

Psychotherapists and Counsellors Professional Liaison Group (PLG) 15 December 2010

Information for organisations invited to present to meetings of the Psychotherapists and Counsellors Professional Liaison Group

Executive summary and recommendations

Introduction

The attached document was included as a paper to note at the two previous meetings and is included again for reference.

The attached document was prepared by the Executive to provide information about the work of the PLG to date to organisations / individuals invited to present to the upcoming meetings.

This document provides the PLG with a useful summary of the discussion and progress of the PLG to date.

Decision

This paper is to note; no decision is required.

Background information

None

Resource implications

None

Financial implications

None

Appendices

None

Date of paper

1 December 2010

The statutory regulation of psychotherapists and counsellors

1. Introduction

- 1.1 This short document provides information about the work of the HPC Psychotherapists and Counsellors Professional Liaison Group (PLG) to date, outlining the issues to be considered in the PLG's ongoing work.
- 1.2 In this document, 'we' is a reference to the Health Professions Council.

About us

- 1.3 We are the Health Professions Council (HPC). We are a regulator and our job is to protect the health and wellbeing of people who use the services of the professionals registered with us.
- 1.4 To protect the public, we set standards that professionals must meet. Our standards cover the professionals' education and training, behaviour, professional skills, and their health. We publish a Register of professionals who meet our standards.
- 1.5 Professionals on our Register are called 'registrants'. If registrants do not meet our standards, we can take action against them which may include removing them from the Register so that they can no longer practise.

2. About statutory regulation of psychotherapists and counsellors

Trust, Assurance and Safety

- 2.1 In February 2007, the Government published a White Paper on the future of regulation, 'Trust, Assurance and Safety – The Regulation of Health Professionals in the 21st Century'.

- 2.2 The White Paper said:

'The government is planning to introduce statutory regulation for...psychotherapists and counsellors...' (page 81)

'...psychotherapists and counsellors will be regulated by the Health Professions Council, following that Council's rigorous process of assessing their regulatory needs and ensuring that its system is capable of

accommodating them. This will be the first priority for future regulation.’
(page 85)¹

About the Psychotherapists and Counsellors PLG

- 2.3 As part of the preparations towards statutory regulation, we set up a working group of stakeholders, known as a Professional Liaison Group or ‘PLG’, to consider and make recommendations to the Council about how psychotherapists and counsellors might be regulated, in light of the clear statement of Government policy outlined in the White Paper.
- 2.4 A PLG is a working group set up by the Council to provide advice on a discrete project, particularly where the Council would benefit from outside expertise.
- 2.5 The PLG was tasked with exploring the following areas and making recommendations to the HPC Council:
- the structure of the Register;
 - protected titles;
 - voluntary register transfer and grandparenting arrangements;
 - standards of education and training; and
 - standards of proficiency.²
- 2.6 The recommendations of the PLG informed the conclusions by the HPC Council for the Secretary of State for Health.

The path to statutory regulation

- 2.7 Any regulation would require a piece of secondary legislation known as a ‘Section 60 Order’. This is an order made under the Health Act 1999. If a decision was made to proceed with the regulation of psychotherapists and counsellors, the Department of Health would publicly consult on a draft Section 60 Order prior to the publication of legislation. The HPC would also publicly consult following the publication of any section 60 Order on the standards of proficiency and the threshold level of qualification for entry to the Register.

¹ HM Government, ‘Trust, Assurance and Safety – The Regulation of Health Professionals in the 21st Century’, February 2007

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_065946

² Psychotherapists and Counsellors PLG, 4 December 2008, ‘PLG workplan’

http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=441

(enclosure 2)

2.8 The final decision about the regulation of psychotherapists and counsellors is one for the Government, and ultimately, a matter for the UK and Scottish parliaments.

