



## **Irish Association for Counselling and Psychotherapy (IACP) Submission to the Department of Health in Response to the Proposed Regulation of Counsellors and Psychotherapists.**

### **Executive Summary**

The Irish Association for Counselling and Psychotherapy (IACP) welcomes the initiative by government to commence the process of formal recognition and registration of the profession of counselling and psychotherapy in Ireland. We view this as essential in order to protect the general public and users of services and also to protect the interests of our members and enhance the reputation of the profession.

IACP since its formation in 1981 is the largest professional body representing counsellors and psychotherapists in Ireland with nearly 4,000 members from student members to accredited practitioners. At present IACP accredits counsellors and psychotherapists as well as supervisors and academic courses at Diploma, Degree and Masters Levels. To become an accredited member of IACP a person must complete a minimum of an NFQ Level 7 programme with 100 hours of clinical experience and a minimum of 450 hours of post-training clinical experience under clinical supervision. A member must also complete a formal process of Garda vetting.

IACP has accredited both counselling and psychotherapy for 35 years and recognises that both terms are interchangeable. In a recent survey of members in 2015, 70% of members identified themselves as both counsellors and psychotherapists. IACP argues that counselling and psychotherapy are aspects of a single process – the explicitly contracted therapeutic process through which personal concerns are described, explored and processed – and that the core activities and outcomes of both practices are indistinguishable. See Appendix 1 for supporting literature review.

While IACP welcomes the proposal to regulate the profession we have some concerns. Most counsellors and psychotherapists in practice are either sole traders or small companies. We submit that the additional regulatory burden which will be placed upon practitioners should take account of the government's stated policies in relation to reducing "red tape" on small business and ensure that it is easy for practitioners to comply with regulations once introduced. Further, the manner in which counsellors and psychotherapists operate across

the border and in light of the Good Friday Agreement the border counties need to be given particular consideration.

IACP wishes to fully cooperate and collaborate with the Department in helping to develop a coherent and effective framework for regulating the profession. IACP would be interested to be included as members of or as part of any advisory groups or panels being established to further the registration / regulation process. IACP would be willing to arrange regional meeting of members if the Department wishes to run focus groups with practitioners to gauge ideas and are eager to meet the Department to discuss these matters in more detail.

The following pages outline IACP's responses to the specific six questions posed in the call for submissions document. For further information, please contact Dr. Kenneth Germaine, Chief Executive Officer, [ken@iacp.ie](mailto:ken@iacp.ie) or Moira Sharkey, Chairperson, [chair@iacp.ie](mailto:chair@iacp.ie), Head Office 01 2303536.

## **IACP Responses to the Issues to be Clarified**

While IACP would welcome an opportunity to contribute further to the Minister's deliberations on the proposal we have set out below our responses to the list of issues in relation to which the Minister has sought clarification.

### **1. Whether the professions of counsellor and/or psychotherapist ought to be subject to State regulation.**

IACP welcomes regulation of the profession and views this as a necessary step towards ensuring the safety and protection of the public. Regulation will safeguard the public, especially those who are most vulnerable, by enforcing agreed standards of training and competency as well as introducing a legal framework to ensure visibility and accountability. Regulation will also lead to a better understanding and recognition of counselling/psychotherapy. IACP hope that this will see counselling/psychotherapy become part of the educational apparatus of the State and offered more widely as a degree in universities as well as being further integrated into the mainstream Mental Health response to emotional wellbeing in Ireland.

### **2. If so, whether the professions ought to be regulated under the Health and Social Care Professionals Act 2005 or otherwise.**

Having reviewed the Act along with comparable legislation, we find the provisions of the Health and Social Care Professionals Act 2005 to be a suitable for the framework for regulation. The Act has mechanisms similar to those already in place within IACP, such as those related to accreditation and discipline. Please see Appendices for details of current IACP policies and procedures, such as our Fitness to Practice and Complaints Policy, Garda Vetting Policy and Code of Ethics and Practice.

**3. If the professions are to be regulated under the 2005 Act whether it would be appropriate to regulate one or two professions under one registration board.**

We submit that it would be appropriate to regulate one profession under one registration board. IACP has represented both counsellors and psychotherapists for the past 35 years and recognises no meaningful distinction between the two for administrative purposes whilst recognising the distinct modalities between them. As the only relevant organisation with such an overview of the field, we believe that regulating two professions would create a division in the therapeutic field that does not exist in the marketplace as well as introducing an unnecessary administrative burden into the health system. See Appendix 1 for more details on the commonalities between counselling and psychotherapy.

