

**BACP PPC Committee Meeting
Thursday 25th April 2024
MS Teams at 10:00hrs**

Report Information

Meeting Date	25 April 2024
Venue	Teams
Confidential/Non-Confidential	Confidential
Author/Presenter	Clair Parfrey, Governance Officer

Purpose of the Report
(Please tick all that apply)

To obtain approval	<input checked="" type="checkbox"/>	To canvas opinion	
For information/ to note	<input checked="" type="checkbox"/>	Regulatory requirement	
To provide advice	<input type="checkbox"/>	To highlight any emerging risks	

Summary of Report

(Include key points and additional information as necessary regarding the purpose of the report.)

Minutes from the BACP PPC Committee Meeting held on 25th April 2024.

Recommendations

The PPC Committee are invited to:

Consider and **approve** the minutes of the Meeting of the BACP PPC Committee Meeting on 25th April 2024 and **confirm** actions allocated at that meeting have been completed.

BACP PPC Committee Meeting Thursday 25th April 2024 MS Teams at 10:00 hrs		
Committee Members Present	Marc Leppard	Chair of PPC and Trustee
	Ciaran Doyle	Committee Member
	Leon White	Committee Member
	Dr Paul Taylor	Committee Member
BACP Staff Present	Emma Hayes	Registrar
	Rebecca Grace	Assistant Registrar
	Dr Phil James	CEO
	Judy White	Head of Governance
	Ruzina Miah	Governance Manager
	Clair Parfrey	Governance Officer
Apologies	Philip Matthews	Committee Member
	Dr Lisa Morrison Coulthard	Director of Professional standards, Policy and Research

Public Protection Committee (PPC) Meeting Minutes

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10:00 - 12:30 hrs via Microsoft Teams

Chair: Marc Leppard

In attendance: PPC Committee Members and BACP Staff

Item No	General business
1.0	Preliminary matters
1.1	<p>Welcome, introductions, apologies and quoracy</p> <p>The Chair welcomed all in attendance. Philip Matthews and Lisa Morrison Coulthard have sent their apologies. The meeting was noted as quorate.</p>
1.2	<p>Declarations of interest</p> <p>No declarations of interest were made.</p>
1.3	<p>Minutes of last meeting held on 22nd February 2024.</p> <p>The minutes were accepted as an accurate record of the meeting.</p>
1.4	<p>Items requiring redaction in minutes of 22nd February 2024</p> <p>The Chair commented that he felt that the only items requiring redaction were those identifying individual members i.e. names.</p> <p>The Assistant Registrar had highlighted an issue around the PSA discussion, the Chair felt that this could be left in.</p>
1.5	<p>Matters arising and review of action tracker</p> <p>The action tracker was updated:</p> <p>The Chair highlighted the need to move to Convene due to security issues and reminded the committee that this can only be accessed via the @bacp email addresses. The governance team are available to help and to provide training. This should be achieved by September 2024.</p> <p>EDI will be a standing item on the committee agenda - a review will be required from The Director of Professional Standards, Policy and Research at the next meeting.</p> <p>BACPs safeguarding lead will be asked to attend the July meeting to update the committee on the ways we are supporting our members and staff.</p> <p>Discussions took place around the diversity of panels, the Registrar confirmed that there is random selection of panel members and that skill sets are important. EDI monitoring surveys are not currently used but are being developed.</p>
2.0	Briefing and Reports

