

05 January 2021

Dear Counselling Members

The optimism of several months ago that life might be returning to normal sooner rather than later has been dented by news of the new strain of coronavirus. We find ourselves in a new lockdown situation in England and Scotland, with high tier restrictions elsewhere, and we know that some of you are faced with making difficult decisions with regards to meeting clients in person. We thought that there would be value in capturing what is stated on each of the devolved governments' websites that directly or indirectly refers to counselling and psychotherapy services – to see where the law stands in relation to working in a mental health support capacity.

We also wanted to give guidance/clear direction to anyone who is at a loss as to know what to do. Something may still be lawful, but that does not always mean that it is desirable or wise to do. Whilst there is nothing that we can find in the latest governments guidelines that absolutely prohibits meeting clients in person, even within the 'grey area' of private practice from your own home, the situation with the spread of the virus threatening to overwhelm the NHS is of grave concern. We therefore advise our members, where possible, to cease meeting clients in person for the duration of the national lockdowns, including in outdoor settings. This will prevent the spreading of the virus to you or your clients in a work setting.

For those of you who cannot follow our guidance either because of employment contracts, or because of well worked through ethical judgements about the wellbeing of one or more clients, we thought it might be helpful and reassuring to set out the various governments' statements with regard to activities relating to mental health support and counselling/psychotherapy. All suggest that it is possible to continue to offer mental health services where these are deemed essential and can be delivered in a COVID secure setting, including wearing face masks where required to do so. If you chose to continue to meet clients in person, please make sure that you check the COVID secure and face masks detailed guidance on the relevant governments' websites (they vary), and ensure that you follow all the protocols and guidelines that apply to your area.

Below is a summary of the regulations as at the 4 January 2021.

### **In England**

- therapeutic support groups of up to 15 people can continue to meet in a public space, but not in someone's home (no change)
- members of the public can continue to travel and attend medical and dental appointments (no substantial change from tier 4)
- people can continue to go to work in essential services if they cannot work at home (greater emphasis on staying at home)
- people should avoid meeting other people for work in a private home or garden as these are harder to make COVID secure (no substantial change from tier 4)
- medical and dental practices can remain open, and by inference these include the full list of relevant tier 4 exemptions which are "dental services, opticians, audiology services, chiropody, chiropractors, osteopaths and other medical or health services, including services relating to mental health" (not 100% clear that exemptions listed here that applied in tier 4 apply in the same way during the national lockdown)
- you can meet with one other person not in your household/bubble outside (not in a private garden) for a permitted reason as long as you remain 2 metres apart or if 1 metre wear a face covering (no substantial change from tier 4).

## **In Wales**

Tier 4 restrictions have been in operation in Wales since 18 December and will be reviewed every three weeks. These are the points that govern contact with others. We can assume that the first three apply to social (rather than work) contexts.

- Meet only the people you live with or your support bubble indoors
- Meet only your household or support bubble in private gardens
- Meet only your household or support bubble outdoors
- Work from home if you can.

Members of the public are allowed to leave home to access local health service, including mental health services, but it is unclear whether these are only those provided by NHS Wales.

## **In Scotland**

Arguably the clearest guidance for counsellors and psychotherapists of all the devolved administrations.

Last Revised 4 January, applies from 5 January:

“Support groups and one-to-one support should be delivered remotely where possible, but support may be delivered in person if remote delivery is not possible and they are essential for people’s wellbeing. Examples of support services include peer support groups, vulnerable persons’ or families’ support groups, talking therapy groups, day centres, respite care, one to one talking therapy and counselling.”

One to one support or support groups are essential if the participant’s health (including their mental health) and wellbeing would be significantly impacted by non-attendance.

You can also meet someone in their home, garden or in a public outdoor space to provide emotional support.

PDF Table of what can and cannot do.

<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2020/10/covid-19-scotlands-strategic-framework/documents/level-3-measures/level-3-measures/govscot%3Adocument/level-3-measures.pdf>

## **Northern Ireland**

The current regulations, last revised on 26 December, and applying for 6 weeks, say that “dental services, opticians, audiology services, chiropody, chiropractors, osteopaths and other medical or health services” can remain open.

Up to six people from no more than two households can meet up outdoors in a private garden, but you should maintain social distancing.

Up to 15 people can meet outdoors, or in non-domestic indoor settings, such as a community hall. You should maintain social distancing by being at least two metres apart, as well as good hand and respiratory hygiene practices.

PDF table of what can and cannot do in Northern Island.

[https://www.nidirect.gov.uk/sites/default/files/publications/790644-TEO-January-Restrictions-Table\\_11\\_0.pdf](https://www.nidirect.gov.uk/sites/default/files/publications/790644-TEO-January-Restrictions-Table_11_0.pdf)

It remains to wish you well during these worrying times. We hope to see some of you at one or more of our on-line events over the next few months.

With best wishes.

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