

CONTINUING PROFESSIONAL DEVELOPMENT (CPD) REGULATION FOR RCICs



icccrc
IMMIGRATION CONSULTANTS OF
CANADA REGULATORY COUNCIL
crcic
CONSEIL DE RÉGLEMENTATION DES
CONSULTANTS EN IMMIGRATION DU CANADA

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Table of Contents

1. AUTHORITY	4
2. DEFINITIONS.....	4
3. SCOPE AND EXEMPTIONS TO MEETING CPD REQUIREMENTS	5
4. MINIMUM CPD REQUIREMENTS, TERM AND REPORTING	6
5. SUBJECT MATTER REQUIREMENTS FOR CPD HOURS	6
6. ACTIVITIES ELIGIBLE FOR LICENSEE CPD HOURS.....	7
7. ACTIVITIES NOT ELIGIBLE FOR LICENSEE CPD HOURS	7
8. CALCULATION OF CPD HOURS.....	8
9. APPROVAL OF CPD ACTIVITIES — GENERAL REQUIREMENTS	9
10. APPROVAL OF CPD ACTIVITIES — CPD-PROVIDER-SPECIFIC REQUIREMENTS.....	10
11. APPROVAL OF CPD ACTIVITIES — LICENSEE-SPECIFIC REQUIREMENTS.....	11
12. SUSPENSION OR REVOCATION OF APPROVAL.....	11
13. COMPLAINTS BY LICENSEES	12
14. VERIFICATION OF CPD REPORTING.....	12
15. PENALTIES FOR BREACH OF REGULATION.....	13
16. CARRY-OVER OF CPD HOURS.....	13

1. AUTHORITY

1.1 This Regulation is enacted pursuant to sections 3.1, 10 and 36 of the By-law.

2. DEFINITIONS

2.1 In this Regulation, capitalized terms, unless otherwise defined herein, have the same meaning as they do in the By-law.

2.2 In this Regulation:

- (a) **“Activity”** means an educational seminar, workshop, or conference. An Activity is a distinct Approved CPD Activity meant to develop the skills, knowledge, and Competence of a Licensee [*activité*];
- (b) **“Approved CPD Activities”** means professional development Activities approved by the Council [*activités de FPC approuvées*];
- (c) **“Approved Subject Matter”** means subject matter that meets the requirements of section 5 of this Regulation [*sujet approuvé*];
- (d) **“Competence”** means the knowledge, skills and judgment required to successfully perform work functions and tasks in a defined work setting [*compétence*];
- (e) **“Competency Mapping”** means the process of identifying the specific competencies and performance indicators from the Essential Competencies for RCICs that are taught in a CPD Activity [*alignement des compétences*];
- (f) **“Course”** means a set of classes or a plan of study on a particular subject. Courses may be offered online, face-to-face or as a combination of the two [*cours*];
- (g) **“CPD Administrator”** means the staff member(s) responsible for overseeing the day-to-day operations of the CPD portfolio [*administrateur de FPC*];
- (h) **“Licensee”** means an RCIC [*titulaire de permis*];
- (i) **“Practice Management Education”** or **“PME”** means education offered by the Council to a Licensee on how to meet the requirements of the Council, which affects professional practice. PME is not considered as an Approved CPD Activity [*formation en pratique professionnelle* or *FPP*];
- (j) **“Program”** means a course of study, typically comprised of multiple Courses [*programme*];

- (k) **“Provider”** means a registered business, not-for-profit Organization, government agency, provincially accredited educational institution, or an Organization officially recognized by another Regulatory Body for continuing professional development [*fournisseur*];
- (l) **“Term”** means a one (1) year period to complete CPD requirements pursuant to section 4 of this Regulation [*période de FPC*].