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2.1	<p>Register Development Report</p> <p>The Registrar spoke to her report on the activity that is ongoing within the Register Department which contributes to BACP’s wider Public Protection remit.</p> <p>Issues relating to the PSA target review were covered in section 3.2.</p> <p>The risk register is a PSA requirement, the format and remit are prescribed by the PSA. We are responsible for completing it and submitting it on an annual basis.</p> <p>The Assistant Registrar works with a group of colleagues from across BACP including ethics and membership. They meet on a quarterly basis to identify emerging themes.</p> <p>Discussions followed around the practitioner risk register. The link between this practitioner risk register and BACP’s organisational risk register were discussed. It was suggested that we could develop the register further on a separate tab to ensure we work within the PSA guidelines but also mitigate risk to practitioners. The use of AI and digital platforms previously discussed is an identified risk on the register. Consideration should be given to an additional column indicating whether an item has been discussed at committee and the actions that came out of that.</p> <p>Action 1: The Assistant Registrar to discuss idea of expanding the risk register with the working group.</p> <p>Discussions took place around boundary violations such as sexual harassment etc. This crosses into the safeguarding space and also public education. It was felt that it is a strategic level issue that the committee needs to have a strong input into. A deep dive was suggested to look at themes such as boundary violations.</p> <p>Action 2: The Assistant Registrar to provide data on boundary violations for a deep dive at the next meeting</p>
2.2	<p>Register Operational Report</p> <p>The Registrar spoke to her report which identifies the Key Performance Indicators used to demonstrate the effective delivery of key services within BACP’s Register Department and gives a snapshot of where the team are now. A summary was also included of whether there’s any kind of operational issues that we wanted to raise.</p> <p>Discussions took place around the length of time some cases have taken and the reasons why. The longest standing cases are generally those involving the legal court system and delays here are outside our control.</p>

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Self-referrals of convictions were also discussed, and it was noted that members should self-declare at the point when they are charged rather than when convicted. Support for staff dealing with upsetting cases is provided by their line manager but counselling can also be provided if needed.

The Registrar's team are aware of their duty of care towards members and ensure that they work with the safeguarding team to provide support to the members whilst also ensuring that they have a clear audit trail of their work.

Action 3: BACP Safeguarding Lead to provide a paper to the next meeting around the support to members.

3.0 Updates

3.1 Ethical Framework update

The committee were surprised that there was no role for PPC mentioned. There does not appear to be any governance of the Ethical Framework. The working group is not currently required to bring progress reports to the committee for review, oversight and approval.

It was noted that at the time when the Ethical framework was started the committee had a very small remit that was almost just related to the operational activities of the register.

The Registrar commented that a more strategic approach to equality and diversity inclusion across the piece may be needed. Specific aspects of the strategy ought to connect and intersect with the work of the committee. It was suggested that the need for the public protection side of EDI need to be part of the overall strategy and that this be raised with the GRaN committee.

Action 4: The Chair will ask the Board to consider the responsibility for the ethical framework being added to the terms of reference for this committee.

The CEO gave an update on the EDI recruitment - the vacancy remains unfilled.

The committee asked that whoever is responsible on an interim measure brings regular briefings around EDI work, the impacts on BACP and updates on the ethical framework to the committee. The CEO confirmed that this would be The Director of Professional Standards, Policy and Research.

The Registrar explained that the new CMS software will enable data relating to complaints to be collected however we will not have meaningful amounts of data for some time. Currently we do not collect data on the protected characteristics of individuals making complaints.

It was agreed that a complaints review will also be a standing item on the agenda with a 6 monthly overview of themes and trends.

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Action 5: Governance to ensure that Complaints review is added to the agenda as a standing item.

3.2

PSA review / responses update

There are three conditions which BACP must address, and the organisation needs to show how we have met these requirements within three months of the report publication date.

- The BACP should obtain an independent, authoritative review of its Good Practice in Action.
- The BACP should disseminate its updated GPiA 042 and supporting guidance to registrants.
- The BACP must demonstrate that it has informed its education and training providers of the need to include the underpinning evidence base (as set out in NG225) in teaching on suicide risk assessment and that self-assessment risk assessment tools are unable to accurately predict suicide.

Additionally, there was one recommendation issued. This will be considered as part of the next assessment.

- The BACP should consider how to make clearer that the remit of the Accreditation Quality Mark only extends to registrants working within the UK, and how adjunctive therapies are presented.

The Registrar explained that conditions are serious and must be met within 3 months, failure to do so will result in suspension of our registration.

A recommendation is something that the PSA expect to see progress towards by the time of re-accreditation.

The Registrar and The Director of Professional Standards, Policy and Research work closely with the PSA to ensure that they have a full understanding of their needs.

The PSA's primary concern is the public and BACP have been very open with them about the current noise on social media and resulting investigation.

The PSA have highlighted the need for some work in respect of suicide risk management to which the 3 conditions relate.

The Assistant Registrar has been working with colleagues to look at the specific Working with Suicide Gpia that's referenced within the conditions, but also to take a broader view of our resources that relate to suicide, working with suicide and working with risk in the counselling professions.

