

deliver that training (either online or in a classroom or virtual classroom setting) then they would need to follow the process below to become an Authorised Training Provider.

a. Training authorisation application

For an ETP to be authorised they must apply and pay a fee to RSW. However, if the ETP already has an authorisation to cover them for delivering the 'complete' licensing course, then they do not need to apply for an additional authorisation and instead the current authorisation they have can be amended to reflect they also deliver CPD training. To arrange for this amendment, the ETP simply needs to contact the training team to request this.

If an ETP wishes to apply for CPD delivery only, they must submit the following to RSW:

- Trainer/Course Author Full CV (including qualification certificates)
- Trainers Monitoring Process
- Course Content Monitoring Process (how you will ensure information is kept up-to-date)
- Trainers Code of Conduct/Practice
- Data Protection Policy
- Course/Booking Cancellation Policy
- Complaints Procedure

The applicable fee for an ETP wishing to only apply for CPD Authorisation can be found in the RSW Fee policy on the downloads page of the website:

<https://www.rentsmart.gov.wales/en/resource-library/#10>. Payment for the course approval can be made by cheque or by invoice. If an ETP comes forward with a new application for authorisation but wishes to only apply to deliver CPD training the CPD only fee will be charged. However, if at a later date (during the 5 year authorisation period) the ETP wishes to also deliver the 'complete' course, the difference in fee will be due (that is the difference in fee between the CPD authorisation and complete course authorisation fee they now fall within.)

b. Training authorisation approval process

Once RSW receive an application from a Training Provider for Authorisation, they will assess the application and supporting documentation and then decide whether to grant

the authorisation or refuse it. However, before this RSW will open a dialogue with the ETP to ensure that all the information needed to accept the application has been received and to clarify any additional points. The fee will also need to have been paid.

Section 6 of The Regulation of Private Rented Housing (Training Requirements) (Wales) Regulations 2015, grants the Licensing Authority the right to attach or remove a condition or conditions to Training Provider Authorisations. As part of the Trainer Authorisation, the ETP will be required to adhere to a set of conditions. The standard conditions are set out in [Appendix D](#); however, additional conditions may be imposed by Rent Smart Wales. This will be assessed on a case by case basis.

6. Rent Smart Wales audit

Under Regulation 10 of [The Regulation of Private Rented Housing \(Training Requirements\) \(Wales\) Regulations 2015](#), the Licensing Authority has the right to monitor an authorised training provider.

(1) An authorised training provider must, on request from the licensing authority, supply to the licensing authority;

- a) such information concerning the authorised training provider's administrative arrangements and the conduct of courses and in such manner, as the licensing authority may reasonably require; and
- b) records or other documents (in whatever form they are held) which are kept for the purposes of compliance with these Regulations.

(2) Information or documents (as the case may be) requested under paragraph (1) must be supplied by the authorised training provider within such time limit as the licensing authority may reasonably require or as soon as reasonably practicable.

a. Audit objectives

The overall objective of the audit is for Rent Smart Wales to obtain assurances that an approved training provider manages a robust training system. The controls in place should enable the training provider to comply with the law, conditions set out in the training authorisation and course approval applications and the course approval and training provider authorisation guide. This in turn, will ensure compliance of legislation within the

Housing (Wales) Act 2014. Where it is considered that improvements can be made, these will be communicated with the training provider, so that controls can be enhanced.

A copy of the **Rent Smart Wales training authorisation and approval audit framework and guidance** can be obtained by contacting the training team on 03000 133 344 or RentSmartWales.Training@cardiff.gov.uk

7. CPD course approval and training provider authorisation renewal

Course approval and Training Provider Authorisation lasts for a period of **five years**. At the end of the approval period ETPs are required to renew their course approval and training provider authorisation.

The Course Approval and Training Provider Authorisation renewal process requires applicants to submit a new application and supporting documents as detailed in this document.

Rent Smart Wales will review this Guide on a periodic basis.

Appendix A – glossary of terms

Authorisation fee

CPD training must be pre-determined by the Licensing Authority (Rent Smart Wales) to be suitable for licensing and licence renewal purposes. This is set out in the Housing (Wales) Act 2014. [The Regulation of Private Rented Housing \(Training Requirements\) \(Wales\) Regulations 2015](#) allows for the Licensing Authority to charge a fee for an application from an External Training Provider (ETPs) for authorisation to deliver a course(s) for the purposes of licensing/relicensing under the Act.

