

BACP Course Accreditation Scheme

Organisational Mergers Procedure

Organisational mergers impact on BACP membership and accredited course status for the following reasons:

- BACP organisational membership validates accredited course status
- BACP membership can only be held by a legal entity in its own right

If the provider of an accredited course is dissolved during a merger process, it ceases to be a legal entity at that point and so can no longer hold a BACP organisational membership. Its BACP membership becomes invalid and the accredited status of the course it provides lapses as a consequence.

This is because each organisational member of BACP must be a legal entity in its own right. BACP membership cannot continue with the original course provider if it is dissolved, becomes a subsidiary of or a department within a larger organisation post-merger. A legal entity may only hold one BACP main membership.

Merger types and BACP membership

The institution resulting from any merger must have current BACP membership to be an accredited course provider. Therefore a BACP membership must be in place before the BACP accredited status of any course can be continued post-merger.

There are two types of merger, **Type A** and **Type B**. Their respective effect on existing BACP memberships is explained here:

TYPE A

All institutions involved are dissolved and a new institution (legal entity) created.

The BACP memberships of all institutions involved in the merger become invalid and must be cancelled by BACP. This is because institutions cannot continue as legal entities once they have been dissolved. The new institution created from the merger must make a successful application for BACP membership.

Type A Example

College A and College B both dissolve and a new legal entity named College AB is formed. The newly-formed College AB successfully applies for membership of BACP. College AB then applies to have the course previously provided under College A assessed for continued accredited status.

TYPE B

One or more of the institutions involved is dissolved and their property, rights and liabilities transferred to the one institution which will continue to exist as the same legal entity post-merger. An extra piece of legislation is necessary if the resultant institution then wants to change its name.

A BACP member which continues as the legal entity in a Type B merger may retain its membership *provided that its Registered Charity & Registered Company numbers do not change post-merger*. Any subsequent change of name for the continuing institution will then be applied to the continuing membership. The continuation of membership in a Type B merger is not automatic. BACP must be fully informed of the merger and approve the changes before membership can be guaranteed.

Should the continuing institution be a BACP member that will change its Registered Charity and/or Company numbers post-merger, it must make a successful application for BACP membership.

If the institution which continues as the legal entity in a Type B merger is not a BACP member, it must make a successful application for BACP membership.

BACP memberships of all institutions dissolved in the merger will become invalid and therefore cancelled by BACP. This is because institutions cannot continue as legal entities once they have been dissolved.

Type B Example

College X and College Y both dissolve but College Z continues to exist as the legal entity. College Z absorbs the two dissolved colleges and then renames as College XYZ. The BACP membership remains with College Z because the College continues to be registered under the same company number. However, its membership name is also changed to College XYZ. College XYZ then applies to continue the accredited status of both its own accredited course and that provided previously under College Y.

BACP Membership and Course Accreditation departments must be informed in advance about **all** membership organisations involved in a merger. Please include any planned name change for the continuing organisational member.

Assessment of proposed changes

Each course wishing to continue as accredited post-merger must submit details of the proposed changes, which will be assessed by Professional Standards. Each submission should be made separately and will be considered individually. There are certain conditions which need to be in place on order for such applications to be accepted (below).

Eligibility for continued accredited course status post-merger

The criteria below must be satisfied for BACP to continue a course's BACP accredited status post-merger.

M1. The institution which seeks to deliver the accredited course post-merger must be a current organisational member of BACP. This membership may be a continued membership or a new membership but cannot be held by a subsidiary of the larger organisation (legal entity) or a department within it.

M2. All course staff must be those involved in its delivery pre-merger.

M3. The course content and structure of the course wanting accreditation post-merger must be the same as the accredited course delivered pre-merger

M4. The venue at which the course is delivered - including course resources and facilities - must be either the same as that for the accredited course previous to the merger or be sufficient to meet Criterion B2.4

M5. The support of the BACP member institution providing the course post-merger is required. This must be demonstrated in writing as part of the submission and signed by an appropriate key person on behalf of the BACP member organisation providing the course.

M6. All proposed changes to the organisational structure governing the course and its staff must be made clear and presented for assessment as part of the application. The structure presented must be able to meet Criterion A8 and A9 of Accreditation of Training Courses (i.e. the course accreditation scheme) and any amended policies and procedures included in support of the application

- **A8** The course must submit evidence to demonstrate the accountability of the training provider for the course.
This will include published policy and procedures on:
 - i. admission
 - ii. fees
 - iii. placements
 - iv. assessments
 - v. appeals
 - vi. complaints
 - vii. quality assurance and enhancement

The above list is the minimum requirement and is not necessarily exhaustive.

- **A9** The course must provide evidence of its staffing structure that clearly demonstrates lines of responsibility.

Applications for continued accreditation

If the above requirements can be met and demonstrated, the course may apply for continued BACP accreditation. It should provide a statement in support of each criterion as to how it is being met and include all relevant documentation in support of each statement where needed. The application must be dated and signed by the course contact and supporting key member of staff from the BACP member organisation responsible for the course's delivery. Please note that an assessor may recommend a future course visit as part of their findings.

New applications for course accreditation

If the above requirements cannot be met, the course wanting to continue its accredited status must present a *new application* for course accreditation accompanied by the current fee*.

Please note that current BACP organisational membership is a pre-requisite for continued accredited course status and all course accreditation applications.

If only minor changes to the course are proposed, it may be assessed for continued accreditation post-merger at BACPs discretion. No such applications will be considered without thorough discussion with BACP and will only be accepted with BACP's prior approval. Assessments may incur a fee