



Minutes of Register Advisory Panel

Friday 4th October
Meeting Time 2pm – 5pm

Attendance (Online – Zoom)

Dr Heather Churchill (HC) Professional –Chair for this meeting
Doreen Rowland OBE (DR) Independent
Tim Warren (TW) Independent
Kathy Spooner (KS) ACC CEO
Sue Monckton-Rickett (SMR) ACC Chair
Dr Charlotte Johnson (CJ) – Independent

Apologies

Catherine Clarke Solicitor (England & Wales) (CC) – Chair RAP
Gillian Stuart, Head of Membership Services and Registrar
Sarah Palmer, ACC Deputy Registrar
Fiona Stevenson (FS) Independent

1. Opening prayer

CJ prayed a general blessing on the meeting, on those who could not be present. She asked that the Lord would guide our discussions and give the panel wisdom.

2. Welcome and apologies

HC said that in the absence of CC, she had agreed to chair the meeting. She confirmed that GS and SP were also unable to attend. There was no board representative available to attend the meeting.

AOB

AOB was raised – an item to add to the agenda going forward. For this meeting there is a matter to add under AOB concerning a news article that might feature an ACC member. For CJ benefit KS gave a summary of two complaint processes in the previous 18 months which had resulted in the removal of 2 counsellors from the register. Both were challenging processes for different reasons. However, the key issue in relation to public safety is that both counsellors can continue to practice as there is no statutory regulation of counselling and psychotherapy in the UK. The i newspaper have approached ACC to comment generally on this situation, but they are obviously aware of the complaint upheld against one of ACC's counsellors.

When KS subsequently investigated it was discovered that both counsellors struck off by ACC are continuing to practice. HC confirmed that this issue has a long history – and cited another case several years ago of a tutor who had a complaint of gross misconduct/breach of ethics, yet who continues to practice.

The i-newspaper journalist asked ACC if we would contribute to the investigation on counsellors found guilty of sexual misconduct by answering/commenting on a set of written questions. The chair of ACC (SMR), Deputy Chair and Finance Director jointly agreed that it was in the public interest for ACC to answer the questions posed by the journalist which were focused on the issue of both public safety and the impact on victims of counsellors who had committed serious breaches of the ethical code being able to continue in practice. KS also wrote to the journalist 'off the record' that the problem wider than this, as anyone can practice as a counsellor / psychotherapist without having the required training. Also counsellors and psychotherapists that are trained and qualified can choose to not be on an accredited register (or similar) and therefore have no accountable membership nor membership body to hear a complaint.

The panel generally agreed that this was a serious concern that the profession and others needed to address.

3. Conflict of interests

DR asked whether in the section on complaints HC might need to declare of conflict of interests again and how this would be managed as she was chairing the meeting. HC offered to pass the chair over to another panel member if needed. SMR confirmed that the complaint was resolved and there was nothing else concerning the complaint that the panel members needed to be updated with at this meeting. It was also confirmed that the SCoPEd B top up training that HC had co-written and which had been delivered at ACC's Conference in September, and which had previously been declared by HC as a conflict of interest had been delivered as planned.

SMR confirmed that conflicts of interest did not normally need to continue to be declared in meetings if events have passed, and if the interest had been declared at a previous meeting. DR added that it was also incumbent on panel members to hold in mind previous conflicts that had been declared.

No other conflicts of interest were declared.

4. Minutes of last meeting and matters arising

The minutes of the meeting

HC stated that there was a missing action – which was for KS to provide a new link to the RAP folder as panel members have found it difficult to access. This action had been completed.

4.2 In matters arising:

KS sent the new link to panel members for the SharePoint directory that holds all the RAP papers. This has worked better, and no one had an issue with accessing the meeting papers for this meeting.

CC sent details of non-executive director agencies for advertising RAP role and SMR has received the information.

KS reported that work is progressing on the SCoPEd B progression routes (1&2) open to members who have undergone the top up training, but this has been delayed by staff illness. However, it is hoped that these will be presented to ACC's Board and RAP for the December meeting.

KS reported that the new / revised policies produced for the PSA full assessment have been provided for this meeting, as has the risk register – with thanks to SMR for having provided the latter in printed A3 format for ease of review.

SMR reported that no further progress has been made in recruiting new panel members.

