

# Common issues – 2019-2021 Audits

	Issue	Guidance
1	Incorrect calculation of points	<p>To claim 1 CPD point, you must attend a 1 hour session. The smallest fraction that can be claimed is 0.25 of a point.</p> <p>If the session is less than 50 minutes long, you can only claim 0.75 CPD point.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• If you attend a presentation that is advertised for 1 hour but only runs for 45 minutes, you can claim 0.75 points.</li> <li>• If you attend a 50 minute presentation, you can claim 1 point.</li> <li>• If you presented a session for 40 minutes, you can claim 2.25 points for the presentation (3 x 0.75).</li> </ul>
2	Claiming over 6 CPD points per day	<p>The number of points you can claim per one day of a conference or similar event, is 6 CPD points. You cannot claim more than 6 CPD points per day.</p>
3	Incorrectly applying a mandatory category	<p>If the Association has applied a CPD mandatory category to an Association legal education event, then the barrister may only claim this category for the content (see Rule 4.13 <i>Administration Rules of the Bar Association of Queensland</i> ('Administration Rules')).</p> <p>If you are attending a third party CPD, then you may allocate the mandatory category that is considered the most appropriate given the content of the CPD. If subject to audit, you may be required to provide reasons for why this is the appropriate mandatory category.</p> <p>Please note that if you are attending an event designed for solicitors, then the mandatory category applied in the program may be not be consistent with the <i>Administration Rules</i>. By way of example, the P category for Queensland solicitors is allocated to Professional Skills CPD - the Practice Management and Business Skills (P) category for Queensland barristers may not be appropriate, however the Barristers' Skills category may be appropriate.</p>
4	Inadequate records	<p>Your CPD Records must sufficiently demonstrate your compliance with the Rules, including the duration of the topic, the relevant mandatory category or the appropriate quality. If you have viewed a</p>

	Issue	Guidance
		<p>recorded webinar, you must also record the date of viewing the recording (not the date it was originally recorded).</p> <p>The following records, in isolation, may not sufficiently demonstrate compliance:</p> <ul style="list-style-type: none"> <li>• A copy of your diary appointment; or</li> <li>• A copy of a tax invoice.</li> </ul> <p>The <i>Administration Rules</i> require barristers to retain CPD Records for every CPD event you attend and in future, will require those subject to audit to provide records for all CPD Events on their Schedule 5.</p>
5	Schedule 5 accuracy	<p>Upon submission of your Schedule 5 at the end of the CPD year, you provide a certification as to your compliance with the <i>Administration Rules</i>.</p> <p>The Association has received numerous requests to amend Schedule 5's; for example, to remove entries, to change dates, to change titles, and to include additional events. We have also noted numerous errors: incorrect providers; incorrect dates.</p>
6	Attendance type and date	<p>As you are certifying to the accuracy of the Schedule 5, it is important that you review and ensure the content is an accurate reflection of your CPD activities.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• If you view a CPD seminar live but remotely, you must note your attendance type as 'Live webcast'.</li> <li>• If you view a recording of a seminar through the Association's CPD Library, you must note that that your attendance type as 'BAQ web recording'.</li> <li>• When recording the date of viewing the web recording, ensure that you include the Date that you viewed the recording – not the date the event was live.</li> </ul> <p>The Association has access to streaming analytics, such as who viewed the webcast and on what date.</p>
7	Claiming points for content that is <u>not</u> educational	<p>You cannot claim CPD for content that does not have educational content, such as:</p> <ol style="list-style-type: none"> <li>1. Introductory remarks;</li> <li>2. Welcome remarks;</li> <li>3. Morning tea, lunch, afternoon tea or other comfort breaks; and/or</li> <li>4. Networking functions without educational content.</li> </ol>

	Issue	Guidance
8	Capped points for moots, lecturing	<p>You can only claim 6 CPD points over a CPD year for each of the following:</p> <ol style="list-style-type: none"> <li>1. Judging a moot at undergraduate level or above. This cap of 6 points applies regardless of whether you have judged 1 moot or more than 1 in a year.</li> <li>2. Lecturing at undergraduate level or above. This cap of 6 points applies regardless of how many subjects you lectured in and how many lectures you delivered.</li> </ol>
9	Claiming for presenting <u>and</u> attending the same event	<p>If you are presenting a session, you can claim presenter points for that session (3 points per hour). If you are chairing a session, you can claim chairing points for that session (2 points per hour). You cannot claim additional points for attending the session that you presented or chaired.</p>
10	Claiming a proportion of points when you present a session with another presenter	<p>If you co-present a session or are a member of a panel for a session, you are able to claim presenter points for that entire session (3 points per hour) – you do not need to claim a proportion based on the time you were actually presenting.</p>