

Psychological Therapies Forum

Submission to the Department of Health Regarding Statutory Registration of Counselling and Psychotherapy

Introduction

The Psychological Therapies Forum (PTF) advocates for best practice in Counselling and Psychotherapy in Ireland. It is, and has been, since its inception in 2005, the position of the PTF that the professions of both Counselling and Psychotherapy should be subject to state regulation in the interest of the protection of the public. The PTF, which comprises nominees from professional associations and bodies in Counselling and Psychotherapy, made a [submission](#) to Government in 2008 for the statutory regulation of Counselling and Psychotherapy (see **Appendix 1**). The submission focused on entry to the professional practices of Counselling and Psychotherapy as well as recommending key elements of training and education. This document remains the principal guiding document of the PTF in support of statutory regulation for both counselling and psychotherapy (see **Appendix 2** for more detail on the background and current work of the PTF).

The PTF welcomes the opportunity to contribute to the consultation process and address the questions posed by the Department of Health.

Qt. 1 – Should Counselling and Psychotherapy be subject to State regulation?

The PTF is strongly supportive of state regulation of the professions of Counselling and Psychotherapy. Our position is that the weight of evidence relating to the ability of professions to self-regulate and protect the public interest suggests that self-regulation is more an aspiration than a reality. While voluntary self-regulating efforts are, in some ways commendable, care needs to be exercised in terms of the distinction between regulation and representation. Many of the existing professional accrediting bodies in Ireland make claims of acting simultaneously in the interests of clients and practitioners. The PTF contends that such overarching claims make it impossible for these bodies to act in the interests of the public and also represent the interests of their own practitioners.

The PTF strongly supports the Minister's preference for statutory regulation over voluntary regulation. This follows the point noted on page 5 of the "Response to Minister for Health on Regulation of Counsellors and Psychotherapists" where it is stated that with respect to voluntary registration that organisations "...will need to show that in carrying out its voluntary functions, public interest is paramount and that the professional interests do not dominate or unintentionally subvert that interest" (Professional Standards Authority UK on Accredited Voluntary Accreditation 2013).

Qt. 2 – The role of the Health and Social Care Professionals Act 2005?

The PTF's position is that the most appropriate way for the State to regulate the professions of Counselling and Psychotherapy is under the Health and Social Care Professionals Act (2005). The regulatory framework as set out in the 2005 Act provides for the establishment and monitoring of a contract between professionals and for the state to regulate a field of activity and a group of practitioners for the benefit of society. In this context, the PTF welcomes the proposal that the Counselling and Psychotherapy professions be regulated within a statutory framework which privileges the public interest voice over the professional interest voice.

Qt. 3 – If the professions are to be regulated under the 2005 Act would be appropriate to regulate one or two professions under one registration board?

It is the position of the PTF, as set out in its 2008 submission to government, that it is both appropriate and necessary to regulate two professions. The PTF has tirelessly advocated that there should be distinct educational requirements for entry into the practices of Counselling and Psychotherapy but that the unified title of “Psychological Therapies” should be used as a title for the Registration Board for both the titles of Counsellor and Psychotherapist.

The PTF recognises that there are differences of opinion on definitional aspects of the two areas of practice among professional accrediting bodies, and the interchangeable use of both terms has led to confusion within professional practice and among the wider public and delayed the progress towards statutory regulation. The PTF is strongly of the view that such disagreements should not be allowed to inhibit regulation under the 2005 Act. In the case of both areas of practice, the PTF sought to synthesise international definitions of both counselling and psychotherapy and presented a consensus position on both (see **Appendix 3** for further detail on this).

The PTF suggests, given that that one registration will regulate two areas of practice and given the diverse and complex nature of both fields, it may be helpful to establish the inaugural registration board with a broader membership than the normal 13 members. We recognise that this proposition may require legislative adjustment or amended regulations. A possible membership structure of an inaugural registration board with 8 members from the two professions and 9 from other stakeholder groups representing the public interest is set out in **Appendix 4**.

Qt. 4 – Grand-parenting qualifications for existing practitioners, having regard to the QQI Awards standards

It is vital that a robust, equitable and reliable standard and process of grand-parenting is instated. Grand-parenting ought to be based on assuring and maintaining high standards of professional practice through a transparent structured process, the primary purpose of which is to protect the public. For details of the proposed grand-parenting procedure see **Appendix 5**.

Qt. 5 – The appropriate level of qualifications for future applicants for registration, having regard to QQI Awards standards

It is the firm position of the PTF that those wishing to use the title Counsellor or Psychotherapist should only be eligible to do so when educated to QQI Levels 8 and 9 (or equivalent) respectively and when their professional training meets with CORU standards or equivalent. This was the PTF’s original 2008 recommendation.

Qt. 6 – The title or titles to be protected for the exclusive use of registrants

The PTF proposes the protection of the professional titles of Psychotherapist and Therapeutic Counsellor. While practitioners should be required to further identify their particular modality or specialty of practice, the two titles should be protected in the interest of clarity and for the protection of the public.