5 Professional Standards Authority & Standards Update.

5.1 New/changed standards.

KS reported that as far as she is aware there have been no changes to any standards published or proposed since the panel last met.

5.2 ACC's new changed policies

HC reported that she has a concern relating to ACC's complaint form on the website. It currently states "Please note that from this section, your name (ie the person making the complaint) will normally be shared directly with the person or organisation you're complaining about, but no other contact details. If you are making a complaint in circumstances where for your safety you would like your name to be withheld, please let us know." HC's concern was that this could be seen as 'leading' the complainant, and further that it should only be in exceptional circumstances. SMR explained that ACC's experience in a recent complaint investigation is that witnesses were intimidated and withdrew evidence. HC suggested a rewording that removed the statement about safety but allowed for exceptional circumstances and required the complainant to set these out in detail.

DR expressed caution against strengthening this clause too much and requested that ACC ensure there remained the potential for someone to raise a concern and not have their name revealed to the registrant.

5.3 Full renewal assessment.

The Professional Standard Authority's Accreditation Team met with SMR and KS so that they could fully understand ACC's concerns about some of conditions and recommendations that the full renewal assessment panel had imposed. Of most concern was the requirement to publish the actual qualifications of members, rather than the standard they had met e.g. registered, accredited etc. There was also clarification needed on what was missing in relation to someone wanting to appeal a decision not to accept someone onto the register or not renew their registration.

ACC were thankful that the PSA's Accreditation Team presented these arguments to the PSA's Assessment Panel, and we are satisfied with the conditions and recommendations that were agreed. These should be published on the PSA's website shortly.

There were 4 conditions and 2 recommendations

The conditions are that 1. ACC need to update our register appeals processes to ensure that they include an appeal on the basis of a procedural anomaly; 2. the amendment of ACC's policy on recruiting people to sit on complaint panels to include that they need to undertake EDI training; 3. making clearer the distinction between the 'check the register' and 'find a counsellor' ; and 4. publishing a clear statement on the website about the benefits and limitations of counselling and psychotherapy.

One recommendation is for ACC to update our membership documents to make clear that the PSA logo cannot be used outside of the UK (rather than 'overseas') and the other to keep the authority updated on progress to revise the ACC's articles of association.

The outcome of the full assessment has yet to be published on the PSA's website.

6 RAP Policies

There were no new /changed policies to review

7 ACC Update

7.1 In person conference

KS and SMR reported that ACC's national conference had gone very well. The new SCoPEd B 'top up' training received excellent feedback. The trainers were Janet Penny and HC. HC reported the value to engaging "in person" as students could input into discussions about accessibility.

The panel discussed the issue of assessment for the new routes to accreditation following the training. ACC had planned to pass to the supervisor the assessment of whether or not their supervisee was working at a level that met or exceeded column B competence. However, both the independent consultant and HC expressed reservations about this. It places considerable power with the supervisor and can in any case introduce a completely new element of the supervisory relationship which not all parties will be happy with. The conference provided the opportunity to discuss the alternative assessment of having a viva to assess the competencies.

HC suggested that ACC assessors may want to consider the alternative of applicants writing a reflection on the training and then asking the supervisor for a reference/comment – rather an assessment. KS said that all ideas welcome and would be put 'in the pot' to consider.

SMR reported that the team at ACC felt that although the conference barely covered its costs – it was a successful event and feedback suggests that the more prayerful/spiritual focus of the conference was appreciated by the delegates.

7.2 Staff news

Yineng Hart who is head of communications and training at ACC has gone on maternity leave. A month prior to her departure ACC recruited a communications assistant to help with social media and marketing.

7.3 EDI information

Standard 9 requires ACC to collect EDI information about its members. Although the recording of this information is not mandatory and there is a 'prefer not to say' option – we are collecting information on protected characteristics and socio-economic factors. ACC's new IT system has enabled this to happen, and we seem to be ahead in relation to some SCoPEd colleagues in having the means to collect the data. Importantly neither the staff team nor assessors can view this information to help protect applicants and members from bias.

The panel expressed their support for the collection and privacy of the data and look forward to seeing the results over time. SMR offered to share what had been gathered so far at the December meeting, which was welcomed.

7.4. Articles and Memorandum of Association

SMR reported on the Board level project to review the ACC's Articles and Memorandum of Association. This has been in progress for several months, with the intention of making sure that the document fully represents ACC's charitable purposes and protects the core counselling and psychotherapy identity of the charity – especially important as we seek to expand the categories of membership.