3. The work of the PLG

Call for Ideas

3.1 In the summer of 2008, we launched a 'Call for Ideas' consultation to seek at an early stage the views of stakeholders about the potential statutory regulation of psychotherapists and counsellors. The responses to the Call for Ideas formed the basis of discussion at the meetings of the PLG and informed the recommendations made by the group.³

PLG meetings

3.2 The PLG met five times over nine days between December 2008 and May 2009 in its first phase of meetings.⁴ The document 'The statutory regulation of psychotherapists and counsellors - Report of the psychotherapists and counsellors Professional Liaison Group (PLG)' sets out the recommendations made by the PLG, including describing those areas where there was not complete consensus amongst the group.⁵

3.3 A consultation was held between July and October 2009 on the recommendations of the PLG. 1,105 responses were received to the consultation – 88% from individuals including many practitioners in the field. The recommendations of the PLG at that stage are outlined below.⁶

PLG recommendations

3.4 The following is a summary of the PLG's main recommendations for consultation:

- The Register should be structured to differentiate between psychotherapists and counsellors.
- The title 'psychotherapist' should become a protected title.

³ 'The statutory regulation of psychotherapists and counsellors: Call for ideas' and 'The statutory regulation of psychotherapists and counsellors: Call for ideas – Overview of responses'
<http://www.hpc-uk.org/aboutus/consultations/closed/index.asp?id=72>

⁴ Psychotherapists and Counsellors PLG section of the HPC website, including papers and minutes of meetings
<http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors/>

⁵ 'The statutory regulation of psychotherapists and counsellors – Report of the psychotherapists and counsellors Professional Liaison Group (PLG)'
<http://www.hpc-uk.org/aboutus/consultations/closed/index.asp?id=93>

⁶ 'The statutory regulation of psychotherapists and counsellors - Responses to the consultation on the recommendations of the Psychotherapists and Counsellors Professional Liaison Group (PLG)'
<http://www.hpc-uk.org/aboutus/consultations/closed/index.asp?id=93>

- The title 'counsellor' should become a protected title.
- Criteria for use in identifying the voluntary registers which should transfer (as outlined in section 5.3, paragraph 18 of the PLG report).
- Recommendations about which voluntary registers should transfer should be made by the HPC on the basis of submissions made by organisations holding voluntary registers.
- The grandparenting period for psychotherapists and counsellors should be set at two years in length.
- The draft standards of proficiency outlined in appendix 2 of the PLG report for consultation.
- The 'normal' threshold level of qualification for entry to the Register should be set as follows:
 - For counsellors, level 5 on the National Qualifications Framework / level 5 on the Framework for Higher Education Qualifications / level 8/9 on the Scottish Credit and Qualifications Framework.
 - For psychotherapists, level 7 on the National Qualifications Framework / level 7 on the Framework for Higher Education Qualifications / level 11 on the Scottish Credit and Qualifications Framework.

Consultation responses

3.5 In summary, the trends identified in the consultation were as follows (given against each of the headers of the PLG's original terms of reference):

3.6 Structure of the Register

- The majority of respondents disagreed with the proposal that the Register should be structured to differentiate between psychotherapists and counsellors. This trend was less marked amongst organisations compared to individuals who responded.
- The majority of respondents agreed that the Register should not differentiate between different modalities. This was less marked amongst organisations who responded compared to individuals who responded.
- There was no clear agreement amongst respondents as to whether the Register should be structured to differentiate between those qualified

to work with children and young people and those qualified to work with adults.

3.7 Protected titles

- The majority of respondents agreed with the proposed protected titles for psychotherapists and counsellors.
- The majority of respondents agreed with the proposed approach to dual registration.

3.8 Voluntary registers and grandparenting

- The majority of respondents agreed with the criteria and the process and did not provide detailed comments.
- There was no clear or overall consensus about whether the grandparenting period should be two years long.

3.9 Standards of education and training (threshold level of qualification for entry to the Register)

- The majority of respondents disagreed with the proposed threshold levels for psychotherapists and for counsellors with different trends amongst organisations and individuals.

3.10 Standards of proficiency

- There were a variety of different views put forward about the draft standards of proficiency.
- The majority of respondents agreed with the proposed English language proficiency level.

HPC conclusions

3.11 Following the consultation period the HPC Council made a number of initial conclusions about the potential regulation of psychotherapists and counsellors:

- A part of the Register should be established for psychotherapists and counsellors.
- Modalities should not be reflected in the structure of the Register.
- The titles 'psychotherapist' and 'counsellor' should be protected.
- The approach to dual registration outlined in the report and conclusions documents should be adopted.