Approval fee

A fee to approve an application for a CPD course is done via the same mechanism as for an authorisation fee above. Authorised ETPs can only deliver a CPD course that RSW would accept and allocate CPD points to, if pre-approved as a course under the process set out in this document. The cost of the approval fee depends on the number of CPD points a course would have attributed to it (e.g. how in depth it was).

Complete licensing courses

The equivalent of a one-day classroom course which covers all the topics necessary for licensing training as specified under Regulation 4 of The Regulation of Private Rented Housing (Training Requirements) (Wales) Regulations 2015

Continuing Professional Development - CPD

For the purposes of this document, CPD - or continuing professional development, is defined as training which covers a specific set of information, which is categorized into subjects, and topics, as defined below. CPD courses are more specific in nature, and will cover sections of information that have a more definitive aim than the current 'complete' licensing course, which must currently encompass all elements of the landlord (or agent) standard syllabus published by Rent Smart Wales. CPD therefore, will only cover specific elements of landlord/agent training.

CPD points

CPD points are the values accrued through completing CPD courses, for the aim of renewal. For a licence to be renewed, a landlord must reach **60** CPD points and an agent must reach **80** CPD points. CPD points must be made up of 'Core' Training that is mandatory for all applicants using CPD, and 'supplementary' CPD training (of the applicant's choice) to make up the rest of the points to the required value for their type of application.

Core CPD courses

A core CPD course is required to be completed for renewal if a landlord or agent is not completing the 'complete' licence or 're-licensing' course. The core (or mandatory) CPD course is in place to ensure that all landlords (and agents) are reminded of the necessary information to ensure they let out a home which is safe, healthy, warm and secure and on the correct occupation contract.

Supplementary CPD courses

Supplementary CPD Courses are the CPD courses that landlords and agents can choose to complete, in order to make the CPD points they accrue up to the necessary value for renewal, when added to the 'core' training points needed. The purpose of this is that areas of relevance or specific interest can be selected by a customer, in order to 'specialize' as per the customer's needs. Supplementary courses are further categorised into 'topic' based CPD courses, 'basic' CPD courses and 'advanced' CPD courses

Topic based CPD: To be classed as a topic based CPD course, it must contain at least three distinct 'topics' from the list found from Appendix B in this document. Topic based CPD courses are meant to be condensed 'updates' to information which landlords and agents could complete in a short period of time (under an hour). They are attributed 5 CPD points.

Basic CPD: A minimum of all 'topics' in one 'subject' must be completed, as listed in Appendix B of this document, for a course to be a basic course, and therefore attributed 10 CPD points. Basic courses cover distinct matters usually about one key area of interest and would be akin to a couple of hours of studying.

Advanced CPD: A minimum of all 'topics' in one subject must be completed, as listed in Appendix B of this document, for a course to be an advanced course. Advanced courses are meant to cover more detailed information in a variety of matters (often specific to a particular area of the private rented sector) that a landlord or agent should know and would be akin to going to a half-day classroom course. Courses in this category might also be less involved but in a subject of significant interest to RSW and its partners (e.g. mental health awareness). These courses are allocated 20 CPD points.

External Training Providers – ETP's

An external training provider is the term for organisations outside of Rent Smart Wales who provide training to landlords and agents for the purpose of licensing/renewal. However, who can only do so after being 'authorised' by RSW to offer such training. Each course they offer and brand as suitable for licensing or re-licensing purposes must be pre-approved by RSW.

Subject

A subject is a broad set of topics that come under one group. An example of a subject could be '**Equality and Diversity**,' which contains the following **Topics**:

Equality Act 2010

Types of Discrimination

Working with tenants with Protected Characteristics

Adaptations and Accessibility

Topics

A topic is a specific piece of information that can be included in a CPD course. A topic is less broad, and a number of topics make up a **subject**. An example of a topic might be 'council tax,' whereas the corresponding subject would be 'tax.'