The final documentation will be shared with the committee and the Board.

Action 6: The Registrar to work with governance team to ensure that the report to the PSA on the conditions raised is shared ahead of submission in mid-June.

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The Practitioner Risk Register was reviewed in March - copy provided. This is essential to our PSA accreditation and will be reviewed again in June ahead of our renewal submission.

3.3

Update on SCoPED

The Director of Professional Standards, Policy and Research was unable to attend to present the paper submitted.

The committee discussed the need for public protection at all stages of the project. Fitness to practice is a particular concern.

The CEO has been attending meetings of the CEOs of all the parties involved and confirmed that the governance of SCoPED lies within the membership organisations. The BACP register standards are not changing.

Further discussion took place around our current position and issues faced. Applications to the preexisting membership accreditation categories has ended. Webinars and other support programmes are being delivered to support members. There has been some upset from Senior accredited members who will no longer be able to use this title under the new accreditation scheme. Although the new scheme will strengthen the profession many members are feeling cast aside and downgraded. The whole profession will have improved clarity and greater protections for the public protection issues. It was noted that further communication is needed to our members on this topic. The new scheme is based on competency rather than longevity etc. This affects approximately 1400 former senior accredited members. It was noted that we can expect to see a rise in complaints due to this.

The PSA have also been made aware of the potential changes in accreditation standards across the profession and they have gone out to public consultation on the issue. It is anticipated that members may use this as an opportunity to say that they are being treated badly etc. When feedback is provided it will be shared with the committee.

Action 7: The results from the PSA consultation on SCoPED with members to be shared when it is provided.

The committee felt that SCoPED should be included in the Terms of Reference for the Committee.

Action 8: The Chair will ask the Board to consider the responsibility for SCoPED being added to the terms of reference for this committee

3.4

DBS checks and the mitigation of risks

This relates to the PSA safeguarding project - details are available on here:

<https://www.professionalstandards.org.uk/what-we-do/strengthening-safeguarding>

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Work continues but there is nothing to report and it is unlikely that there will be any movement on this in 2024.

We remain in the position that we are still relying on individuals to disclose things as part of their renewal, or when they are charged with a conviction. The memberships Terms and Conditions have been amended to require disclosure as soon as a person is charged with a conviction.

Currently due diligence checks are not undertaken using an external provider such as Experian, Dunn & Bradstreet, LexisNexis or Refinity.

Action 9: The Registrar to explore the potential for using a due diligence tool as a mitigation step, for the October meeting.

3.5 International Registrants

The Registrar presented her paper which gives a summary of the challenges and risks associated with the continued approach to registration of members whose primary residence is outside of the United Kingdom.

It was noted that BACP has no restrictions on the geographic region that a member can reside in and retain membership or registration. There is no alternative route for student or individual members other than registration. There are currently 237 student and 166 individual members living overseas.

The risks around requirements for registration, insurance and professional conduct were outlined. Four possible options were detailed which were discussed.

The paper will be further developed and presented with a view to making a recommendation to the Board at a future date.

Action 10: Registrar to develop paper on International registrants further and present to the committee

3.6 Register Terms and conditions

The Registrar presented a paper outlining the proposed changes to the register's terms and conditions. These have been reviewed internally and externally. There are no fundamental changes, it is more a case of conciseness and clarity.

Decision: The Committee **agreed** to recommend these changes to the Ts & Cs to the Board

3.7 Data protection update

The Head of Governance gave an overview of the data breach that occurred within the Professional Conduct team. This was presented to the Board at their meeting last month.

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The paper sets out the full details of the breach.

An investigation is ongoing and will be submitted to the ICO when complete.

The breach resulted from human error in processes that are very manual. The team are considering controls that could be put in place to minimize the potential for reoccurrence whilst they wait for a Complaints Management System to be implemented in the near future.

The Chair asked whether this issue needed to be raised at FRAPP.

The Chair suggested that mandatory training should be considered. The Registrar responded that all BACP undertake GDPR training and that the professional conduct team then receive specific regulatory training as well.

Committee members considered the themes of other breaches/near misses and asked whether password protection had been considered. The Registrar stated that it had but it was not liked by users and was cumbersome.