- The inclusion of names in the HPC Register from other eligible registers [voluntary register transfer] should be performed by means of a three stage process as outlined in the conclusions document.
- The transitional 'grandparenting' period should be three years long.

3.12 The remaining areas where no decision was reached and where it was felt further work (supported through more meetings of the PLG) should take place are:

- The question of whether the structure of the Register should differentiate between psychotherapists and counsellors.
- The question of whether the structure of the Register should differentiate between those qualified to work with children and young people and those qualified to work with adults.
- The standards of proficiency for psychotherapists and counsellors.
- The threshold level(s) of qualification for entry to the Register.⁷

4. Ongoing work

4.1 The PLG has been reconvened to further explore and to attempt to resolve the outstanding issues outlined above. The timetable is as follows:

- 12 May 2010 PLG meeting

4.2 At this meeting the PLG reviewed its progress and discussed arrangements for the next stage of the PLG's work.

- 30 September 2010 – PLG meeting
- 19 October 2010 - PLG meeting
- 15 November 2010 – PLG meeting
- 15 December 2010 – PLG meeting

4.3 At these meetings a number of stakeholders not already represented on the PLG will be invited to attend these meetings to present to the PLG and to participate in the following discussion. The intention is that these presentations would ensure that the PLG benefits from 'external' expertise and this would help to gather information and perspectives to inform its discussion.

⁷ HPC Council 10 December 2009, 'Conclusions on the proposed statutory regulation of psychotherapists and counsellors'

http://www.hpc-uk.org/aboutus/council/councilmeetings_archive/index.asp?id=457

- 2 February 2011 – PLG meeting
- 4.4 At this meeting the PLG will meet to discuss the evidence gathered in the September to December meetings.
- 12 May 2011 – HPC Council meeting
- 4.5 At this meeting, the HPC Council will discuss a report of the outcomes of the activities to date and will make conclusions about the next steps, including making conclusions about differentiation between psychotherapists and counsellors and between those qualified to work with children and young people and those qualified to work with adults. This would then inform possible further meetings / further work to further refine the standards of proficiency.
- 4.6 The HPC would consult following the publication of any legislation on the standards of proficiency and the threshold level of qualification for entry to the Register.⁸

⁸ HPC Council 25 March 2010, 'Psychotherapists and Counsellors – Workplan'
http://www.hpc-uk.org/aboutus/council/councilmeetings_archive/index.asp?id=523

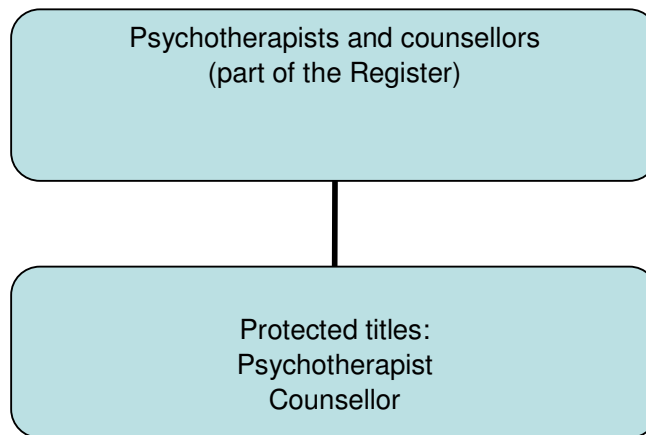
5. Outstanding issues

Differentiation between psychotherapists and counsellors

- 5.1 A key area of ongoing debate is about whether the HPC Register should be structured to separately recognise or 'differentiate' between psychotherapists and counsellors – i.e. whether psychotherapists and counsellors should be identified as discrete, separate groups or one group.⁹

Background

- 5.2 No differentiation between psychotherapists and counsellors would mean:



⁹ For more information, please see:

'Structure of the Register and protected titles', PLG meeting 28/29 January 2009

http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=442

(enclosure 3)

'Education and training', PLG meeting, 3/4 March 2009

http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=444

(enclosure 3)

