

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

Differentiation, standards of proficiency and the threshold level of
qualification for entry to the Register

Executive summary and recommendations

Introduction

A key area of ongoing debate is about whether the HPC Register should be structured to separately recognise or 'differentiate' between psychotherapists and counsellors. Any differentiation relies upon being able to differentiate at the level of threshold standards of proficiency for entry to the Register.

Some of the material in this paper was included as part of the agenda at the meeting on 19 October 2010. However, this paper has been substantially revised, including reflecting the ongoing discussions of the professional bodies and other stakeholders about differentiation and the associated work to develop standards of proficiency.

Decision

The PLG is invited to discuss the attached paper, in particular section eight.

Background information

The outstanding areas within the PLG's terms of reference are as follows:

- 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

Resource implications

None

Financial implications

None

Appendices

None

Date of paper

2 December 2010

Differentiation, standards of proficiency and the threshold level of qualification for entry to the Register

1. Introduction

About this paper

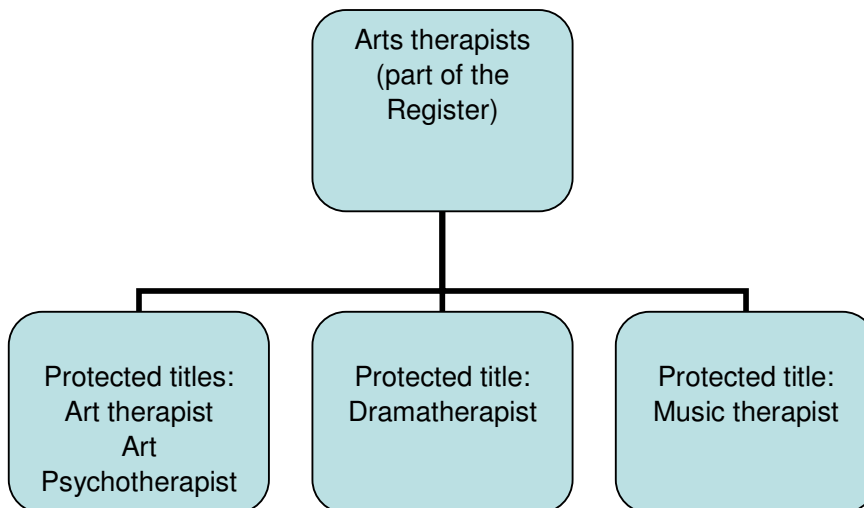
- 1.1 This paper draws together information previously considered by the PLG at its 'first round' of meetings; the responses to the consultation; and subsequent discussions.
- 1.2 This paper is divided into eight sections:
 - Section one provides an introduction to the paper.
 - Section two provides background to differentiation and explores issues around differentiation and protecting professional titles.
 - Section three provides a summary of the structure and purpose of standards of proficiency.
 - Section four provides a summary of the threshold level of qualification for entry to the Register.
 - Section five provides a summary of the responses we received about the structure of the Register and differentiation.
 - Section six provides a summary of the responses we received about the threshold level of qualification for entry to the Register.
 - Section seven summarises the models suggested in subsequent discussion by the Psychological Professions Alliance Group (PPAG) and explored in the discussion at the last meeting.
 - Section eight provides a summary of the salient points from sections one to seven and raises some points for the group's discussion.

2. Differentiation and its impact on the structure of the Register

- 2.1 This information is reproduced from the Report of the Psychotherapists and Counsellors Professional Liaison Group (PLG) published for consultation in July 2009.

Structure of the HPC Register

- 2.2 The HPC Register ('the Register') is divided into parts. There are currently fifteen parts of the Register which relate to the fifteen professions we regulate. For example, there is a part of the Register for clinical scientists and a part of the Register for orthoptists.
- 2.3 Some parts of the Register have more than one protected title. For example, one of the parts of the Register is for arts therapists (shown below). There are then protected titles for art therapists, dramatherapists and music therapists. Each of these titles has separate standards and separate approved pre-registration education and training programmes. These separate areas are sometimes referred to as 'sub-sections' of the Register.¹ The arts therapists' part of the Register differentiates between those who are art therapists, those who are dramatherapists, and those who are music therapists.



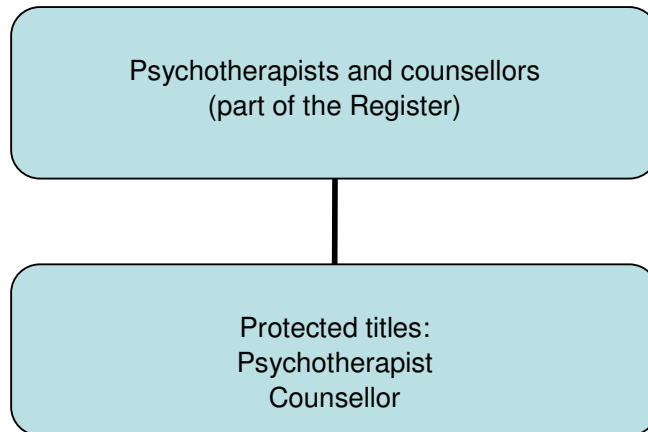
- 2.4 The HPC publishes standards of proficiency which describe the threshold knowledge, understanding and skills necessary for entry to the Register.
- 2.5 In the case of the arts therapists part of the Register, as there is differentiation between art therapists, dramatherapists and music therapists, the HPC publishes both standards common across the three groups and standards specific to each individual group. The HPC then 'approve' pre-registration education and training programmes in art, music and dramatherapy against the relevant standards.

