non-compliance

A relevant provider *must* comply with the CPD obligations specified in this policy.

Failure to meet the specified requirements requires the licensee to notify ASIC of the relevant providers non-compliance with the continuing professional development standard (922HB, *Corporations Amendment (Professional Standards of Financial Advisers) Act 2017*).

922HB Obligation to notify ASIC of non-compliance with continuing professional development standard

- (1) A notice must be lodged under this section, in accordance with section 922L, in relation to a person if, at the end of a financial services licensee's CPD year:
 - (a) the person:
 - (i) is the licensee; or
 - (ii) is authorised to provide personal advice to retail clients, on behalf of the licensee, in relation to relevant financial products; and
 - (b) the person is a relevant provider; and
 - (c) the relevant provider has not complied with section 921D during the licensee's CPD year.

Note 1: A financial services licensee may obtain information from a relevant provider under section 922N for the purposes of determining whether to lodge a notice under this section.

Note 2: Subsection 921D(1) requires certain relevant providers to meet the continuing professional development standard in subsection 921B(5).

- (2) The notice must state that the relevant provider has not complied with section 921D during the licensee's CPD year.

*Corporations Amendment
(Professional Standards of Financial Advisers) Act 2017*

Where a Relevant Provider has not met their CPD requirements, and has not had their deficit authorised (for example due to extenuating circumstance) by the Board, they will be immediately suspended from providing advice until they have caught up their CPD requirement.

The Relevant Provider will have three months to make up the CPD.

Note that CPD undertaken in a subsequent period to make up a deficient from a prior period will not be recorded as CPD in the subsequent period.

If the CPD has not been made up by that time, the Relevant Provider will have their Authorised Representative status revoked and will no longer be permitted to give advice under the licence unless they have written approval by the Board.