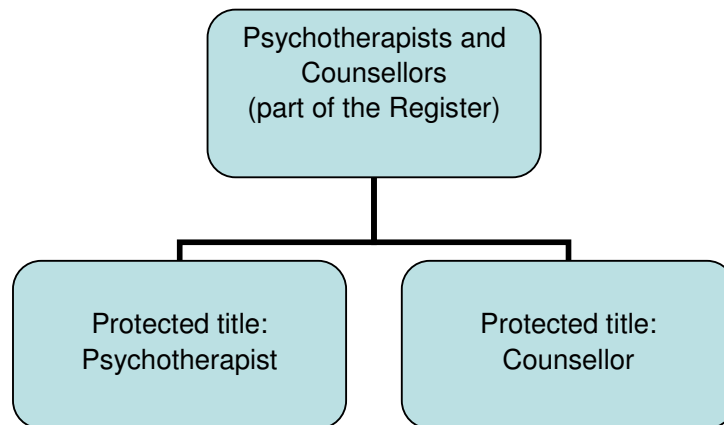
'The statutory regulation of psychotherapists and counsellors – Report of the psychotherapists and counsellors Professional Liaison Group (PLG)', in particular sections 4.1 to 4.3

'The statutory regulation of psychotherapists and counsellors -

Responses to the consultation on the recommendations of the Psychotherapists and Counsellors Professional Liaison Group (PLG)', in particular sections 4.1 and 4.2

- There would be one set of standards of proficiency setting out the standards required for safe and effective practice.
- Registrants would have access to any protected titles for the part of the Register (e.g. they could use both 'psychotherapist' and 'counsellor').
- There would be approved qualifications that lead to the eligibility to register and use any of the protected titles.
- The threshold educational level has to be set at the level necessary to achieve the standards of proficiency. As there would be one set of standards of proficiency, this would mean that only one threshold educational level could be set for entry to the part of the Register.

5.3 Differentiation between psychotherapists and counsellors would mean:



- There would be two sets of profession-specific standards of proficiency setting out the standards required for safe and effective practice in each sub-section.
- Registrants would have access to the protected title(s) for psychotherapists, or the title(s) for counsellors, or both if they were registered more than once.
- There would be approved qualifications for each – i.e. approved qualifications leading to the eligibility to register and use the title(s) for psychotherapists, and approved qualifications leading to the eligibility to register and use the title(s) for counsellors. Some programmes might be successful in being approved for both.
- The threshold educational level has to be set at the level necessary to achieve the standards of proficiency. As there would be two separate sets of standards of proficiency, this would mean that the level could potentially be set at different levels for psychotherapists and for counsellors.

Responses to the consultation

- 5.4 In the recent consultation, we asked: 'Do you agree that the Register should be structured to differentiate between psychotherapists and counsellors? If not, why not?' The majority of respondents disagreed that the Register should differentiate between psychotherapists and counsellors, although this was less marked amongst organisations compared to individuals.
- 5.5 The arguments in support of differentiation included public perception of differences between psychotherapists and counsellors; differences between entry level education and training; and the competencies and field of practice involved in each.
- 5.6 The arguments against differentiation included that it would cause confusion for members of the public; that education and training was variable across the field; that there was insufficient evidence to support a difference between the two; and that such a differentiation would have a negative impact on practitioners, service providers and the public.

Key questions

- 5.7 In the next meetings the PLG will want to further explore how the Register should be structured and whether psychotherapists and counsellors should be differentiated.
- 5.8 In doing this, the PLG wants to further explore and undertake the potential impact of differentiation, and of failing to differentiate, upon education and training, service provision and practice. Some questions that the PLG may wish to explore in this area are outlined below. These are not intended to be exhaustive and the PLG will be happy to receive information and views on other topics or areas that will help them reach a conclusion on this issue.
- What are the differences between entry-level education and training in psychotherapy and in counselling?¹⁰
 - What would the impact be upon service provision of differentiating or failing to differentiate? If you are a service provider, do you employ psychotherapists and counsellors in separate roles? Or are the roles interchangeable?

¹⁰ By entry level we mean training that by its completion equips someone to start practising as an independent, autonomous psychotherapist or counsellor. This is the point at which someone enters the profession, often becoming eligible for full membership or registration with one of the existing professional bodies in the field.

- What would be the impact upon practice and practitioners of differentiating or failing to differentiate?
- Are there any steps that could be taken to mitigate any of the above?