Appendix B – Standard CPD Course Contents

This section lists proposed ‘topics’ and ‘subjects’ for CPD courses and the levels they will be assessed at. This cannot be an exhaustive list; as and when new legislation or relevant PRS topics emerge, the list and potential topics and subjects that can be attributed CPD will be created. If a course offered by an ETP is not listed below, then please speak to the Training Team at Rent Smart Wales and they can assess it and decide which type of CPD training it can be recognised as.

Basic CPD courses:

Allocated 5 points per 3 or more topics covered (if the whole subject is not covered) and 10 points per full subject covered:

Subject	Topics
Rent Smart Wales (Housing Wales Act 2014: An Overview)	Registration
	Licensing
	Conditions
	Changes which must be notified to RSW by law
	Fit & Proper Person
	Training
	Enforcement
	Code of Practice and ongoing obligations
	Agent Audits
	Maintaining a registration and renewing a licence
	“Connected Person” under Housing (Wales) Act 2014
Terms Of Business	Fees
	Client money protection and professional indemnity insurance
	Accounting and audit trail
	Start/finish of termination
	Estoppel

	Employee contract
Permissions/Instructions	Freeholder
	Mortgage provider
	Insurance company
	Conversions, planning and building regulations
	Rent Smart Wales Registration/Licence
Tax	Income tax (HMRC)
	Capital gains tax
	Inheritance tax
	Council tax
Property investment and options	Investing in a property
	Private rented sector market
	Landlord self-manage
	Agent let only, letting & rent collection, full management
Insurance	Building and contents
	Landlord insurance
	Professional indemnity
	Public liability (contractors)
Finding a tenant	How to advertise a property to let
	Viewings
	Interview & references or reference service
	Guarantor
	ID checks, immigration status
	Fees
General Data Protection Regulations (GDPR)	Data Protection Act 2018 and the General Data Protection Regulations (GDPR)
	Lawful basis for processing information

	Data controllers and data processors
	Data collection and processing
	Registering as a data controller
	Privacy notices
	Right to be forgotten
	Penalties and non-compliance
Equality and diversity for the private rented sector	Equality Act 2010
	Types of discrimination
	Working with tenants with protected characteristics
	Adaptations and accessibility
Rent	Agreement with the contract-holder
	Rent assessment committee (converted contracts only)
	Rent increases during contracts
	RHW12
	Collection
	Rent receipts
	Rent arrear triggers
	Small claims county court judgement
	Payments from Local housing allowance
	Sustaining contracts and contract-holder support
Universal Credit	Introduction to Universal Credit (UC)
	Who can claim UC
	How a landlord/agent can help with a claim
	Where tenants can get help
	Who is responsible for paying what bills and utilities

Introducing contract-holders to their new home	Introduction to property – check in
	Record of meter readings
	Welsh Water Regulations 2014 - Landlord Tap
	Waste obligations
	Key information and appliance instruction
Customer service, record keeping and other financial considerations	Financial Conduct Authority (FCA)
	Finance Act 1995
	Proceeds of crime
	Money laundering
	Negligence
	Duty of care
	Tax obligations
	Customer service
	Record keeping
	Data processing and protection
Possession (Renting Homes (Wales) Act 2016) Including for new and converted contracts	What to do when things go wrong (sustaining tenancies)
	Mutual Consent
	Restrictions on gaining possession
	Antisocial-behaviour
	Serious Rent Arrears
	Breach of Contract
	Possession of Periodic Contracts
	Possession of Fixed Term Contracts
	Prescribed Forms
	Withdrawal of possession
	Unlawful eviction and harassment

	Retaliatory Eviction
	Abandonment
Ending a fixed/periodic contract Including for new and converted contracts	Mutual Consent
	Unlawful eviction and harassment
	Fixed term/periodic
	Utilities - meter readings, informing Welsh Water
	Council tax
	Inventory
	Deposit return - receipts, alternative dispute resolution
	Property handover
	What if contract-holder stays at end of fixed term?
	Formal Possession Process and restrictions
Energy Performance Certificates (EPC)	Indicators at advertising
	Certificate at viewing
	Minimum value for renting
	Enforcement and penalties
	How to improve an EPC rating on a property – works that can be done and where help can be received from
Fire safety	General fire safety principles
	Fitness for Human Habitation and Prescribed Standards
	LACORS guidance
	Management of Houses of Multiple Occupation
	Fire risk assessment
	Gas and electrical safety
	Furniture and furnishings (fire safety) regulations
	Smoking and Health Act

