

Public Protection Committee: 2020 Annual Report

Contents

Public Protection Committee: 2020 Annual Report	1
Welcome.....	3
Introduction.....	4
Membership	4
Setting strategy	5
Setting and upholding standards	5
Entry to the Register.....	5
Audit process.....	6
Professional conduct.....	7
Supporting the public.....	9
Supporting members.....	10
External scrutiny	10
Looking forward to 2021	10

Welcome

I wish you a very warm welcome to the first annual report of the British Association for Counselling and Psychotherapy's Public Protection Committee. This report covers the period from 1 January 2020 to 31 December 2020. It highlights key statistics and insights and explains the steps we take to protect the members of the public and ensure our members and registrants meet our standards. It has been a busy year - we took forward 193 complaints, carried out 740 audits, ran 3,268 Certificate of Proficiency assessments and responded to 1,361 concerns from the public through our Ask Kathleen Service.



The value of our regulatory function can often only be gauged when we consider membership without robust procedures to ensure our members are safe to practise. It is important that its function is central to the work of the organisation in providing credibility, accountability and employability for our members. Our 2020 membership survey reveals that over 95% of our 57,000 members rate setting standards for the professions and client protection as important work for BACP.

It has been a particularly challenging year for us all with the global outbreak of Covid-19. This has had a profound impact on the way that we carry out our work and we've had to find new ways to carry out our functions, ensuring that BACP members and the public are supported through these unprecedented times. Although it has presented us with challenges and we've had to adapt quickly to respond to virtual delivery, it has also led to us to develop our online skills and streamline our processes to create efficiencies and improve the way we work. Our virtual professional work continues unabated and we have held some of the less complex hearings virtually.

It is crucial that we look at how we communicate the work of our regulatory function. We want BACP to be the organisation of choice for the public when choosing a practitioner in terms of both accountability and high professional standards. We also want our members to have confidence in the way we carry out our public protection function. Over the coming year we want to promote our work and this first annual report forms part of our communications. I hope you find it of interest.

I'd like to thank the committee members and the Register staff for their support and hard work over the year. I would also like to invite any members of BACP or members of the public who have a keen interest in public protection, to consider putting themselves forward to be on the committee. You can contact us at Governance@bacp.co.uk.

Moira Sibbald
Chair of the Public Protection Committee

Introduction

The Public Protection Committee (PPC) holds delegated responsibility for developing, informing and monitoring the public protection strategy of the British Association for Counselling and Psychotherapy (BACP) and the associated functions of the Register. The Register is a public record of counselling professionals who meet BACP standards in relation to training, practice standards, supervision and continuing professional development. All BACP members have signed up to the BACP Ethical Framework for the Counselling Professions (the Ethical Framework).

The PPC reports to the Board of Governors and reviews its own performance to ensure it is operating effectively. It has a Lay Chair and a maximum of eight appointed members, four lay members and four BACP members. It meets four times a year. All meetings in 2020 were virtual because of Covid-19.

Membership

Lay Chair and member of the Board of Governors:

Moira Sibbald, Governor

Committee members:

Tamara Abood, BACP Committee Member

Jo Burns, BACP Committee Member

Stacey Goldman, BACP Committee Member

Ewan Malcolm, Lay Committee Member

Philip Matthews, Lay Committee Member

Velia Soames, Lay Committee Member

Vanessa Stirum, Lay Committee Member and Board representative (until Feb-20)

Mervyn Wynne-Jones, BACP Committee Member

The committee is supported by a team of specialist BACP staff:

Fiona Ballantine Dykes, Deputy CEO and Chief Professional Standards Officer

Christina Docchar, Registrar

Rebecca Grace, Assistant Registrar Entry and Maintenance

John O'Dowd, Assistant Registrar Conduct

The Public Protection Committee is committed to transparency and publishes both its minutes and public protection strategy on the BACP website: [Governance of the BACP Register](#)

You can find out more about how BACP [protects the public](#) on our website.