Children and young people

- 5.9 The PLG has previously discussed whether the Register should be structured to identify (or 'differentiate' between) those practitioners who are qualified to work with children and young people and those qualified to work with adults.¹¹

Background

- 5.10 In the Call for Ideas and in the recent consultation, arguments were made as to whether the Register should be structured in some way to differentiate between those qualified to work with children and young people and those qualified to work with adults. This argument has been most frequently made with reference to a specific group – child and adolescent psychotherapists – but a similar argument has also been made about counsellors working with children and young people. This was a topic on which the PLG did not reach a final conclusion.
- 5.11 For the Register to differentiate, there would need to be specific education and training programmes (at first entry to the Register and, potentially, post-qualification) which deliver specific standards of proficiency and which lead to the use of a specific professional title or titles that it is possible to protect. The standards of proficiency would need to be capable of providing an objective basis on which to differentiate (or not) between the knowledge, understanding and abilities required for safe and effective practise and for access to different protected titles.
- 5.12 For example, the diagram below illustrates how the structure of the Register might look if child and adolescent psychotherapists were specifically recognised in the structure of the Register:

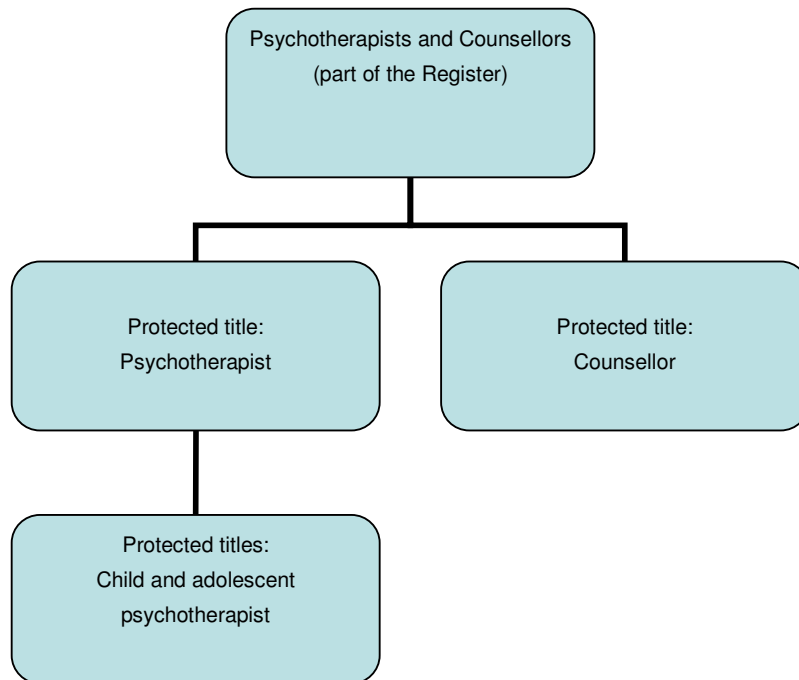
¹¹ For more information please see:

'Structure of the Register and protected titles', PLG meeting 28/29 January 2009
http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=442
(enclosure 3)

'Client groups', PLG meeting
http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=447
(enclosure 6)

'The statutory regulation of psychotherapists and counsellors – Report of the psychotherapists and counsellors Professional Liaison Group (PLG)', in particular section 4.5

'The statutory regulation of psychotherapists and counsellors - Responses to the consultation on the recommendations of the Psychotherapists and Counsellors Professional Liaison Group (PLG)', in particular sections 4.5 and 4.6



5.13 This would mean:

- In addition to the profession-specific standards of proficiency for psychotherapists and for counsellors, there would need to be profession-specific standards for child and adolescent psychotherapists.
- Only someone who successfully completed a programme which met the standards for child and adolescent psychotherapists could use that title. (Although grandparent arrangements would need to exist in the transitional period following registration.)
- There would be specific approved qualifications leading to registration as a child and adolescent psychotherapist.

5.14 Differentiation would not be possible where the 'conditions' outlined in paragraph 5.11 could not be met:

- If there are no specific education and training programmes relating to the title and delivering specific standards of proficiency; or if there are a variety of different routes to 'qualification'. For example, if practitioners are appointed to posts on the basis of CPD or experience with no specific qualification requirements relating to the role and title.
- If there is no specific title, in common usage and commonly recognised, that it is possible to protect in law and which relates to

the group which it is intended to regulate. For example, if employers simply use the title 'counsellor' but look for specific experience, training, skills and competence as part of the appointment process.