3. SCOPE AND EXEMPTIONS TO MEETING CPD REQUIREMENTS

- 3.1 Every Licensee, in every Class of Licence, shall carry out their continuing professional development (CPD) Activities in the form and manner approved by the Council, and consistent with the Essential Competencies for RCICs.
- 3.2 Active Licensees
 - (a) Licensees are required to achieve the minimum CPD requirements set out in section 4 of this Regulation in order to remain In Good Standing.
- 3.3 Conditional Licensees
 - (a) Licensees who have an interim status and are not authorized to practise until the condition is removed by the Registrar through the approval of business/employment information are still required to earn CPD hours as set out in section 4 of this Regulation.
- 3.4 Licensees on Leave
 - (a) Licensees on approved leave by the Registrar are still required to earn CPD hours for the duration of their leave as per section 4 of this Regulation. Licensees will receive one (1) CPD hour reduction for each month on leave.
- 3.5 Suspended Licensees
 - (a) A suspended Licensee is still required to achieve the minimum CPD requirements set out in section 4 of this Regulation. Failure to complete this requirement will result in non-completion fines and penalties as outlined under section 15 of this Regulation. A Licensee must submit a remedial CPD plan to the Registrar for approval before reinstatement.
- 3.6 New Licensees
 - (a) In the year of becoming new Licensees, RCICs are required to complete one (1) CPD hour for each month, or partial month, remaining in the reporting Term. It is not required that the CPD hours be completed each month; however, the total number of hours must be completed prior to the end of the Term. Licensees who become licensed in April, May, or June are not required to earn any CPD hours for that reporting Term. The Term for earning sixteen (16) mandatory CPD hours begins July 1 of the following fiscal year.

4. MINIMUM CPD REQUIREMENTS, TERM AND REPORTING

- 4.1 Licensees are required to complete the learning Activities approved by the Council, as described in section 6 of this Regulation.
- 4.2 Active Licensees, conditional Licensees, and suspended Licensees are required to earn sixteen (16) CPD hours per annual Term. One (1) of the hours must be related to professionalism and/or the Code of Professional Conduct.
- 4.3 This Regulation applies to Licensees living or working inside or outside Canada.
- 4.4 Licensees are required to complete all CPD requirements by 11:59 p.m. (local time) the last day of the Council's fiscal year. The Council's fiscal year determines the annual CPD reporting Term.
- 4.5 It is the sole responsibility of each Licensee to ensure their CPD hours are properly reported annually.
- 4.6 Annual CPD reporting and supporting documentation must be submitted to the Council via the prescribed process.

5. SUBJECT MATTER REQUIREMENTS FOR CPD HOURS

- 5.1 The primary objective of CPD is to increase Licensees' professional Competence. Approved CPD Activities must align with the Essential Competencies for RCICs outlined below and apply to Canadian immigration and citizenship consultancy.
 - (a) *Foundational Knowledge;*
 - (b) *Case Management;*
 - (c) *Legal Research and Informatics;*
 - (d) *Business Management and Leadership;*
 - (e) *Immigration and Refugee Board (IRB) and Administrative Tribunals;*
 - (f) *Professionalism;*
 - (g) *Cultural Competence;*
 - (h) *Communication, Counselling and Advocacy;*
 - (i) *Critical Thinking, Problem Solving, and Evidence-Based Practice.*

6. ACTIVITIES ELIGIBLE FOR LICENSEE CPD HOURS

6.1 Eligible Activities include:

- (a) Participating in approved CPD Courses or Programs, including:
 - Attending in person or online, live CPD Courses or Programs that provide an opportunity to interact with colleagues and/or instructors;
 - Reviewing a recorded CPD Course or Program and summarizing the learnings from the Approved CPD Activity;
 - Participating in asynchronous, online CPD Courses that prompt responses throughout the learning process, such as requiring participants to respond to questions before they can move to the next module or section; and/or
 - Participating in conference sessions, seminars, workshops, etc.;
- (b) Participating in a post-secondary educational institution Course or Program;
- (c) Teaching, including:
 - At a post-secondary education Program accredited by the Council;
 - Facilitating a CPD Activity for an approved CPD Provider;
 - Facilitating a session, workshop, or seminar at an approved conference; and/or
 - Facilitating approved group case study discussions;
- (d) Writing a book or article for publication, based on Approved Subject Matter, with or without a co-author, where the content aligns to the Essential Competencies for RCICs and Canadian immigration and citizenship consultancy;
- (e) Acting as a mentor through the Council's Mentoring Program;
- (f) Participating in Activities related to the observation of proceedings before a tribunal or court with the exception of Licensees who are completing, or have completed, the Specialization Program where observing tribunal proceedings is a mandatory requirement; and
- (g) Participating in group case study discussions which, to be approved, must meet the following parameters:
 - More than one (1) RCIC must be present;
 - Groups cannot exceed fifteen (15) participants; and
 - File-specific discussions are not eligible.

