

TMG Licensee Services Pty Ltd

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CPD Policy

TMG Licensee Services Pty Ltd

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VERSION CONTROL

Version Number	Date Updated	Notes
1	March 2019	Original document prepared and finalised in consultation with Sophie Grace Pty Ltd.
2	September 2019	Reviewed and Updated by Garth Longhurst
3	July 2020	Reviewed by Trent Klein
4	July 2021	Reviewed by Ric Haydok

SECTION A – INTRODUCTION

1. INTRODUCTION

- 1.1 As part of TMG Licensee Services Pty Ltd's ("TMG Licensee Services") process to ensure that it continues to maintain the highest levels of professional integrity and ethical conduct, TMG Licensee Services has adopted this CPD Policy ("Policy") for its Representatives who are relevant providers under the Financial Adviser Standards and Ethics Authority's ("FASEA") Corporations (Relevant Providers Continuing Professional Development Standard) Determination 2018 ("Determination").
- 1.2 This Policy has been developed in accordance with TMG Licensee Services' Australian Financial Services Licence ("AFSL") and FASEA's Determination. This Policy outlines measures to ensure ongoing compliance with the monitoring, supervision, knowledge and training requirements outlined in the Determination.

2. WHEN DOES THIS POLICY APPLY?

- 2.1 This Policy applies to all Representatives of TMG Licensee Services at all times and the requirements remain in force on an ongoing basis.
- 2.2 It is the responsibility of Senior Management, including the Compliance Officer and Directors of TMG Licensee Services to ensure that this Policy is communicated to and implemented by all Representatives of TMG Licensee Services.
- 2.3 This Policy is published on TMG Licensee Services' Shared Folder and is accessible by all Representatives.

3. DEFINITIONS

- 3.1 **Representative** means any TMG Licensee Services representative who provides personal advice to retail clients under TMG Licensee Services' AFSL, is appointed as a sub-Authorised Representative of a Corporate Authorised Representative of TMG Licensee Services' AFSL and listed on ASIC's Financial Adviser Register.
- 3.2 **TMG Licensee Services** means TMG Licensee Services Pty Ltd and any related bodies corporate that might exist from time to time.

SECTION B – IMPLEMENTING TRAINING STANDARDS

4. KNOWLEDGE OF TRAINING REQUIREMENTS

- 4.1 TMG Licensee Services recognises Representatives must be trained and receive continuous professional development ("CPD") relevant to their duties. The Directors of TMG Licensee Services are responsible for ensuring all Representatives undertake CPD activities.
- 4.2 The Compliance Officer must keep up to date in relation to the training requirements which apply to TMG Licensee Services' business, including any changes to the FASEA Determination, legislation and regulations or industry standards and codes of conduct.
- 4.3 Prior to any appointment, the Compliance Officer, in consultation with the Directors, ensure each Representative holds the appropriate qualifications for their role, including any RG146 accreditation required. The Directors must be satisfied the requirements are met by sighting documentation that evidences the Representative's education. This is then referenced against ASIC's Financial Advisers Register and ASIC's Training Register.

5. APPROACH TO IMPLEMENTATION

- 5.1 TMG Licensee Services has a three-tiered approach to the implementation of this CPD policy.
- 5.2 **Tier 1 - Adviser led development:** TMG Licensee Services expects its Representatives to drive their own development and ongoing professional education. In addition, Representatives are expected, at all times, to ensure they meet or exceed the standards and requirements set out in their CPD plans and the Determination.
- 5.3 **Tier 2 - Guidance and monitoring by Management:** Representatives are provided guidance on their development by the Compliance Officer. This guidance includes a CPD plan and ongoing coaching and supervision. The Compliance Officer also monitors the completion of training, progress towards annual CPD requirements and reports to the Director on a regular basis.
- 5.4 **Tier 3 – Governance and accountability by Directors:** The Directors provide a governance and supervisory function by approving this Policy and reviewing Representatives' CPD quarterly progress reports and annual reports.