- If it is not possible to produce differentiated standards of proficiency which describe the standards required for safe and effective practice

Responses to the consultation

5.15 In the recent consultation, we asked: 'Do you think that the Register should differentiate between practitioners qualified to work with children and young people and those qualified to work with adults? If yes, why? If not, why not?' There was no clear consensus in response to this broad question – a small majority of individual respondents disagreed and a small majority of organisations that responded agreed.

5.16 In summary the arguments for and against included:

For:

- There is serious risk of harm to a vulnerable group if therapy is performed badly or by untrained practitioners.
- Children and young people have specific needs which need to be met by qualified practitioners.
- There are specific competencies that are necessary for working with children and young people.
- A failure to differentiate would mean that the HPC would not be well equipped to make decisions about complaints concerning work with children and young people.
- Child and adolescent psychotherapists are a specific group with distinct entry-level training.

Against:

- There are different 'entry routes' into work with children and young people including specialist training at entry to the profession; post-qualifying specialist training and those who work with children and young people having undertaken CPD and gained additional experience.
- Many services do not see clients on this basis so differentiation would reduce the available workforce who could work with children and young people, reducing choice for clients.
- There is no greater justification to recognise this group in the structure of the Register than other practitioners working with other client groups.
- The responsibility of ensuring competence to work with any client group rests with the individual and with employers.

Key questions

- 5.17 In the next meetings the PLG will want to further explore how/whether the Register should be structured to differentiate between those qualified to work with children and young people and those qualified to work with adults. This will include feasibility – whether it is possible to differentiate on this basis – and whether this approach should be adopted at the level of principle.
- 5.18 In doing this, the PLG wants to further explore and understand the potential impact of differentiation, and of failing to differentiate, upon education and training, service provision and practice.
- 5.19 Some questions that the PLG may wish to explore in this area are outlined below. These are not intended to be exhaustive and the PLG will be happy to receive information and views on other topics or areas that will help them reach a conclusion on this issue.
- Is differentiation on this basis feasible across psychotherapy and counselling? Are there specific discrete groups of practitioners that it is possible to identify which could be separately recognised in the Register?
 - What would be the impact upon service provision of differentiating or failing to differentiate? What requirements do employers set for practitioners working with children and young people and what titles do these practitioners typically use?
 - What are the differences in the competencies required to work with adults and those required to work with children and young people?
 - How do practitioners train to work with children and young people? – i.e. education and training at entry to the profession?; post-qualifying education and training?; CPD; supervised experience and induction?
 - To what extent would an ‘undifferentiated structure’ be sufficient or insufficient for public protection?

Standards of proficiency for psychotherapists and counsellors

5.20 The PLG put together draft standards of proficiency for psychotherapists and counsellors and we sought views on these draft standards in the consultation.¹²

Background

5.21 The standards of proficiency are the threshold standards necessary for safe and effective practice in each of the professions regulated by the HPC.

5.23 The primary role of the standards of proficiency is in articulating the threshold knowledge, understanding and skills necessary to register **for the first time**. The standards are therefore about 'understanding' and 'ability' rather than prescribing or limiting the practice of practitioners. For example, the standards do not prescribe that a registrant must always approach the needs of a client in particular way or always perform certain types of intervention.

5.24 As the threshold standards are the 'minimum', they may be exceeded. For example, some approved education and training programmes may include content which is not strictly necessary for the purposes of registration and therefore exceed the threshold standards.

5.25 The standards are used:

- When we approve education and training programmes to ensure that students who successful pass programmes have met the standards.
- When we consider applications for registration from applicants who have qualified outside of the UK.

¹² For more information please see:

'Standards of proficiency: Background and context', PLG meeting 3/4 March 2009

http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=444

(enclosure 4)

Draft standards of proficiency for psychotherapists and counsellors (included as part of the consultation)

<http://www.hpc-uk.org/aboutus/consultations/closed/index.asp?id=93>

'The statutory regulation of psychotherapists and counsellors - Responses to the consultation on the recommendations of the Psychotherapists and Counsellors Professional Liaison Group (PLG)', in particular section 8.