7. ACTIVITIES NOT ELIGIBLE FOR LICENSEE CPD HOURS

7.1

- (a) Practice Management Education (PME) Courses;
- (b) Specialization Program — PLAR pathway or Education pathway;

- (c) Participating in the Council’s Mentoring Program as a mentee;
- (d) Content that does not relate to the Essential Competencies for RCICs;
- (e) Content and Activities designed for or targeted at soliciting Clients, relating to marketing or maximizing profit;
- (f) Pro bono work;
- (g) Activities relating to mentoring other Licensees that are not part of the Council’s Mentoring Program;
- (h) Activities marketed as offering a specialized credential. Such Activities are subject to suspension or revocation of approval as outlined in section 12 of this Regulation; and
- (i) Activities with the same content but delivered in different formats (for example, live online session vs. recorded session) cannot both be claimed towards annual CPD requirements.

8. CALCULATION OF CPD HOURS

8.1 CPD hours are calculated by thirty (30) minute intervals. Partial hours are to be rounded up or down to the closest half hour. Meals and breaks do not count in the calculation of approved hours.

8.2 Further to section 6 of this Regulation, the following table sets out the requirements for the calculation of CPD hours for approval:

Activity	CPD Hours
(a) Participating in approved CPD Courses or Programs	1 hour = 1 CPD hour No annual maximum
(b) Participating in a post-secondary educational institution Course or Program	1 hour = 1 CPD hour No annual maximum

(c) Teaching	<p>1 hour = 3 CPD hours for the first delivery</p> <p>1 hour = 1 CPD hour for a subsequent delivery</p> <p>Annual maximum: 25% of yearly CPD requirements</p>
(d) Writing a book or article for publication, based on Approved Subject Matter, with or without a co-author	<p>1 chapter or article = 3 CPD hours</p> <p>Writing a chapter — Annual maximum: 50% of yearly CPD requirements</p> <p>Writing a book — No annual maximum</p>
(e) Acting as a mentor through the Council’s Mentoring Program	<p>1 hour = 3 CPD hours</p> <p>No annual maximum</p>
(f) Participating in Activities related to the observation of proceedings before a tribunal or court, unless the Activity is a mandatory requirement of the Specialization Program	<p>1 hour = 1 CPD hour</p> <p>Annual maximum: 25% of yearly CPD requirements</p>
(g) Participating in group case study discussions	<p>1 hour = 1 CPD hour</p> <p>Annual maximum: 50% of yearly CPD requirements</p> <p>A maximum of 2 hours will be credited per Term</p>

9. APPROVAL OF CPD ACTIVITIES — GENERAL REQUIREMENTS

- 9.1 Subject to section 6 of this Regulation, the CPD Administrator shall approve CPD Activities in one of the following ways:
- (a) By an application by an approved Provider for approval of individual CPD Activities; or
 - (b) By an application by a Licensee for approval of individual CPD Activities.
- 9.2 All documents supporting a New CPD Activity application submitted by a Provider or Licensee for approval shall be in English or French. Completed documents shall be translated by a certified translator.

- 9.3 All New CPD Activity applications submitted by a Provider or Licensee for approval shall demonstrate compliance with section 5 of this Regulation.
- 9.4 New CPD Activity applications for approval must be submitted electronically at least thirty (30) calendar days prior to the Activity.
- 9.5 Applications for approval of group case study discussions must be submitted electronically at least sixty (60) calendar days prior to the date of the CPD Activity.
- 9.6 Further to section 6.1(g) of this Regulation, a Provider or Licensee shall submit online a detailed case study, including discussion questions, for approval.
- 9.7 New CPD Activity applications for approval that are received more than six (6) months in advance of the Activity date are not eligible for approval.