6. TMG LICENSEE SERVICES' CPD YEAR

- 6.1 TMG Licensee Services' CPD year runs from 1 July to 30 June.

SECTION C – CONTINUING PROFESSIONAL DEVELOPMENT

7. CONTINUING PROFESSIONAL DEVELOPMENT (CPD)

- 7.1 All Representatives must participate in the TMG Licensee Services professional development program in order to meet the requirements set out in the Determination. Training must be continuous, conducted at an appropriately high level and cover broad aspects of the authorisations and conditions of TMG Licensee Services' AFSL as well as being specific to the Representative's role within the organisation.

8. CPD PLAN PREPARATION

- 8.1 Each Representative of TMG Licensee Services must prepare a written CPD plan for each CPD year prior to the commencement of the CPD year and have it approved by the Compliance Officer.
- 8.2 Where the Representative has not been practising or authorised as a Representative for a continuous period of two (2) years or more as a result of a career break, the Representative must not resume acting as a Representative unless the Directors of TMG Licensee Services have approved their CPD plan for the following year. When approving the CPD plan, the Director must ensure the CPD plan addresses any gaps in the Representative's competence, knowledge and skills arising from the Representative's career break.
- 8.3 Where a Representative is appointed after the start of TMG Licensee Services' CPD year, the CPD plan must be prepared no later than three (3) months after the Representative is appointed.
- 8.4 A CPD plan may be revised where a Representative's role changes or as considered necessary, provided the amendment receives written approval from the Compliance Officer.

9. CPD PLAN REQUIREMENTS

- 9.1 The CPD plan must identify areas for improvement in competence, knowledge and skills and professional development proposals for making those improvements. A template CPD plan is attached at Annexure 1 of this Policy.
- 9.2 CPD plans must address how the Representatives will:
- (a) maintain knowledge and skills that are appropriate for their activities and responsibilities;
 - (b) update their knowledge and skills, especially in areas where there is continual change (e.g. legislation, regulatory policies and standards, economic and financial developments, new financial products or new market practices);
 - (c) develop new knowledge and skills to assist with their current role or roles contemplated in the near future, if applicable;
 - (d) assess the Representative's training needs at least annually, in particular where the Representative's functions change;
 - (e) identify gaps or weaknesses in the preceding year and the areas where training will be focused; and
 - (f) set objectives to be met, such as the desired changes in the Representative's knowledge, skills and or performance at the end of the training year.
- 9.3 CPD Plans must also provide for Representatives to:
- (a) complete at least forty (40) hours of CPD activity in each training year, or where the Representative is working part time for the whole CPD year, complete at least thirty-six (36) hours of CPD activity in the training year;¹
 - (b) ensure at least 70% of CPD activities are qualifying CPD activities (per section 10), approved by TMG Licensee Services;
 - (c) maintain a continuous, up to date and accurate record of their CPD activities via Aspire CPD ; and
 - (d) provide records to TMG Licensee Services in order for TMG Licensee Services to meet its obligations (refer to section 12).
- 9.4 Representative training must fall within the following competency areas:
- (a) **Technical competence:** acting as a technically proficient professional;
 - (b) **Client care and practice:** acting as a client centric practitioner;
 - (c) **Regulatory compliance and consumer protection:** acting as a legal compliant practitioner; and
 - (d) **Professionalism and ethics:** acting as an ethical professional.

¹ TMG Licensee Services must provide consent in relation to the minimum number of hours for part-time Representatives.

9.5 All Representatives must complete a minimum number of hours from each competency category. The balance of hours must consist of qualifying CPD activities from these categories, or other categories selected by TMG Licensee Services.

9.6 The minimum hours are as follows:

Competency Category	Minimum CPD hours per training year
Technical competence	5
Client care and practice	5
Regulatory compliance and consumer protection	5
Professionalism and ethics	9

10. QUALIFYING CPD

10.1 Section 7 of the FASEA Determination includes specific definitions of a range of terms in relation to CPD activities.