Setting strategy

One of the key activities of 2020 for the Public Protection Committee was the development of its public protection strategy, which details its strategic ambitions for the next four years. The new strategy dovetails with overall [BACP strategy](#) and its commitment to 'further develop confidence in and credibility of the profession by developing and upholding professional and ethical standards, informed by an evidence base' and 'champion the skills, competence and contribution of our members to the public, employers, commissioners and policy-makers'.

The key points of the public protection strategy are:

- effective regulation and commitment to quality assurance
- effective and efficient delivery to meet public protection needs and make optimum use of available resources
- public and membership communications to enhance confidence and understanding
- the use of data and intelligence and making it accessible to members and the public in the interests of public protection

In 2020, the PPC also approved a plan of work to support the strategy and the wider work of BACP. The Committee is discussing meaningful measurements to monitor progress, including ongoing work on the continuous improvement following feedback from both the public and members.

Setting and upholding standards

The Register sets standards for entry and maintenance of registration and holds members to account in relation to the [Ethical Framework for the Counselling Professions](#), in the interests of public protection. The results of the 2020 membership survey show that BACP's activities in relation to setting standards for the profession and protecting the public are seen to be highly valued by members.

Entry to the Register

Membership

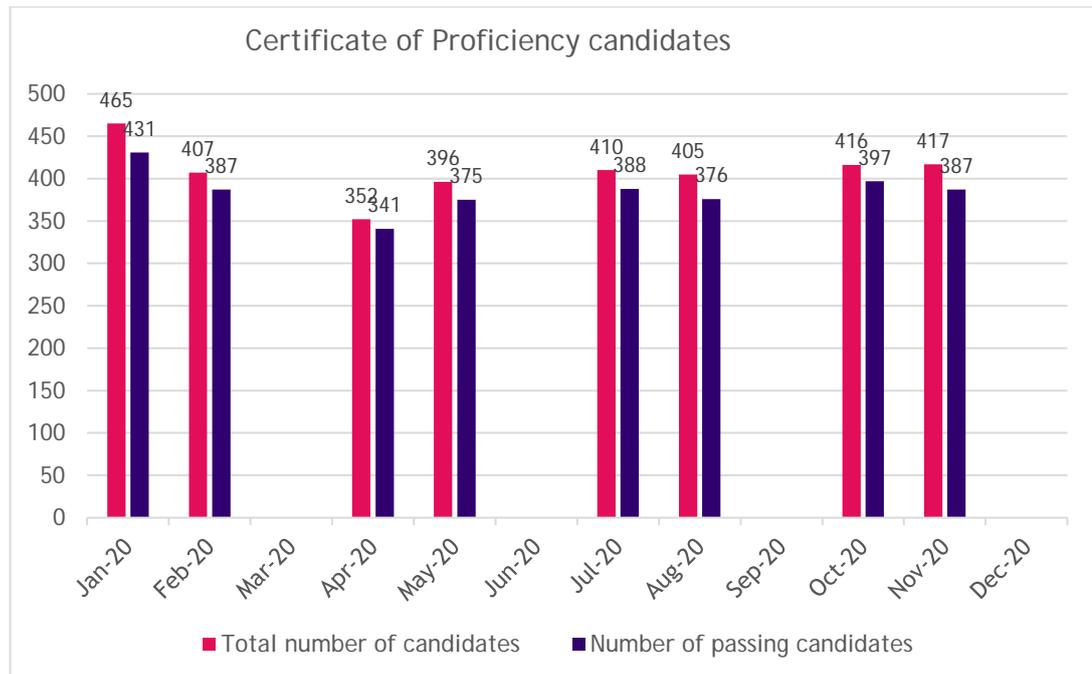
To become listed on our Register, counsellors and psychotherapists must first meet our stringent [membership requirements](#). We also assess applications to check that the applicant is willing and capable of working in accordance with the Ethical Framework and is fit for membership of the Association. This would happen if the applicant had made a disclosure to us.