Waste management	Waste management general information
	Enforcement
	Contract-holder information
	Recycling
	In Houses in Multiple Occupation
	Link to RSW licence conditions
Marketing in the private rented sector	Marketing requirements including fees, EPCs & RSW
	Legal basis
	Viewings (best practice)
	Protected characteristics
	Referencing and considerations when choosing applicants
Referencing and guarantors	Credit checks
	Income reference
	Previous rental
	ID checks
	Guarantors
	Protected characteristics
	Legislative context
Chargeable fees when letting (tenant fees ban in Wales)	Permitted payments
	Rent payments
	Default fees
	Prohibited payments
	Holding deposits (and tenancy deposits)
	Amendments to Consumer Rights Act 2015
	Enforcement (including restrictions under Renting Homes possession and recovery of prohibitive payments)

Advanced CPD courses:

Allocated 5 points per three or more topics covered in a subject (if the whole subject is not covered) and 20 points per full subject covered:

Subject	Topics
Law of agency	Limit of authority
	Outside of the law
	Statutory and common law
	Supply of Goods And Services Act 1982 - Section 13
	Verbal authority
	Duty of care and skill
	Roles of agent, landlord and tenant
	Obedience, loyalty, to account, performance, disclosure
	Remuneration, indemnity, lien
	Impartiality, duty of care, Equalities Act 2010
	Fees
	Professional indemnity insurance and client money protection
	Public liability (contractors)
	Consumer Rights Act 2015
	Consumer Contracts Regulations 2013
	Local Authority enforcement
	Letting fees 'ban' and permitted charges
	Contracts
	Accounting and audit trail
	Employee contract
	Estoppel
Advertising and lawful instruction to let	
Data protection	

	Rent Smart Wales Agent Audit and conditions for licensees
Occupation Contracts	Renting Homes (Wales) Act 2016, supplementary legislation and WG Guidance
	Secure Contracts
	Standard Contracts (fixed and periodic)
	Tenancies and Licences that are outside of scope of Renting Homes and Rent Smart Wales
	Subletting
	Joint contracts
	Succession
	Penalties
	Licences vs Tenancies
	Written Statement of Contract
	Model Written Statements
	Timescales for Issuing
	Terms: Key Matters, Fundamental, Supplementary and Additional
	Unfair terms
	Electronic Service and agreement
Fees	
Inventories, tenancy deposits and disputes	Deposit Protection Schemes and the Renting Homes (Wales) Act 2016
	Using an inventory provider
	Inventories (supplementary terms)
	Evidence
	Deposit protection and returning deposits
	Wear and tear
	Bond guarantee schemes

	Dispute resolution and abandonment
Managing occupation contracts effectively	Preventing problems, controlling situations, mediation, legal action
	Complaint procedures
	Timely responses
	Record-keeping
	Data processing and protection
	Property redress
	24 hour notice, right to quite enjoyment
	Emergency contact
	Emergency entry
	Rent Smart Wales Code of Practice for licensees (and periodic inspections)
Maintaining tenant relations (sustaining tenancies)	Communication including data protection
	Financial difficulties (including HB/UC)
	Poor mental health (including adverse childhood experiences (aces))
	Tenants going into or from prison
	Anti-social behaviour
	Rent Arrears
	Support to live independently
	External help and support
Managing Houses of Multiple Occupation (HMOs)	Definition of an HMO
	Housing Act 2004 Part 2
	Contract types
	Most common 'hazards'
	Duties of an HMO manager and tenants - HMO Regulations 2006

	Licensing - Housing Act 2004, fit and proper
	Failure to comply - offences
	Mandatory and additional licensing schemes
	Practical steps to managing HMO tenants
	Fire safety
	Regulatory reform fire safety order
	Waste obligations and communal areas
	Anti-social behaviour
	Mediation and sustaining tenant relations
	Joint Contract Holders: Liability, Leaving and Adding
	Consent and Reasonableness
	Dealing with complaints
	Record keeping
	Reasonable adjustments
	Mental health awareness
	Sustaining tenancies and signposting for support
Managing student lets	Marketing
	Contracts
	Tenancy length
	Rent & half-rent
	Referencing and guarantors
	Deposits and inventories
	Most common 'hazards'
	HMO regulations
	Fire safety
	Waste