**The Psychological Therapies Forum
October 17, 2016
Dublin**

Psychological Therapies Forum
- Counselling & Psychotherapy -

Public Protection

**Submission
on
The Statutory Registration
of
Counsellors
&
Psychotherapists
in Ireland**

(Final Document April 08)

Content

<i>Introduction</i>	3 - 5
<i>Stepwise Synopsis of the Process</i>	6 - 7
<i>Conclusions & Recommendations</i>	8 - 11
<i>Appendices</i>	12 - 13

Conclusions & Recommendations

Sincere thanks are due to the many national organisations for Counselling & Psychotherapy in Ireland (Appendix 1) who participated actively in this process and shared of their clinical knowledge, organisational time and resources. Our thanks are due to Minister Tim O'Malley who prompted, informed and welcomed this submission. The group would also like to acknowledge the support and expertise received from Simonetta Ryan, Maeve O'Brien and Caroline Kelly of the Department of Health & Children. Special thanks to Mr Frank Scott Lennon who facilitated the submission process.

Throughout the fifteen meetings over the two and a half year period much debate and discussion took place. It has also established a clear consensus and pathway to the establishment of a state registration board for "Psychological Therapists".

The Health and Social Care Professionals Act 2005 facilitates the State to initiate a registration process, Section 27 of the Act states: "The object of the registration board of a designated profession is to protect the public by fostering high standards of professional conduct and professional education, training and competence among registrants of that profession." It is also quite clear that the role of "Psychological Therapist" falls within the scope of the Act as section 4 (3) (d) defines (for the purposes of the Act) a health or social care profession as: "any profession in which a person exercises skill or judgment relating to.....the care of those in

need of protection, guidance or support.”

The work of this group indicates a consensus among the 5000 Counsellors & Psychotherapists in Ireland to come under the remit of the Health and Social Care Professionals Act 2005. The group has formulated three specific recommendations which create a consensual and smooth pathway into the future, ensuring Ireland is at the cutting edge of “Psychological Therapy” whilst offering the optimal public protection.

Recommendation One

That the name of the proposed registration Board be: “PSYCHOLOGICAL THERAPISTS”.

Recommendation Two

That the titles “COUNSELLOR” and “PSYCHOTHERAPIST” be protected within the registration board.

Appendix 2 – Background and Current Work of the PTF

The Psychological Therapies Forum (PTF) was established in 2005 at the behest of the Minister of State with responsibility for Mental Health, Mr. Tim O'Malley T.D. to formulate a position regarding the future regulation of counselling and psychotherapy in Ireland. The PTF currently comprises nominees from nine professional associations involved in the practice and voluntary regulation of counselling and psychotherapy in Ireland. The Forum is independently facilitated by Mr. Frank Scott-Lennon. It normally meets in plenary sessions four times per year and other work is regularly undertaken by small working groups on an ongoing basis. The work of the PTF is funded by donations from its member associations and the participation of members is voluntary. The work is focused on professional standards and practice and well as regulation. **The ethos of the PTF is that this work supersedes the interests of any single member association.**

The current members of the PTF are identified below and their nominated representatives. All members support this submission in response to the call for Public Consultation.

Name	Nominee of
Mary Johnston	ACCORD
Kathleen Meagher	Addiction Counsellors Ireland (ACI)
Jim Meaney	Association of Professional Counsellors & Psychotherapists (APCP)
Denis Ryan	Association of Professional Counsellors & Psychotherapists (APCP)
Eve Watson	Association of Psychoanalysis and Psychotherapy of Ireland (APPI)
Joanne Mahon	Irish Association of Christian Counsellors (IACC)
Derval Ryan	Independent Expert
Rhoda Draper	Irish Institute of Cognitive and Humanistic Psychotherapy
Eileen Prendiville	Irish Association for Play Therapy & Psychotherapy (IAPTP)
Orla McHugh	National Association of Pastoral Counselling & Psychotherapy (NAPCP)
Liam Lally	National Association of Pastoral Counselling & Psychotherapy (NAPCP)

Appendix 3 – Definitions of Counselling and Psychotherapy

The PTF sought to synthesise international definitions of both counselling and psychotherapy and presented a consensus position on both, incorporating in each case a statement on both the core elements of counselling and psychotherapy in a definitional sense, as well as the focus of professional activity in both complimentary disciplines. In summary, the key definitional distinctions and implications for professional practice relate to the capacity and preparedness of practitioners to understand and manage a continuum of complexity.

In essence, counselling is primarily concerned with supporting individuals to achieve insight and greater self awareness in order to make decisions around aspects of their lives in a holistic way, including moments of crisis be they social, cultural and/or emotional within a relational context, with the overall aim of counselling being to help clients recognise opportunities to help them live in more satisfying and rewarding ways as individuals and as members of society.

We contend that the counselling process is characterized therefore by relational efforts directed to support, empower and facilitate clients change through the application of recognized cognitive, affective, expressive, somatic, spiritual, developmental, behavioural, learning, and systemic principles.