There were 94 applications for membership with disclosures received in 2020. 18 cases went to an Article 12.3 panel in 2020 (most of these were cases from

previous years). As some cases went to more than one panel, there were 27 panels in total. Of these 18 cases, 14 applicants were accepted into membership and four were rejected by an independent panel.

Certificate of proficiency

For those who have not completed a BACP accredited course, we also have an additional quality control of the Certificate of Proficiency (CoP), which members must pass to be listed on the Register. The CoP is the final part of a lengthy process of membership application and completion of a practitioner training course that involves a supervised placement. It is part of our commitment to quality assuring our membership and ensuring suitability for registration.



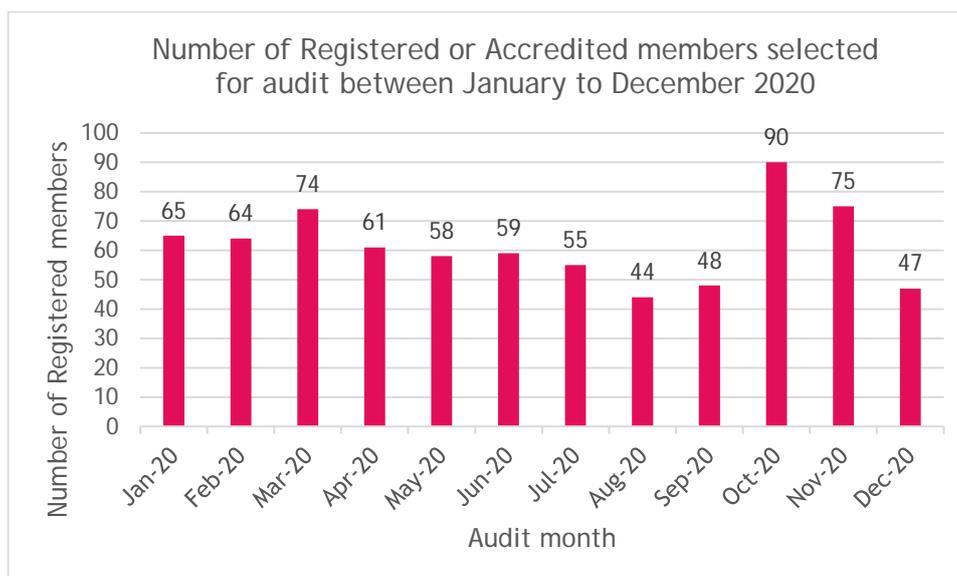
Most of our members take the CoP from their own homes or workplaces while being remotely invigilated. We also usually run hosted events for those who don't have access to a computer. Owing to Covid-19, these events did not take place in 2020 but it our intention to resume them in 2021.

Audit process

We audit 2% of our registrants annually to check they are meeting the terms and conditions of registration looking at the following areas:

- continuing professional development (CPD)
- supervision
- indemnity insurance

In 2020, 740 members were asked to take part in the Register audit, as shown in the graph below.



From the submissions received, 98% passed on their first attempt.

In 2020 we introduced some flexibility in deadlines as some members had difficulty obtaining information needed owing to Covid-19. We granted 108 extensions and deferred the audit for 37 members.

Professional conduct

The Register holds members accountable to the [Ethical Framework](#) through the [Professional Conduct Procedure](#) (PCP). We rely on clients, the public and members to bring poor and unethical practice to our attention so we can take appropriate action, and ultimately protect the public and the reputation of the profession. We also have a separate procedure called [Article 12.6](#) and we might use this if we receive information that makes us question whether a member should continue in membership with us. It can be used for issues such as criminal convictions or where disciplinary action has been taken by a member's employer.

The Covid-19 situation presented many challenges for the professional conduct function in 2020. We moved to work in more innovative ways so that our complaints process continued to run as normal, as far as possible. We piloted running initial stages by virtual means and this was then successfully rolled out; these hearings were relatively straightforward given no member or complainant attended. This enabled BACP to assess complaints which met the test for a hearing and to reject and close those that did not.

In 2020 we received 191 complaints of which 129 became cases. The proportion of BACP members who had concerns raised about their conduct remained low at 0.34%. 22 further complaints were received and were not taken forward. (The table below shows why they were not processed.)

