



ACC REGISTER ADVISORY PANEL (RAP) MEETING

Sutton Surrey

Friday 13th April 2018

1.00pm – 5.00pm

Minutes of Meeting

Attendees

Independent.

Catherine Clarke, Chair RAP

Doreen Rowland, Lay member RAP

Heather Churchill, Lay member RAP

ACC

Kathy Spooner, ACC Director of Counselling

Dawn Sherry, ACC Registrar

Guest

Richard Needle (prospective RAP member)

Apologies

Tony Ruddle, ACC Exec Chair

1. Notes of last meeting and matters arising

The minutes of the last meeting (12th January 2018) were accepted as a true record by the chair of the RAP with a few minor amendments. These will be re-issued.

RN commented that the minutes of Panel meetings on ACC's website had not been updated for some time. KS committed to getting redacted versions published on the website as soon as is practicable.

Action: KS to ensure that ACC website is updated with RAP meeting minutes.

Actions for meeting dated 12th January 2018

Kathy Spooner: To ask the PSA for details of the revised process for renewal of the ACC application for registration – **Action Completed**

Kathy Spooner: To prepare draft criteria to share with prospective new panel members – **Action Completed**

Kathy Spooner: / Tony Ruddle: To amend the percentage for audit processes from 20% to 10% renewals per month. This was to go to the ACC board for discussion and approval – **Action Completed**

Kathy Spooner: To inform the Accreditation Committee if the wording in section 2a and 2b can be changed to include those members not currently part of a Church fellowship – **Action Completed and these changes are incorporated within the next version of the audit form**

Kathy Spooner: The RAP Panel discussed that a signature (hand written or electronic) was needed on ACC application / Renewal forms. KS would inform the Accreditation Committee of this recommendation – **Action Completed**

Kathy Spooner: to check that support for counsellors is listed as a benefit on ACC's website – **Action Completed**

Doreen Rowland: To investigate criteria used by other Christian organisations when seeking to recruit people sympathetic to its Christian foundations / statement of faith. DR checked and gave us her feedback – **Action Completed**

Heather Churchill: To provide examples from her professional role of ACC moving towards a less taxing audit Framework. HC gave the RAP some examples / ideas for the future – **Action Completed**
Kathy Spooner will share these reflections with the Accreditation committee – **Action Completed**

Tony Ruddle: to consider the proposal for extending the time allowed to make a complaint to three years from the end of counselling – **Action Completed**

Tony Ruddle: to consider amending the complaints process so that the outcome of complaints panel is shared with RAP and then the complainant – **Action Completed**

Panel: to review the Risk Matrix – **Action Completed**

Carried forward to the next meeting

TR to consider who would be appropriate to include in an internal risk panel to rule on unspent convictions.

TR to review the risk matrix to ensure that this risk associated with unspent convictions is adequately described and mitigated against. (The header of the risk matrix needs to be updated)

Meeting Notes

1. Potential RAP member

Richard Needle, a former pharmacist and an Ordained Minister introduced himself and spoke about his former career, interest in joining the RAP panel and his role as a Minister.

CC then asked him questions from the RAP Panel selection criteria document to ascertain if he was suitable for the role. At the end of the meeting, Richard was asked if he would like to join the RAP Panel and he agreed.

Action: KS to request ratification from ACC's Board of RN's appointment to the panel.

[ACC Board Meeting 25th April approved the appointment of Richard Needle to RAP]

2. Audits / Audit form

KS fed back to the panel ACC's audit committee's response to their suggestion that audits be reduced from 20% to 10% over a five year period. The audit committee felt that with 800 registrants 10% was not an excessive amount of Registrants to check and had benefits in terms of helping to ensure high standards amongst the counselling membership body.

This led to a general discussion about random selection over a five-year period and the risk of Registrants being selected more than once during that period, or going longer than five years without being selected for audit.

[Decision of selecting 10% of Registrants for audit confirmed by Board Meeting on 24th April – and had already been agreed at the February Board]

The Registrar spoke about some of the operational issues to do with selecting members for audit and the challenges she faces when registrants ask for audits to be postponed because of their personal circumstances. The panel suggested that there is an opportunity for ACC to improve these aspects of the audit process by being setting our criteria by which members are selected for audit, and also the extenuating circumstances that allow a postponement of audit and how these postponements will be managed. These criteria can be communicated to all members, and all will benefit from clear and transparent criteria.

There was a discussion about the current policy of auditing only 5% of new registrants. This audit is a check on the Registrants Supervisor and Christian minister/referee. A question raised and discussed by the panel was whether a check should be made on all new registrant applicants. An analogy was made with the process of confirming identity for people applying for a passport. Members of the

panel believed that more weight should be given to checking the suitability of new applicants for membership, and this would benefit the organisation by ensuring that potential registrants could verify their identity and be confirmed as people of good character, professional in their approach to counselling, and known to have a Christian faith.