10.2 As defined by section 7(1) of the FASEA Determination, an activity is a qualifying CPD activity if all of the following requirements are met:

- (a) the activity:
 - (i) is in one of the CPD areas in the table in section 9.5;
 - (ii) has sufficient intellectual or practice content;
 - (iii) primarily deals with matters related to the provision of financial product advice, financial adviser services and financial advice business;
 - (iv) is led by a person who is appropriate and have sufficient standing, expertise, academic qualifications and practical experience; and
 - (v) is designed to enhance a Representative's knowledge and skills in areas that are relevant to the provision of financial product advice and financial advice services by TMG Licensee Services.

10.3 Formal education includes:

- (a) a degree or equivalent qualification;
- (b) a course approved by FASEA;
- (c) education or training provided or approved by a professional association; and
- (d) formal education or training towards qualifications relevant to practice as a Representative.²

² FASEA Determination section 7(4)

- 10.4 Non-formal education includes:
- (a) education for the purposes of achieving a relevant professional designation (for example: CFP);
 - (b) education for the purposes of meeting requirements in specific financial advice provision (for example: SMSFs, aged care advice); and
 - (c) education for the purposes of accreditation in specific forms of financial products relevant to the financial product advice and financial advice services provided by TMG Licensee Services.
- 10.5 Other CPD activities which TMG Licensee Services may approve include:
- (a) None.
- 10.6 As required by section 7(1)(d) of the FASEA Determination, training and CPD activities must be provided by persons and/or entities that hold appropriate qualifications and experience, relevant to the training provided. In order to be included in a Representative's CPD plan, the CPD activities must be provided by and/or accredited by a recognised industry provider.
- 10.7 Requests for CPD activities to be added to a CPD plan which are not listed in the approved courses and providers in the table in section 11.1, are to be submitted to the Compliance Officer for review and approval. Activities and providers which are accredited by a recognised industry provider can be approved by the Compliance Officer without further investigation.
- 10.8 Where the CPD activity is provided by an independent provider (not a recognised industry provider), the Representative must seek approval from the Compliance Officer, prior to adding the CPD activity to their CPD plan. The Representative must provide evidence from the provider which indicates the applicable CPD hours and knowledge areas.
- 10.9 The Compliance Officer must make a determination whether to approve the CPD activity in accordance with the factors listed in section 10.1 and ensure the independent provider:
- (a) has relevant experience or education in the field they are training;
 - (b) declares the learning outcomes;
 - (c) is able to demonstrate how the content or training provided meets the learning outcomes.
- 10.10 TMG Licensee Services' Compliance Officer must also determine if the CPD activity is appropriate to the Representative's CPD plan having regard to the factors listed in section 9.1.

11. APPROVED TRAINING PROVIDERS AND ALLOCATION OF HOURS

11.1 TMG Licensee Services has determined that the following industry providers are approved for the purposes of providing CPD activities:

CPD Type	Approved Courses/Providers	Allocation of Hours
Formal Education	<ul style="list-style-type: none"> A degree or qualification approved under section 5 of the Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Determination 2018 A course approved by FASEA Courses offered by the Financial Planning Association of Australia Courses offered by the Association of Financial Advisers 	<ul style="list-style-type: none"> Maximum of 30 hours 1 CPD point per hour*
Non-formal Education	<ul style="list-style-type: none"> Certified Financial Planner designation Fellow Chartered Financial Practitioner designation 	<ul style="list-style-type: none"> No limit 1 CPD per hour*
Other	<ul style="list-style-type: none"> Aspire CPD 	<ul style="list-style-type: none"> Technical reading – maximum of 4 hours <ul style="list-style-type: none"> Allocation as per Aspire CPD
Preparation and presentation of qualifying CPD activity	N/A	<ul style="list-style-type: none"> Maximum – the number of hours in preparation and first presentation only.