Committee Members spoke about the candour around breaches and near misses. Discussion took place around the effects on the moral of the team and the learnings that have taken place. The Registrar feels that this incident has positively reinforced the need to be open and transparent.

The Registrar confirmed that records of all mandatory training are held by herself and BACP's POD department.

The individual whose data was shared has received an apology and is satisfied with that. No concerns were raised.

The new system is scheduled to start in May and should ensure that issues such as using the wrong email address should be minimised.

The Head of Governance commented that BACP are in the process of outsourcing data protection. The training provided to staff will be reviewed as part of their remit.

Action 11: 6 monthly data breach report to be produced for the committee, identifying themes etc.

Action 12: The Registrar to confirm via email to the Chair, confirming that the team involved have discussed the issues that caused this breach and have been reminded of the need to be open and to speak up.

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3.8	<p>The role and remit of the Committee</p> <p>The Chair spoke about the need to understand the remit of the committee around public protection and that a strategy needs to be agreed by the Board. There is a review of committee structure currently taking place.</p> <p>The importance and impact of public protection on many areas relating to membership, accreditation, ethics etc have already been discussed.</p> <p>Action 13: The committee were asked to think about other areas that may fall under this committees remit and to feedback to the Chair before 1st May 2024.</p>
4.0	AOB
4.1	<p>There was recently a BBC programme about an employee assistance programme provider. The Chair asked for an update on the allegations made and any impact on BACP.</p> <p>Action 14: The Director of Professional Standards, Policy and Research to provide update on the BBC allegations surrounding the EAP provider.</p>
5.0	Presentation of record on BACP website
5.1	<p>To consider any items requiring redaction.</p> <p>The Registrar and the Chair will provide a redacted copy of the minutes when approved.</p>
6.0	2024 meetings
6.1	<p>The dates of the next meeting were noted as:</p> <p>04th July 2024 10:00 - 12:30 04th October 2024 (may need to change to a different week in October) 13th February 2025</p>
Meeting closed: 12:30 hrs	

Summary of actions

Action No.	Agenda Item	Actions
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1	2.1	The Assistant Registrar to discuss idea of expanding the risk register with the working group.
2	2.1	The Assistant Registrar to provide data on boundary violations for a deep dive at the next meeting
3	2.2	BACP safeguarding lead JH to provide a paper to the next meeting around the support to members.
4	3.1	The Chair will ask the Board to consider the responsibility for the ethical framework being added to the terms of reference for this committee
5	3.1	Governance to ensure that Complaints review is added to the agenda as a standing item
6	3.2	The Registrar to work with governance team to ensure that the report to the PSA on the conditions raised is shared ahead of submission in mid-June.
7	3.3	The results from the PSA consultation on SCoPED with members to be shared when it is provided
8	3.3	The Chair will ask the Board to consider the responsibility for SCoPED being added to the terms of reference for this committee
9	3.4	The Registrar to explore the potential for using a due diligence tool as a mitigation step, for the October meeting.
10	3.5	Registrar to develop paper on International registrants further and present to the committee
11	3.7	6 monthly data breach report to be produced for the committee, identifying themes etc.
12	3.7	The Registrar to confirm via email to THE CHAIR confirmation that the team involved have discussed the issues that caused this breach and have been reminded of the need to be open and to speak up.
13	3.8	The committee were asked to think about other areas that may fall under this committees remit and to feedback to The Chair before 1 st May.
14	4.1	The Director of Professional Standards, Policy and Research to provide update on the BBC allegations surrounding the EAP provider.

Recommendations		
Number.	Agenda Item	Recommendation
1	3.6	The Committee agreed to recommend the changes to the Ts & Cs to the Board
Decisions		
		None

Distribution list:

Committee:

Marc Leppard, Public Protection Committee Chair and Trustee

Ciaran Doyle, Public Protection Committee Member

Philip Matthews, Public Protection Committee Member

Dr Paul Taylor, Public Protection Committee Member

Leon White, Public Protection Committee Member

BACP Staff:

Dr Phil James, CEO

Emma Hayes, Registrar

Rebecca Grace, Assistant Registrar

Lisa Morrison Coulthard - Director of Professional Standards, Policy and Research

Judy White, Head of Governance

Ruzina Miah, Governance Manager