Implementation issues were discussed with an acknowledgement that this process should not introduce an unreasonable delay to the new registrant's application process nor result in any longwinded paper process. The panel suggested that care should be taken in drafting criteria for potential sponsors and to the questions that are asked of them.

RAP suggested that draft criteria to select appropriate sponsor(s) for register applicants be formulated together with the question(s) that would be asked of a sponsor(s). For example we may wish to say that a Sponsor needs to have known the applicant for a minimum time period, and be a Supervisor, Counselling Tutor, Counselling Manager or Christian Minister or someone with relevant professional credentials.

Audit Forms: KS reported that ACC's Accreditation Committee wanted Registrants to submit logs for audit, however the view of the Board was that this was not required. KS provided a sample copy of the proposed new audit form. The panel fed back that they thought the document was of a very high standard.

Actions:

DS/KS to review/redraft criteria for selecting Registrants for audit and a list of extenuating circumstances that are allowable reasons for postponing an audit & how to manage postponements.

KS to check that the information given to Registrants about the audit selection process is clear and details the consequences of this, i.e. that they may be selected more than once over a five year period.

KS to draft profile for register applicant's sponsorship and the form of words relating to the sponsorship itself. KS to also make ACC's Board aware of the panel's recommendation and to consider implementation issues

3. TOR

The RAP Panel looked through the latest document and it was decided that the wording in 1.2 should be changed from appoint to **ratify**.

1.4 to add the word **will** to this sentence.

1.10 to change the word confirm to **prepare** in this sentence.

The RAP said this was now a robust document and agreed with the changes and that it should be reviewed on an annual basis

Action: KS to make changes

4. RAP Panel Membership Selection Criteria

The draft document was reviewed.

There was a discussion under pt. 1 under *selection criteria for applicants* about whether there should be an amendment to make explicit the requirement for a member of RAP to be a Christian. The panel felt that the wording was sufficient to ensure that any future member would be supportive of the Christian faith basis of ACC and that this would inform their work within RAP.

There was a discussion about pt. 4 under *selection criteria for applicants*, “experience /knowledge of mental health and well being”. The question as to whether this “experience/knowledge” should be substituted with “awareness of” was considered. The panel opted to retain the existing wording without amendment as this criterion was “desirable” rather than “mandatory” and therefore would not exclude future candidates.

For clarity, point 6 in the same section is to be amended to include after “willingness to take on actions” relating to the roles and responsibilities of RAP. Also, it was decided that the Selection Criteria will be reviewed on an annual basis.

Action: KS to make changes to the document and re-issue.

5. PSA

- (a) KS reported that during the annual accreditation process the accreditation team of the Professional Standards Agency had submitted a lit of queries relating to information displayed on ACC’s Register about Registrant’s membership of another counselling register (eg BACP, UKCP, NCS). All of these queries have been investigated, and information about ACC Registrant’s membership of other counselling Registers is no longer displayed on their entry in “Check the ACC Register”.

However, given the obligation under the Data Protection Act, reinforced by the General Data Protection Regulation coming into force at the end of May, ACC believe that if we capture information about a Registrant’s membership on another Register we should check that this information is accurate. Also, if a Registrant chooses to include this information about their membership of other professional bodies on ACC’s on-line “Find A Counsellor” facility, we should ensure that this information is accurate. Therefore, from 1st April 2018, checks on new applications for membership of ACC’s register and all renewing Registrants will have these details checked.

On a linked issue HC asked if they were any specific guidelines as to what counsellors can / cannot say on the FAC? KS said that currently each entry was checked before it is released by the admin team. However, she was uncertain as to whether there was specific guidelines as to how counsellors should refer to themselves and their areas of expertise for example.

KS also reported that another Accredited Register "Treatments You Can Trust" had recently lost its accreditation. In reading the PSA panel report, one of the issues cited was Registrants misuse of the PSA logo. It is a requirement of its use that it is only used with reference to an individual. KS explained that, as a result of this awareness, the office team are checking the website of new or renewing Registrants to make sure that they are using the PSA logo appropriately.

Action: KS to investigate and consider providing improved guidance for counsellors as to what can be said on Find A Counsellor.