SMR has found the resources provided by the Charity Commission to be very helpful and is managing an iterative process of review with the Board.

TW asked whether ACC were going to instruct a solicitor to review the draft, and SMR explained that due to financial reasons this was not on the plan. TW offered to look through them when they were ready and give some comment. SMR thanked him for the offer and hoped that the articles and memorandum would be ready for Board agreement by the end of the year.

TW suggested that CC may also be able to review the articles and memorandum.

7.5 SCoPEd

KS reported that there had been an impact in relation to progress with the work of the partnership as it has taken time for changes in personnel to settle in. KS wrote a paper for the CEO board to summarise the current position and with suggestions about future

direction. Following this, the partnership are finalising the strategy and looking again at the development of a website.

7.6 Memberships figures

KS apologised that the reporting of membership numbers to the panel has not been possible for many months. However, the registered membership has remained steady over the period at around 945-950. She expressed hope that the reporting would resume when staffing issues are resolved.

KS reported that she had written in September to a list of universities that had been compiled by the office team, to raise awareness of ACC and the Churchill framework, and to ask them to let students know about ACC's student membership offering. It still seems that there is a lack of awareness of ACC as we very recently received an application to join us from a person who had done their PhD. thesis on the integration of Christian faith and counselling and had never heard of ACC. The hope is that the new communications assistant will help to raise awareness of ACC.

The panel commented on the importance of raising awareness, particularly among students, of the value of ACC as a professional body and of documents such as the Churchill Framework in relation to providing safe counselling services to people of faith.

8 ACC Counselling Update (to include regulation & wider profession)

8.1 Risk Register Review

HC thanked SMR for providing printed copies of the risk register which proved much easier to read than the digital version.

SMR explained that the risk register had been to the Board and the resulting changes were in the version being presented to the meeting.

Item 5 on the risk register – HC suggested that 'reflect on' replaces 'taking into account' in relation to working with clients with similar and or different worldviews. This just strengthens the statement.

Item 6 on risk register – HC referenced research evidence contained within her doctoral studies that suggests that the risk of dual relationships is higher with Christians working with other Christians. ACC may want to reference the Churchill Framework as it addresses dual relationship. KS asked HC whether this was a general risk with counsellors who are religious with religious clients or is their evidence of particular risk with the Christian religious framework of practice? HC stated that her research was on Christian counsellors, but she is not aware of research findings in relation to greater or lesser likelihood and risk of dual relationships in other religious settings.

TW wondered whether the restrictions on not offering professional services to people within the same congregation should be extended to coaching etc. HC explained that the dual relationships of concern also included professional relationships of

supervisor/supervisee; tutor/student – in part because the Christian professional world is ‘small’. These risks cannot always be avoided but need to be managed well.

There was a panel discussion as whether ACC should consider making the risk factor higher? On balance, the panel recommended that measure of likelihood should remain unchanged.

Item 12 on risk register – HC suggested that ACC strengthen the mitigation statements to ensure that we fully capture the support and guidance provided to members during the covid pandemic.

8.2 Registrar update

ACC’s registrar is currently on a managed return to work. The focus of work in the coming weeks is to finalise the route 1 and 2 accreditation processes which hopefully will be presented to RAP in December.

Otherwise, KS and the deputy registrar has been developing good practice checklists. The first is for counsellors who join us through an equivalence decision who have trained outside of the UK. When joining the register, they will be given the checklist to work through during their first year of membership. They will need to sign and return it to the registrar, and they then will be able to get a CPD certificate for 25 hours.

There will also be a good practice checklist produced for anyone joining ACC for the first time and also for those preparing for accreditation.

Although members on joining and renewing have to tick that they will follow ACC’S terms and conditions etc., there is no other support guidance for them to do so. The checklists, we hope will assist people.

DR asked about whether the checklists should incorporate anything about working from home and ensuring access for clients. KS showed the panel members the website section on Find a Counsellor/Supervisor where anyone advertising their services need to give details of the accessibility of their practice rooms. TW suggested that solving access issues can be straightforward, for example purchasing a secure foldable ramp. The panel discussed further whether the checklists could encourage a counsellor to think about other issues such as a ‘lone working’ policy for themselves when they are in private practice.