	Council tax
	Anti-social behaviour
	Periodic inspections and emergency contacts
	Dealing with complaints
	Record keeping
	Maintaining and ending tenancies
	Joint Contract Holders: Liability, Leaving and Adding
	Consent and Reasonableness
	Reasonable adjustments
	Mental health awareness
	What if a tenancy breaks down – advice and assistance
	Check out process
Energy efficient, warm and damp free homes	Hazard of excess cold and damp and mould growth
	Impact of cold on health
	Heating methods
	Removing damp
	Energy efficiency and EPCs
	Legislative requirements and penalties
Mental health challenges in the private rented sector	Mental Health Context – Equality Act and key issues
	Behaviours linked to mental health problems, implications for landlord
	Identifying tenants with mental health issues and offering support
	Communication and mental health
	Mental health and welfare benefits
	Mental health issues and managing finances
	Landlords (and Agents) and their Mental Health

	Using legal processes as a last resort
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Core (Advanced) CPD:

Subject	Topics
Safe and Healthy Homes (30 points)	Repair Responsibilities and Limitations
	Landlord and Contract-Holder Obligations
	Fitness for Human Habitation – 29 ‘Matters and Circumstances’
	Prescribed Standards relating to fire, carbon monoxide and electrical safety
	Housing Act 2004 – Housing Health and Safety Rating System
	29 Hazards & most common hazards
	Condensation, damp and mould
	Electrical safety regulations
	Gas safety regulations
	Fire safety regulations (FSO 2005)
	Legionella - Health & Safety at Work Act 1974
	Asbestos regulations
	Furniture and furniture safety regulations
	Infection control and accidents
	24 hour notice, right to quiet enjoyment
	Emergency contact
	Emergency entry
	Rent Smart Wales conditions for licensees (Code of Practice and periodic visits)
Enforcement and Penalties	

Subject	Topics
Renting Homes (Wales) Act 2016	Implementation of Renting Homes (Wales) Act 2016
	Conversion arrangements and what is different for converted contracts compared to new standard contracts under RH.

(5 points)	Overview of appealed legislation and subsequent amendments (e.g. RSW)
	Excluded tenancies and licences
	Definitions including: <ul style="list-style-type: none"> • Types of Landlord • Contract Holder • Types of occupation contract
	Secure contracts (default for Community Landlords)
	Standard contract (default in PRS)
	Fundamental provisions
	Incorporation and modification of fundamental provisions
	Supplementary provisions
	Incorporation and modification of supplementary provisions
	Key Matters
	Additional Terms
	Consumer Rights Act 2015
	Written statement and penalties
	When contract becomes enforceable
	Exclusion periods
	Variation of contracts
	Deposits and deposits schemes
	Joint contract holders and joint landlords
	Right to occupy without interference
	Contract Holder's Rights and Obligations
	Anti-social behaviour and other prohibited conduct
	Landlord's consent
	Sub-occupation
	Repair obligations
	Fitness for human habitation (FFHH) – Prescribed Standards
	Compensation and penalties for repair and FFHH
	Limits on landlord's obligations for repair

	Landlord's rights to access
	Contract Holder End's Contract
	Situations when a landlord cannot end a contract
	Abandonment
	Written Receipt of Rent
	Electronic Service
	Succession
	Retaliatory Eviction
	Serious Rent Arrears
	Periodic Standard Occupation Contracts: <ul style="list-style-type: none"> • Variation of Rent • Termination of periodic standard contracts
	Fixed Term Standard Occupation Contracts <ul style="list-style-type: none"> • Fixed term standard contract – end of fixed term • Termination of fixed term standard contracts

Appendix C – standard conditions for approvals

The standard conditions for cpd course approval:

- The course(s) can only be delivered by an Authorised Training Provider under Part 1 of the Housing (Wales) Act 2014.
- The Rent Smart Wales branding must be used in accordance with the brand guidelines at all times.
- You must notify Rent Smart Wales if any significant changes are made to the course validation method, including changes to the questions.
- You must notify Rent Smart Wales if any significant changes are made to the course content.
- The content of the course and method of assessment must be kept relevant and amended to reflect any relevant legislative changes impacting Wales, within 28 days of the change. Rent Smart Wales must be made aware of the changes in order to agree the new content. Any significant changes to content which occur once a delegate has attended the training (for the next 5 years), must be communicated to that delegate by way of an update communication within 28 days of the change occurring.
- Training certificates issued to course delegates must be in accordance with that agreed by RSW at the time of your application which needs to include the Rent Smart Wales Approved Landlord / Agent Course logo or if this is not possible, the wording 'Approved Rent Smart Wales CPD Course'. The training certificate is required to include the following disclaimer:

'This record of training is not proof of obtaining a licence from Rent Smart Wales; it is only to certify the named person has attended and passed a landlord or agent CPD training course.'
- Issued training certificates need to display the full forename and surname of the delegate. RSW reserves the right to request a new certificate to be issued if a certificate does not correspond to the delegate's name on the RSW licence application.
- Classroom training courses are to be assessed by a Rent Smart Wales Assurance and Development Officer within the first 3 months (or on first course run) of course approval being granted. Upon course assessment, RSW may issue recommendations that need to be adopted in order for course approval to continue.
- The venue chosen for delivery of classroom training must meet accessibility standards.

- You / your organisation must adhere to the Data Protection Act 2018 and the General Data Protection Regulations (GDPR).

Appendix D – standard conditions for authorisations

The standard conditions for training provider authorisation:

- Your authorisation allows you and/or your company to deliver only the course(s) named on your application form, which will be approved under Part 1 of the Housing (Wales) Act 2014.
- You can only deliver the course(s) named on your application under the name of the approved training provider stated on your application. This authorisation does not allow you to outsource the delivery of the course(s) to any other organisation without the expressed authorisation of RSW.
- The Rent Smart Wales branding must be used in accordance with the brand guidelines at all times.
- You must implement the validation method strictly in accordance with the requirements of the Course Approval issued under Part 1 of the Housing (Wales) Act 2014. Any changes to the validation method must be agreed with Rent Smart Wales prior to implementation.
- The minimum experience and qualifications set out in your application must be maintained for all trainers employed by your company who deliver Rent Smart Wales approved courses.
- Only the trainers listed on your application are authorised to deliver the RSW approved training courses. RSW must be notified if any trainers cease to deliver the course(s). The addition of new trainers is subject to RSW approval; until such approval has been granted; new trainers cannot deliver training course(s).
- All trainers (and all persons associated with the organisation/company) need to be fit and proper. If a trainer or anyone they are associated with or formally associated with has unspent convictions such as those listed below, Rent Smart Wales must be made aware in order that a decision is made as to whether this will affect that trainer being a fit and proper person. A list of applicable offences is as follows:

(a) Committed any offence involving:

- Fraud and other dishonesty;
- Violence, firearms or drugs;
- Any offence listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements);

(b) Practised unlawful discrimination or harassment on the ground of any characteristic which is a protected characteristic under section 4 of the Equality Act 2010, or victimised another person contrary to the Act, in or in connection with carrying on of any business.

(c) Contravened any provision of the law relating to housing or landlord tenant such as:

- Unlawfully evicted a tenant; Been refused a House in Multiple Occupation licence or selective licence under the Housing Act 2004;
- Had a licence revoked for breach of any conditions under the Housing Act 2004;
- Been subject to a Management Order under the Housing Act 2004; Failed to comply with a Housing Notice (requiring works etc.) served by a local authority;
- Been subject to complaints from tenants or other sources, regarding serious or repeated breaches of the conditions of a licence under the Housing Act 2004.

In addition, you and/or your organisation must obtain the necessary assurances from all of your trainers, who are landlords of properties in Wales, that they will run their properties in accordance with all relevant legislation and the Rent Smart Wales Code of Practice.

- You must provide quarterly figures for the total number of agents and/or landlords who have completed the course(s) named on your application on request. You

must provide the quarterly figures within 28 days of the request being made by RSW.

- You and /or your organisation agree to be audited by Rent Smart Wales as stipulated by section 10 of The Regulations of Private Rented Housing (Training Requirements) (Wales) Regulations 2015.