- (b) Also, all ACC Registrants who are on Practice Break will have this clearly stated on their Register entry and will be hidden from the "Find A Counsellor Facility". This is part of a general plan to improve the way that ACC manage Registrants on a practice break.
- (c) KS gave an update on progress with the transitions. Reasons for delays in achieving the transition of all UK based counselling members to ACC Registrant by the end of 2017 were explained to the PSA's accreditation team and they agreed that an extension until the end of March/April 2018 was reasonable in the circumstances. By the end of April 2018, it is expected that all counselling members of ACC working in the UK will have either joined the Register or have had their membership reverted to a "Friend of ACC" until it expires. The only exception will be counsellor members who are on a Practice Break due to ill health who will have until the end of 2018 to join the Register. The proposal about counselling members on a practice break due to ill health has been agreed with the PSA as a sensitive way of dealing with people who may be unwell, who are not practising and therefore pose very little risk to members of the public and for whom the added worry and stress of finding documentation and filling in on-line forms might be an unwelcome burden.

Going forward, all new UK based ACC members will join as Registered Counsellor Members and will need a minimum of a Level 4 Diploma in counselling / Psychotherapy.

Members who have not joined the register have been contacted several times by email, phone, informing them of the urgency to join the register. It has also been included in Accord magazine in recent editions. Members who have not responded by the revised deadline of March 2018 have been sent a registered letter and have been moved to the "Friend" membership group until their next renewal, when they can continue to be a "Friend" or have their membership ended.

7. Complaints

The ACC Board has ratified the recommendation of the RAP that ACC's complaints procedure be amended so that a client can raise a complaint against a counsellor for up to three years after the end of the counselling relationship. The updates have been made to the ACC Complaints documents and relevant counsellor guidance documents.

KS informed the panel that a supervisor who was not a member of ACC had rung her and subsequently emailed details of a fitness to practice concern that she had about a registered ACC counselling member (Registrant) who had been one of her supervisees. The complaint related to the Supervisor's assessment that the Registrant was practising with a basic level of knowledge and skills, and the supervisee's unwillingness to undertake further training. The Supervisor did not want her name to be mentioned in any communication with the Registrant.

KS asked the panel whether there was a distinction between raising a 'concern' and making a 'complaint'. After a discussion the panel concluded that they were, in fact, one and the same thing. The panel felt that the Supervisor should be advised that, unless she/he is willing to be named, no investigation could proceed. The Registrant should not be made subject to any actions arising from the concern raised by the Supervisor; for example, they should not be selected for audit.

Action: KS to notify the Supervisor that without being willing to give his/her name and raise a complaint, ACC can take no action as a result of his/her recent communication.

ACC as part of a Collaborative of Accredited Registers holders expect to be informed of complaints upheld against Registrants from the other AR holders. In practice these only come routinely from the BACP. In the most recent notification there were details of an ACC Registrant who has had a complaint upheld against them by the BACP.

This situation highlighted to ACC that we do not make it clear to Registrants that they have a duty for notify ACC of any complaints that are made against them arising from other professional/registered membership. ACC have agreed with the PSA that notification of the sanction against a Registrant arising from another registered membership will be displayed on ACC's Check the Register and Find a Counsellor website pages. KS however was unsure whether there was a 'formal' (as in written down) process for managing the risk arising from the complaint/sanction. The panel suggested that this would be a valuable policy to firm up and agree.

Action: KS to check what is available and draft a process guideline for review.

8. Legal Aid / Confidentiality Dilemma

An affiliate had brought a query to ACC regarding Legal Aid and confidentiality. They had received a form from a firm of solicitors asking them to disclose details of their client; the person responsible

for domestic violence and evidence of that domestic violence. On further investigation it seems that this request for disclosure has come as a result of changes introduced by the Ministry of Justice in Jan 2018 which are intended to widen the scope of who can provide evidence to allow a victim of domestic violence to apply for Legal Aid. The panel was asked for their thoughts about breaking confidentiality in this context and whether they could suggest who/where to go to for legal advice on this. CC suggested contacting the Law Society and asking them for a view on the wording issue (ie and naming alleged perpetrators as “perpetrators” on the forms themselves).

The panel reflected that naming the perpetrator was a particularly sensitive ethical issue that needed further reflection.

Action: KS to contact the Law Society.

9.GPDR regulations

ACC is working on the new GPDR guidelines and doing all we can to comply with the new regulations. Heather Bennett at ACC is checking all the information we hold on members to see if we are being compliant.

ACC has recently issued guidelines for members. However, these will need to be updated to help counsellors reflect on some of the competing claims for the length of time that records need to be kept. For professional complaint purposes ACC suggest that records are kept for three years. However, some insurance companies may stipulate a set number of years & there will be other variations to do with settings and client groups.

AOB

Agreed that as the PSA renewal application has already been submitted, it makes more sense for the RAP Annual Report to be produced in September to reflect a full twelve months of the panel’s work.

DONM – 14th September 2018 at Sutton.