Table to show reasons why the complaints were not processed:

Reason for non processing	Number of complaints
Withdrawn complaint	10
Non-member complaint	7
Not counselling or psychotherapy related	2
Anonymous	1
No contact details	1
Disciplinary dealt with by employer	1

At the end of December 2020, 40 complaints were in the pre-assessment stage.

In relation to the [Professional Conduct Procedure](#), if a member accepts that there has been a minor or technical breach of professional standards, we may send them a letter with advice on how they can improve their practice. This is known as a [letter of advice](#) and is not a formal disciplinary action, but it will be kept on the member's record for three years. In 2020 we issued three letters of advice.

If the complaint is accepted but is not suitable for a letter of advice, it will be sent to the independent [Investigation and Assessment Committee](#) (IAC). In relation to complaints considered under our Professional Conduct Procedure, a total of 129 complaints turned into formulated cases of which 94 cases were considered by our independent Investigation and Assessment Committee (IAC) to-date. The IAC's role is to assess the complaint. 116 IACs were held in 2020 (It is worth noting that a case may be considered by an IAC more than once.) As a result:

- there were 13 consensual disposals (these included educative sanctions)
- 32 complaints were referred to a practice review hearing
- 18 complaints were referred to a disciplinary hearing
- 42 complaints were dismissed

Three cases were heard in 2020 prior to the pandemic; all were upheld and resulted in educative sanctions. Owing to continued restrictions, no further physical hearings were held. However, the Register was busy researching how to carry out virtual hearings and this has been scheduled for 2021.

There were no appeals by members following hearings.

In relation to the Article 12.6 procedure, in 2020 there were 76 formulated cases. We held six panels that related to 2019 cases and none of these cases resulted in withdrawal of membership.