- When we consider complaints about lack of competence as part of our fitness to practise process.
- 5.26 The draft standards put together for psychotherapists and counsellors included four elements:
- Generic standards
 - Profession-specific standards which would be common to both psychotherapists and counsellors.
 - Profession-specific standards for psychotherapists.
 - Profession-specific standards for counsellors.
- 5.27 This was because the PLG recommended that the Register should differentiate between psychotherapists and counsellors. If the Register differentiates between different groups of practitioners it is necessary to produce standards of proficiency as an objective basis on which to make that difference.
- 5.28 In putting together draft standards of proficiency the PLG took into account the need to ensure that the standards were:
- set at the necessary threshold level for safe and effective practice;
 - consistent with the standard content of pre-registration education and training;
 - conform to the HPC's obligations as a qualifications body under the Disability Discrimination Act 1995 (i.e. that they do not act as a unfair barrier to disabled people); and were
 - written in clear language appropriate to their primary role in legislation.

Responses to the consultation

- 5.29 In the recent consultation, we asked a number of questions about the draft standards of proficiency for psychotherapists and counsellors:
- Do you think that the standards support the recommendation to differentiate between psychotherapists and counsellors?
 - Do you think the standards are set at the threshold level for safe and effective practice? If not, why not?
 - Are the draft standards applicable across modalities and applicable to work with different client groups?
 - Do you think there are any standards which should be added, amended or removed?
 - Do you agree that the level of English language proficiency should be set at level 7.0 of the International English Language Testing System (IELTS) with no element below 6.5 or equivalent? (Standard 1b.3)
- 5.30 The responses we received to these questions were very much informed by whether respondents agreed or disagreed with the proposed differentiation between psychotherapists and counsellors. Those who

disagreed with differentiation on this basis often said that the standards of proficiency provided an insufficient basis for meaningful differentiation.

- 5.31 We received a number of very detailed comments on the draft standards of proficiency suggesting changes to both the generic and profession-specific standards. These will inform the PLG's future work in revising its draft standards of proficiency.
- 5.32 The majority of respondents agreed that the proposals for the English language proficiency requirements for those who do not qualify for 'mutual recognition' under European legislation. This requirement is included within the standards.

Key questions

- 5.33 The standards of proficiency are influenced by whether the Register is structured to differentiate between psychotherapists and counsellors, and between those qualified to work with adults and those qualified to work with children and young people. The PLG will be gathering information and evidence to inform its recommendations in these areas which will then inform subsequent work in revising the standards proficiency prior to consultation.
- 5.34 The PLG would be interested in receiving any views or information about how it might revise the draft standards of proficiency. In particular, what presenters see, if any, as the differences at a threshold proficiency level between counsellors and psychotherapists and how these standards can be adequately expressed.

Threshold level of qualification for entry to the Register

5.35 The PLG consulted on the normal level of qualification which would be required for entry to the Register as a psychotherapist and as a counsellor.¹³

Background

5.36 The HPC visits education and training providers to approve pre-registration education and training programmes against the standards of education and training. The standards of education and training are those standards necessary to ensure that someone who successfully completes that programme is able to meet the standards of proficiency for their part of the Register (the threshold standards for safe and effective practice).

5.37 Standard 1 of the standards of education and training ('SET 1') sets out the threshold level of qualification for entry to the Register.

5.38 SET 1 provides the threshold levels of qualification 'normally' expected to meet the remainder of the standards of education and training (and thus the standards of proficiency). The term 'normally' is included in SET 1 as a safeguard against the unlawful fettering of the HPC's discretion. The HPC could not refuse to approve a programme which delivered the standards of proficiency and the remainder of the standards of education and training solely on the basis that it did not lead to the award of a qualification specified in SET 1.

¹³ For more information please see:

Education and training', PLG meeting, 3/4 March 2009

[http://www.hpc-](http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=444)

[uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=444](http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=444)

(enclosure 3)

Threshold level of qualification for entry to the Register, PLG meeting, 26/27 May 2010

[http://www.hpc-](http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=447)

[uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=447](http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=447)

(enclosure 3)

'The statutory regulation of psychotherapists and counsellors – Report of the psychotherapists and counsellors Professional Liaison Group (PLG)', in particular sections 8.2 and 8.3.