**4. The appropriate level of “grand parenting” qualifications to be set for existing practitioners having regard to the QQI Awards standards.**

The introduction of any new regulatory framework means that the status of current practitioners needs to be recognised and regularised. This is especially important when the registration process bestows professional privileges. Four options for grand-parenting are currently under discussion within the sector:

Route One: Approved Qualification: This is a qualification approved by the Registration Board by bye-law. If you hold an approved qualification you do not need to provide details of any other qualification with your application.

Route Two: Schedule 3 qualification: This is a qualification listed in Schedule 3 of the Health and Social Care Professionals Act 2005 for existing practitioners under Section 91. A person holding a Schedule 3 qualification does not need to provide details of any other qualification.

We propose that:

- Professional training programmes that operated in the past, and which do not meet the proposed standards, be included in the list of Schedule 3 qualifications, given that successfully completing such programmes has historically been the long-established, traditional training route for counsellors and psychotherapists in Ireland.
- That providers of training programmes that do not meet the proposed standards be given sufficient time to either bring their own courses up to the new agreed standard or arrange linkage with other providers whose courses already meet the new standard.
- Students currently enrolled on training courses that do not meet the Schedule 3 standard, and recent graduates of such courses, may need special grand-parenting arrangements.

Route Three: Letter of Recognition/Accreditation: This is a qualification gained outside of the Republic of Ireland which has been recognised by the Registration Board for the profession or other designated Competent Authority in the Republic of Ireland. A person holding a Letter of Recognition/Accreditation for an international qualification, does not need to provide details of any other qualification.

Route Four: Exceptional Cases: Given the historically wide variety of training and education for counsellors/psychotherapists in Ireland as well as the range of approaches and practices involved, IACP submits that it is necessary, as well as fair, to introduce a framework with sufficient flexibility to accommodate experienced practitioners for whom the burden of achieving Level 8 qualification would be considerably greater than the likely reward. To this end, we advocate the creation of an appeals process to be adjudicated by CORU on a case-by-case basis.

IACP also wishes to highlight the fact that a number of counsellors/psychotherapists practice in both the Republic of Ireland and Northern Ireland. The effect of regulation on these practitioners should be borne in mind and appropriate provisions made to accommodate those working in border communities.

## **5. The appropriate level of qualifications to be set for future applicants for registration having regard to the QQI Awards standards.**

IACP considers that the appropriate level of qualifications for future applicants for registration should be set at Level 8 on the National Framework of Qualifications (corresponding to Level 6 on the European Qualifications Framework).

There are clear and significant differences between Levels 7 and 8 as outlined in the QQI Awards Standards for Counselling and Psychotherapy 2014. Graduates of Level 7 training, for example, can engage only in “supervised clinical practice with volunteers”; this low level of independence contrasts with Level 8 training, which requires graduates to be capable of engaging in “reflective independent practice” and to “exercise the skills required for managing professional practice.” Similarly, only Level 8 graduates are trained to “manage client records and act to comply with applicable law and professional codes,” both of which competencies are clearly integral to independent practice.

Setting the minimum level for registration at Level 8 will establish the level of qualifications for counsellors/psychotherapists on a par with other health care professions. It will ensure a clearer accreditation process, higher standards of practice, and ultimately a safer environment for clients. This minimum standard will also provide a clearer platform upon which to develop a framework for further professional development and will serve to encourage practitioners to pursue specialised training and progress to level 9.

Additionally, IACP would like to highlight the importance of ensuring the quality of student clinical placements within accredited courses. Since these placements

frequently occur outside the educational institutions in question, there is a risk of disparities developing between standards of practice. It is essential, therefore, to develop a framework for inspection of clinical placements and of the competencies acquired therein in order to safeguard agreed standards of training and practice.

**6. The title or titles that ought to be protected for the exclusive use of registrants.**

We propose the title of Counsellor, Psychotherapist.

## **Appendices**

1. Counselling/Psychotherapy: Comparable Practices
2. IACP Code of Ethics and Practice for Counsellors/Psychotherapists
3. IACP Fitness to Practice and Complaints Procedure
4. IACP Garda Vetting Policy
5. IACP Continuing Professional Development Framework
6. Bibliography