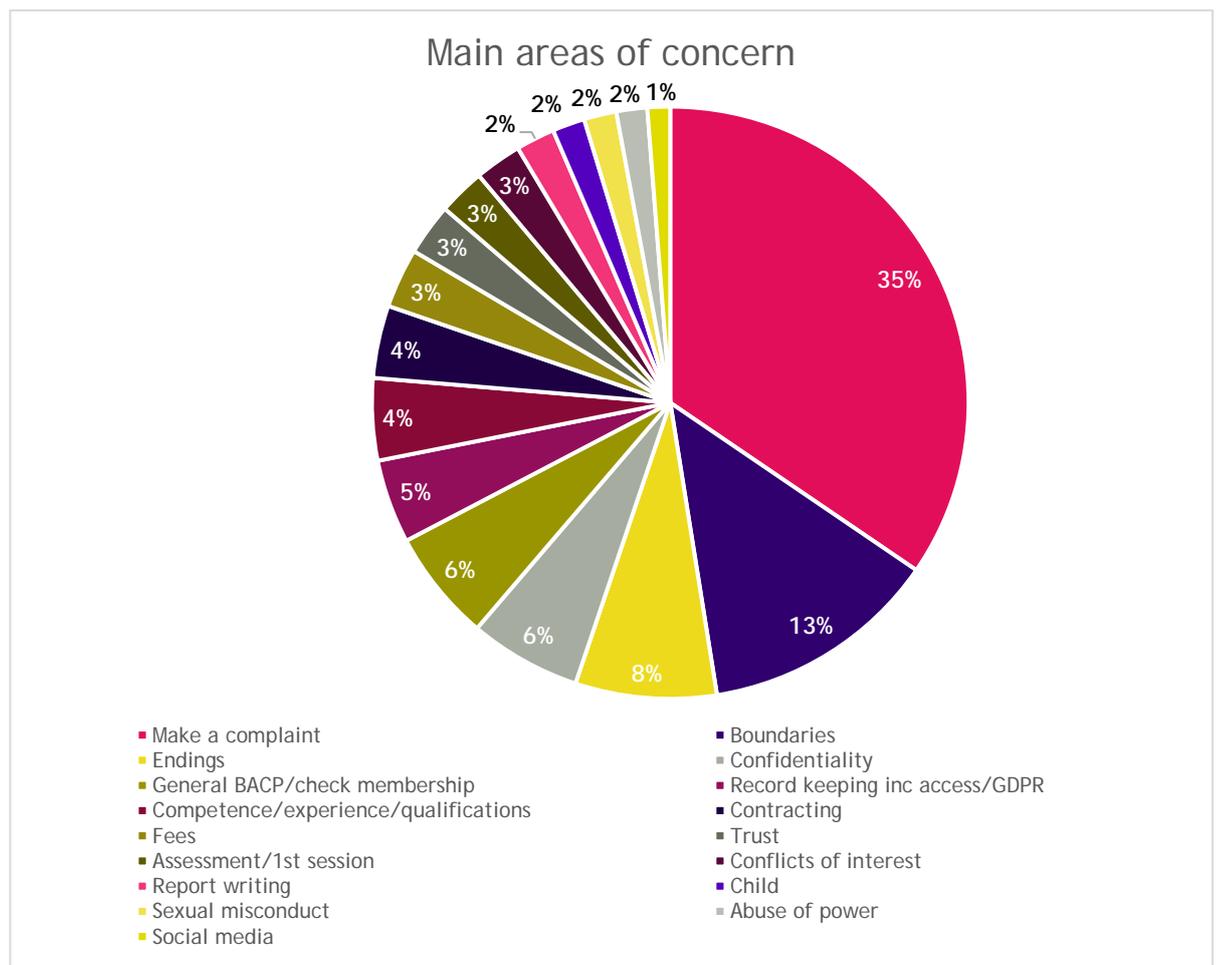
Supporting the public

The purpose of the BACP Register is to protect the public. It provides a list of therapists who have met our high standards. Any registrant who has a sanction is indicated on the Register with a link to [complaints web pages](#) where we publish details of complaints upheld under the Professional Conduct Procedure.

We also support the public directly with our Ask Kathleen Service (AKS), which provides frontline help for anyone who has concerns or is worried about their therapy or their therapist. We always encourage anyone who has concerns about therapy to speak to their therapist first to try to sort out the issue. During 2020 we reviewed the service and following the consultation with the public, we will be relaunching it in 2021. Also during 2020, we developed a new support system for complainants in professional conduct cases. It aims to offer more emotional support during the process, including providing someone to accompany complainants to hearings if required. The AKS emotional support was accessed 103 times during 2020. (Some clients accessed the support service more than once.)

During 2020, the Ask Kathleen Service answered 1,361 public queries.

Chart showing main areas of concern



In the interests of public protection, we also share conduct information with other organisations that hold registers in counselling and psychotherapy.

Supporting members

We believe that good regulation should be focused on learning and not waiting for things to go wrong. We have started to shift the focus of activity towards prevention - 'upstream'. This relies on using the data and intelligence held by BACP to identify potential problems and to address them quickly and effectively. We collect and analyse information from across BACP to identify themes and develop solutions, such as articles in *Therapy Today* about common issues and Good Practice in Action resources.

External scrutiny

In addition to the governance oversight of the Public Protection Committee, BACP's Register has also been a member of the Professional Standards Authority for Health and Social Care (the Authority) [Accredited Registers' Programme](#) since 2013. This is a voluntary scheme for non-statutory registering bodies of health and care professionals so that the public can feel confident about choosing practitioners. In 2020 we were successfully reaccredited and you can read our [accreditation report](#).

Looking forward to 2021

The areas on which the Committee and the Registrar will be focusing in 2021 are:

- further development of virtual and hybrid hearings
- strategic review of the accredited register programme to address financial support, public awareness and control of risk of different professions
- engaging with employers on evidence of working practices or environments which contribute to professionalism issues
- further public and membership communications to enhance confidence and understanding
- further streamlining of delivery of register functions
- relaunch of Ask Kathleen Service as 'BACP's Get Help with Counselling Concerns'
- upstream prevention data analysis