Psychotherapy, involves the comprehensive, deliberate and planned treatment of complex impairments, such as those identified above, by means of scientific or evidence based psychotherapeutic methods, delivered through a therapeutic relationship, with the objective of mitigating or eliminating the established symptoms and/or to change disturbance patterns of behaviour, cognitions, emotions and/or attitudes in the treated person”.

Psychotherapists’ intervene in cases where there are serious levels of impairment of thought, cognition, mood, emotional management, perception or memory that may seriously impact on the person’s judgement, insight, behaviour, communication or social and interpersonal functioning.

Commonality and Distinction

While both the terms “counselling” and “psychotherapy” are frequently used interchangeably there are educational and professional distinctions between both areas of practice. Consequently a registration board will need to comprise individuals who hold a nuanced understanding of the issues of commonality and distinction.

Appendix 4 – Proposed Membership of Inaugural Registration Board

Proposed membership structure of an inaugural registration board could include experts with the following types of expertise with 8 members from the professions and 9 from other stakeholder domains of interest and expertise;

Professional Interest Members

- 4 Representatives practising in the professions (2 from Counselling and 2 from Psychotherapy)
- 2 Representatives engaged in the education and training of persons in the practice of the profession (1 from counselling and 1 from Psychotherapy)
- 1 Representative with management/clinical Supervisory expertise in counselling/psychotherapy services in the public health and/or social care sector
- 1 Representative management/ Clinical Supervisory expertise in counselling/psychotherapy services in the voluntary or private sector providing health or social care.

Public Interest Members

- 1 Representative of Academic Awarding Bodies (QQI or Universities) involved in the education and training of persons in the practice of the profession
- 1 Representative of employment agencies involved in the practice of the profession in the public health and social care sector
- 1 Representative of employment agencies involved in the practice of the profession from the voluntary or private sector.
- 4 Representatives of the interest of the general public
- 2 Representatives of Client Advocacy Groups.

While this is larger than the type of Registration Board currently established by CORU for other disciplines, it is probably warranted at this juncture given the level of diversity of modalities and specialisms in both counselling and psychotherapy and the range of ‘vested’ interests.

Appendix 5 – Grandparenting

Four routes have been identified for enabling the transition of existing practitioners:

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 Schedule 3 standard, and recent graduates of such courses, may need special grandparenting 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: Working in the Profession without Holding any of the Qualifications Recognised by CORU

A person who has none of the recognised qualifications listed above and who has been working as a counsellor/psychotherapist would be required to:

- **Provide Proof of Professional Practice:**

Provide evidence that s/he was practising in the profession in the Republic of Ireland for a period of *not less than 2 years during the five years prior to the opening of the register*. A line manager / supervisor or HR manager must complete a *Proof of Professional Practice Form* for each employment in this period.

If Self-Employed:

If self-employed in the five years up to the opening of the register, provide evidence to

demonstrate your engagement in the profession for a period of not less than **2 years during the five years prior to the opening of the register**. The following is a list of provisions for private practitioners to prove engagement in the practice of the profession (in the five years prior to the opening of the register):

- Make a **self-declaration** regarding their practice **and**
- Provide proof of **professional indemnity insurance and**
- Provide a **Supervisor's report and**
- Make a self-declaration of commitment to abide by an agreed **Code of Ethics and**
- Provide **3 other items of proof** from the following list in order to satisfy the Board regarding their work in this field:
 - Copy of trading accounts
 - Proof of operational business addresses
 - Proof of membership of professional body
 - Details of proof of continuous professional development
 - Client confirmations
 - Proof of contracts for service
 - Promotional materials for private practice
 - Publications by the applicant in relation to the profession
 - Professional Lectures / Presentations relevant to the dissemination of knowledge and development of the field of counselling and psychotherapy

The Registration Board may choose, at its discretion, to request further details and proof in order to satisfy itself of professional engagement.

- **Provide Career History:**

- **General Information:** The information you provide may be used for verification purposes. You must give brief details (if available) of your entire working career since leaving school, including work outside of your profession. Reasons for leaving may include career advancement, career change or termination.
- **Professional practice:** Existing practitioners must use the career history section to show they have been engaged in the practice of the profession in the Republic of Ireland for a period of not less than 2 years in the 5 years prior to the opening of the register for the profession in the Republic of Ireland. Describe your main duties and responsibilities and examples of the kind of work you typically carry/carried out on a daily basis.
- **'Engaged in the practice of the profession'** will also include those in management, education and research directly related to the profession. Applicants for registration from the categories of management, education and research must demonstrate accountability and the ability to lead/manage/educate/research while demonstrating best practice through actions and knowledge.

- **Proof of Professional Practice Form:** A HR Manager or Line Manager / Supervisor must complete this form for each employment in the relevant five year period. The purpose of the form is to provide testimony by an employer of your engagement in the profession during the required five year period prior to the opening of the register for your profession. It should be signed and stamped by the organisation. We may contact your current/previous employers to confirm some or all of the information provided.
- **Professional body membership:** Give details of all professional bodies of which you are a member. The Registration Board may contact the professional body to confirm your membership and good standing.