**Events associated with a conference or seminar are not included in calculating CPD points, e.g. morning tea, lunch, dinner or networking sessions are not included. CPD points must only be awarded to conference sessions, such as speaker presentations.*

12. RECORDING CPD ACTIVITIES

- 12.1 TMG Licensee Services and all Representatives must ensure records of the following matters are kept:
- (a) the CPD activities undertaken by the Representative;
 - (b) the date on which the CPD activities are undertaken;
 - (c) the number of hours spent on each CPD activity;
 - (d) evidence of completion of the CPD activity and the outcomes of the activity; and
 - (e) the progress of implementation of the CPD plan.
- 12.2 Records of CPD activities are kept electronically. TMG Licensee Services engages Aspire CPD to provide training and CPD activities. Aspire CPD system maintains a list of CPD activities which are completed by each Representative and the outcomes achieved. It is the responsibility of each Representative to ensure their records are accurate and up to date.
- 12.3 Where any CPD activity is completed outside of Aspire CPD system, these activities need to be submitted to the Compliance Officer for approval in accordance with section 10. The request must include details of the session, confirmation of attendance and a summary of learning outcomes. Records of CPD activities completed outside Aspire CPD system must be provided to TMG Licensee Services upon request.
- 12.4 TMG Licensee Services' Compliance Officer must conduct quarterly reviews of the records of training completed via Aspire CPD to ensure the professional development requirements for all Representatives are complied with and make recommendations where applicable.

SECTION E – CONCLUSION

13. REVIEW OF COMPLIANCE WITH THIS POLICY

- 13.1 TMG Licensee Services monitors progress towards the completion of CPD plans on at least a quarterly basis. Records are continually updated.
- 13.2 The Compliance Officer is responsible for:
- (a) reviewing the progress of each Representative in relation to their CPD plan on a quarterly basis and reporting any deficiency to the Representative affected in writing;
 - (b) liaising with all Representatives to update their plan on at least an annual basis after an assessment of the areas for improvement in competence, knowledge and skills, including any gaps in training and the areas which need to be targeted;
 - (c) ensuring at least 70% of the CPD activities included in the CPD plan are spent on qualifying CPD activities approved by TMG Licensee Services;
 - (d) ensuring all Representatives have access to appropriate resources and opportunities to enable the Representative to prepare and complete their CPD plan and CPD activities;
 - (e) deciding the structure of the continuing training program (including nominating the training methods);

- (f) assessing whether the Representative has met the objectives of the training program in the preceding year; and
- (g) providing feedback sessions with the Representative about their performance.

13.3 CPD records are audited on an annual basis by TMG Licensee Services'.

13.4 This Policy is assessed on an annual basis by the Compliance Officer and any changes will be recommended to the Directors. Any approved changes to this Policy will be communicated to all Representatives of TMG Licensee Services and the latest version of the Policy will be published on TMG Licensee Services' website.

13.5 Oversight of the CPD plans is the responsibility of the Compliance Officer.

14. POLICY BREACHES

14.1 Breaches of this Policy may lead to disciplinary action being taken against the relevant party, including dismissal in serious cases.

14.2 Representatives receive internal training on compliance and their regulatory obligations to TMG Licensee Services. Representatives are also encouraged to respond appropriately to and report all breaches of the law and other incidents of non-compliance, including TMG Licensee Services' policies in accordance with TMG Licensee Services' Breaches and Incidents Reporting Policy.

15. RETENTION OF FORMS

15.1 The Compliance Officer retains all records referred to in this Policy for seven (7) years in accordance with TMG Licensee Services' Document Retention Policy. The completed forms are retained for future reference and review.

15.2 As part of their training, all Representatives are made aware of the need to practice thorough and up to date record keeping, not only as a way of meeting TMG Licensee Services' compliance obligations, but as a way of minimising risk.

Issued by TMG Licensee Services Pty Ltd

July 2021