'The statutory regulation of psychotherapists and counsellors -

Responses to the consultation on the recommendations of the Psychotherapists

and Counsellors Professional Liaison Group (PLG)', in particular sections 9.2 and 9.3

5.39 The standard currently reads

1.1 The Council normally expects that the threshold entry routes to the Register will be the following:

Bachelor degree with honours for:

- biomedical scientists (with the Certificate of Competence awarded by the Institute of Biomedical Science, or equivalent);
- chiropodists / podiatrists;
- dietitians;
- occupational therapists;
- orthoptists;
- physiotherapists;
- prosthetists / orthotists;
- radiographers; and
- speech and language therapists

Masters degree for arts therapists.

Masters degree for clinical scientists (with the Certificate of Attainment awarded by the Association of Clinical Scientists, or equivalent).

Diploma of Higher Education for operating department practitioners.

Equivalent to Certificate of Higher Education for paramedics.

Professional doctorate for clinical psychologists.

Professional doctorate for counselling psychologists, or equivalent.

Professional doctorate for educational psychologists, or equivalent.

Masters degree for forensic psychologists (with the award of the British Psychological Society qualification in forensic psychology, or equivalent).

Masters degree for health psychologists (with the award of the British Psychological Society qualification in health psychology, or equivalent).

Masters degree for occupational psychologists (with the award of the British Psychological Society qualification in occupational psychology, or equivalent).

Masters degree for sport and exercise psychologists (with the award of the British Psychological Society qualification in sport and exercise psychology, or equivalent).

- 5.40 The HPC has to set the threshold level at the level necessary for people who successfully complete a pre-registration education and training programme to meet all of the standards of proficiency.
- 5.41 The threshold level of qualification for entry to the Register applies to pre-registration education and training programmes seeking approval rather than to individuals. Therefore, it would not affect individuals who might have followed education and training programmes delivered at levels below the threshold in the past. They would not be required to retrain in order to register.
- 5.42 As the PLG was proposing to differentiate between psychotherapists and counsellors and set different standards of proficiency for each group, it could consider setting different threshold levels for entry to the Register and as a psychotherapist and as a counsellor.
- 5.43 The PLG recommend that the threshold level for the psychotherapists 'sub-section' of the Register should be set at level 7 on the NQF/ level 7 on the Framework for Higher Education Qualifications / Level 11 on the Scottish Credit and Qualifications Framework and Level 5 and Level 8/9 on the same frameworks for counsellors.

Responses to the consultation

- 5.44 In the consultation we asked two questions:
- Do you agree that the threshold educational level for entry to the Register for counsellors should be set at level 5 on the National Qualifications Framework? If not, why not?
 - Do you agree that the threshold educational level for entry to the Register for psychotherapists should be set at level 7 on the National Qualifications Framework? If not, why not?
- 5.45 The majority of respondents disagreed with both questions although with respect to psychotherapists the majority of organisations agreed. The responses we received to these questions were very much informed by responses about differentiation between psychotherapists and counsellors.
- 5.46 Overall we received comments arguing that the difference in level was arbitrary and didn't recognise existing practice and existing provision of education and training; concerns from practitioners and others about the impact on existing therapists and on access to training in therapy in the future; arguments about the balance between academic attainment and practical experience as a therapist; and numerous arguments about both the importance of not setting the requirements too low and not setting the requirements too high. We received a range of overlapping comments arguing for and against levels ranging from level 4 to level 7 on the NQF.

Key questions

- 5.47 The threshold level of qualification for entry to the Register has to be set at the level necessary to deliver the standards of proficiency. Therefore the level or levels cannot be finally determined until the standards of proficiency have been finalised and agreed. The HPC would consult on the threshold level of qualification for entry to the Register following the publication of any legislation to bring psychotherapists and counsellors into regulation.
- 5.48 However the PLG would be interested to receive any information or views in this area which would aid its future discussions. In particular, the PLG would be interested in hearing about existing education and training provision and its link to safe and effective practice including how any levels proposed are consistent (or inconsistent) with safe and effective and public protection. The PLG would also be interested in exploring further the potential impact of any level set upon access and availability of education and training and the diversity of entrants to the profession.