9 Complaints (+ issues arising from)

SMR/KS

9.1 Ongoing / recently resolved.

SMR reported that the complaint concerning an ACC training organisation has been resolved. The training organisation plans to update their student information to provide clarity over the issue that gave rise to the complaint (providing a detailed reference). There was no breach of ethics, rather a learning point.

Otherwise, there is a person engaging with us about an unnamed previous member.

CJ advised that ACC might want to consider removing any reference to the gender of any parties in the complaints summary reporting for further confidentiality. This was agreed as a good practice to adopt.

9.2 Issues/patterns of complaints.

SMR and KS identified some emerging practice risks in complaints made against ACC registrants:

Registrants and supervisors not understanding their legal obligations and responsibilities well enough, and although motivated to support their client they fail to think through how best to act to anticipate the risks and impacts involved.

Experienced registrants acting outside of their competence, either adopting a new techniques /model or a new client group.

Not having clear agreements about what happens if one party to a couple/family counselling requests access to the notes which may contain sensitive personal information about other the other party/parties involved in the counselling.

Boundary issues both in terms of keeping professional boundaries with clients (limited contact between sessions) and also 'dual' relationships. The latter does not have to be an actual dual relationship but e.g. if a client is in the same church as a counsellor the client (or a third party ie someone who is a friend of the client in the same fellowship) may fear that the counsellor is speaking about them to others.

Perhaps because of a more service focused contemporary culture, clients may ring ACC to give some feedback about the counsellor. They don't want to make a formal complaint but want a message passed on that when a member did 'x' or 'y' the client did not find this helpful.

There was a general discussion within the panel as to why supervision was not being effective in these situations. In ACC's experience the supervisors had either been in support of the counsellor's action, and/or were trying to support them by gentle challenge. Supervisors are not regulated in the same way as counsellors, so supervisors can be practising as supervisors with very little, if any, formal training.

There was a question asked about whether covid had had an impact on the number/type of complaints. SMR stated that is very hard to say whether there have been different types of complaints after covid, and numbers per annum have been very variable. The situation seems to be more linked to the growth of confidence and autonomy of clients and seeing themselves as service users. Also, the hesitancy that may previously have been felt by Christians about raising concerns and complaints about fellow Christians, has been challenged in recent years. This may have enabled more clients to feel that it is OK to raise a concern about their counsellor.

The panel acknowledged that in reality counsellors often find themselves in situations where they are working at the 'edge of their competence' either because issues emerge after a relationship has been established, or a client is desperate for help. In these cases, it's important for the counsellor to explain their limitations and lack of knowledge and experience (i.e. be open and honest) and to tread carefully and gently. In addition, there are some conditions which increase the risk to the counsellor being subject of a complaint, for example borderline personality disorder clients can become very reliant on

their therapist which makes endings very difficult for them. There is higher risk of them feeling abandoned and let down by their therapist.

10 Practice Reviews

In the absence of SP the practice review report will be postponed till the next meeting. As far as KS is aware ACC is on target to meet the 5% requirement, if those selected return their reviews and they can be assessed by the end of 2024.

11 Risks to ACC & Register

11.1. Working with CYP. There is a desire to produce an internal standard for working with children and young people and introduce a new membership 'badge'. This will allow ACC counsellors to be included as an approved register for NHS employment. More importantly it is likely to reduce the risk of counsellors working outside their competence.

11.2 Press reports. The panel reflected on the risk associated with ACC submitting answers to the pre-set questions requested by the i news journalist. Acknowledging that there is a potential risk, nonetheless, it seemed the right thing to do ethically.

12 Process Issues Changes (Registration, Audit, Accreditation, Complaints etc.)

There were no further items to discuss.

13 Standards & Policy Issues and Changes (CPD, Supervision, Insurance, Practice Break etc)

There were no further items to discuss.

14 RAP Standing Items / Concerns

The panel discussed concerns in relation to replacing panel members who will need to step down in 2025. These include DR and CC. SMR agreed to follow up with some of the directory contacts provided by CC.

15 Public Engagement

KS did an interview on UCB radio about the benefits of having access to a Christian counsellor.

16 AOB

The date of the next meeting was agreed as changed to Friday 6th December as HC cannot make the 13th December.

Dates of next meetings

6th December 2024, 1pm lunch, 2pm meeting (in person) - TBC