10. APPROVAL OF CPD ACTIVITIES — CPD-PROVIDER-SPECIFIC REQUIREMENTS

- 10.1 In addition to section 6 of this Regulation, all New CPD Activity applications submitted by CPD Providers for approval must adhere to the requirements below.
- 10.2 Pursuant to section 9.1(a) of this Regulation, a provider shall submit online a New CPD Activity application for approval. Applications shall be submitted in clear, coherent language, free of grammatical and spelling errors, or the application will not be approved.
- 10.3 New CPD Activity applications for approval must contain the following information to be eligible:
 - (a) Name of Organization
 - (b) Primary contact
 - (c) Name of Activity (Title)
 - (d) Activity cost
 - (e) Activity duration
 - (f) Activity language
 - (g) Activity website (URL)
 - (h) Activity date
 - (i) Activity time
 - (j) Location of Activity

- (k) Activity description (detailed)
- (l) Activity learning objectives
- (m) Activity agenda
- (n) Activity speaker(s)/facilitator(s)
- (o) Activity speaker/facilitator credentials
- (p) Activity type
- (q) Subject matter
- (r) CPD hours
- (s) Competency Mapping to the Essential Competencies, and
- (t) Information on how interested Licensees can attend the Activity (ex., registration).

10.4 Recorded video content of an online or in-person live session is eligible for approval for a period of one (1) year from the date of the initial session.

10.5 A Provider shall not advertise or promote a CPD Activity unless and until the CPD Administrator has approved, in writing by granting it “approved” status, the content and number of credit hours for such Activity.

11. APPROVAL OF CPD ACTIVITIES — LICENSEE-SPECIFIC REQUIREMENTS

11.1 Pursuant to section 9.1(b) of this Regulation, a CPD Activity that is not offered by an approved CPD Provider may be eligible for approval.

11.2 Licensee applications for approval of CPD Activities must be completed in full and be submitted electronically through the online New CPD Activity Submission Form.

11.3 Recorded video content of an online or in-person live session is eligible for approval if it was viewed within a one (1) year period of the date of the initial session.

12. SUSPENSION OR REVOCATION OF APPROVAL

12.1 The Council reserves the right to suspend or revoke the approval of CPD Activities when:

- (a) The CPD content of a Provider’s Activity no longer meets the criteria and requirements of this Regulation;

- (b) The information that the Provider conveys to Licensees is inaccurate, untrue, or misleading; or
- (c) There are legitimate concerns or complaints about the delivery of a Provider's Activity or the conduct of the Provider.

12.2 A Provider shall immediately stop advertising any CPD Activity upon the direction of the Council.

13. COMPLAINTS BY LICENSEES

13.1 Complaints by Licensees about a CPD Provider or the content of a Provider's Activities, must be made in writing to the CPD Administrator at cpd@college-ic.ca.

13.2 Complaints must include:

- (a) The name and contact information of the complainant;
- (b) The name of the Provider;
- (c) The name of the speaker/facilitator;
- (d) The date and location of the Activity (if applicable);
- (e) Supporting documentation, such as handouts, agenda for the Activity, proof of payment (if applicable);
- (f) Details of the complaint; and
- (g) Any other relevant information that supports the complaint.

13.3 A complaint filed under this Regulation will not be reviewed through the Council's Complaints and Discipline process.

14. VERIFICATION OF CPD REPORTING

14.1 Licensees are randomly selected annually to be audited for compliance with this Regulation.

14.2 A Licensee is responsible for retaining records such as receipts or other proof of attendance or purchase of CPD Activities for a period of five (5) years.

14.3 Licensees randomly selected to be audited will be notified via email. The notice shall specify the information required from the Licensee and the format in which the information is to be submitted.

- 14.4 A Licensee shall comply with the notice pursuant to section 14.3 of this Regulation within thirty (30) calendar days of the date of that notice, by providing all information as required.
- 14.5 The information provided will be reviewed pursuant to section 14.4 of this Regulation. Licensees are required to provide additional information, if requested, within ten (10) calendar days of the request.

15. PENALTIES FOR BREACH OF REGULATION

- 15.1 A Licensee who does not meet the requirements for CPD as set out in sections 3 and 4 of this Regulation is subject to the following penalties:
- (a) A \$150 non-refundable fine for not completing the required CPD hours within the Term. The outstanding CPD balance from the previous Term will be added to the following Term's requirement.
 - (b) Where a Licensee fails to complete any CPD hours for two (2) consecutive Terms, the Licensee will be suspended by the Registrar. A minimum of 25% of the deficient CPD hours over the two (2) year Term must be completed and a plan to complete the remaining 75% of the deficient CPD hours must be submitted and approved by the Registrar prior to reinstatement.

16. CARRY-OVER OF CPD HOURS

- 16.1 A Licensee who has earned more than the mandatory sixteen (16) CPD hours required in a reporting Term is entitled to carry over a maximum of six (6) CPD hours to the next reporting Term.