¹ The term 'sub-section' is shorthand used in this document to refer to the different areas of each part of the Register used for the purposes of clarity, and is not a term that is used in legislation or that the HPC would typically use.

Differentiation in the structure of the Register between psychotherapists and counsellors

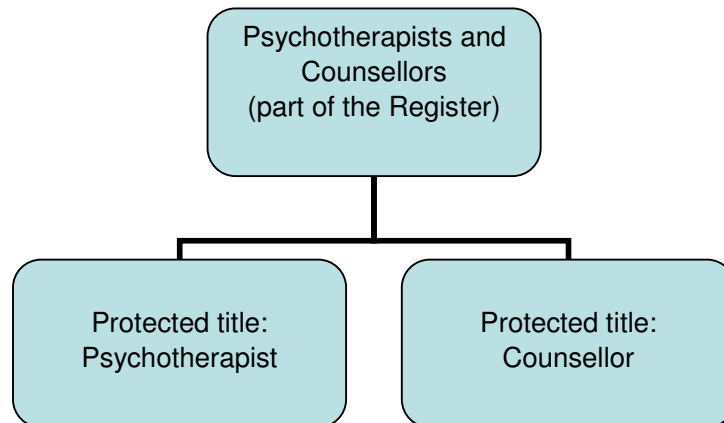
2.6 As part of its deliberations, the PLG considered the implications for standards, titles and education and training of its decision about the structure of the Register. These implications are outlined in paragraphs 2.5 to 2.9 below and overleaf, with diagrams to illustrate each model.

2.7 No differentiation between psychotherapists and counsellors would mean:



- 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. (Please see section 8.)

2.8 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

2.9 The PLG previously explored whether it might be possible to differentiate between psychotherapists and counsellors, by setting different educational threshold levels, but without producing separate standards of proficiency for each.

2.10 However, this is not possible as in order to differentiate between psychotherapists and counsellors it is necessary to produce differentiated standards of proficiency, as an objective basis on which to differentiate between the two groups and titles in the Register.

Previous discussion

2.11 The PLG carefully considered all the arguments presented and took into account the regulatory implications of its decision about the structure of the Register.

- 2.12 The PLG discussed that there were clear similarities and commonalities between psychotherapists and counsellors and recognised that questions about the potential differences between, within and across psychotherapy and counselling were the subject of ongoing debate in the field.
- 2.13 After substantial discussion, the PLG agreed that there were subtle yet complex distinctions between psychotherapy and counselling and how they had developed, with each profession having its own characteristics, strengths and equal worth. Having regard to differences in education and training between psychotherapy and counselling, the PLG considered that these differences were significant enough to justify, at a threshold level, differentiation in the structure of the Register between psychotherapists and counsellors.
- 2.14 This was accordingly a topic on which there were also differing viewpoints within the PLG. Although a consensus decision was reached on proceeding on the basis of differentiation between psychotherapists and counsellors, some members of the PLG were of the opinion that there should be no differentiation and that it would not be possible to produce standards of proficiency which would meaningfully support such a differentiation.
- 2.15 The PLG recognised that any decisions it made about the structure of the Register would need to be tested in its later deliberations in that differentiating between psychotherapists and counsellors would rely upon being able to identify separate standards of proficiency for each.

Protected titles

- 2.16 The HPC regulates by protection of title. Each of the professions regulated has at least one title which is protected in law. This means that only someone who is registered in the relevant part of the HPC Register is able to use that protected title.
- 2.17 When the HPC was established in 2002, the number of specific titles that should be protected was the subject of some debate.
- 2.18 Whilst some felt that protecting a range of titles had considerable benefits, others argued strongly for protecting a short range of titles in order to maximise public awareness.
- 2.19 The HPC Council chose a range of simple, recognisable titles, balancing the need to prevent the misuse of professional titles against the need for effective public engagement.
- 2.20 When a title is protected in law, this means (following any grandparenting period) that only someone who is registered with the regulator is able to use that title. This therefore criminalises the behaviour of those who use a protected title whilst not being registered.

- 2.21 As such, it is important to consider the extent to which any proposed protected title is in use by the profession being regulated; by other regulated healthcare professionals; and by others who undertake work in areas that it is not intended to regulate.
- 2.22 Protecting a title that is also in use by individuals outside health, wellbeing or therapeutic interventions and contexts may have the potential to criminalise the behaviour of those who it has not been the intention to regulate.
- 2.23 In addition, regulation on the basis of protecting professional titles only works when the titles which are protected are those which currently exist and are commonly used.

3. Standards of proficiency

- 3.1 This section reminds the group about the legal basis of the standards of proficiency and their regulatory role. This information is reproduced from the 'Report of the Psychotherapists and Counsellors Professional Liaison Group (PLG)' published for consultation in July 2009.

About the standards of proficiency

- 3.2 Article 5(2)(a) of the Health Professions Order 2001 ('the order') says that the HPC must:

'...establish the standards of proficiency necessary to be admitted to the different parts of the register being the standards it considers necessary for safe and effective practice under that part of the register'

- 3.3 This means that the HPC must publish standards for each of the regulated professions which are the 'necessary' or 'threshold' considered to be essential for safe and effective practice.
- 3.4 Education and training programmes are approved against the standards of education and training to ensure that someone who successfully completes an approved programme meets the standards of proficiency.
- 3.5 Applications from applicants who have trained outside of the UK and Route B applications via the grandparenting process are also assessed against these standards. If an applicant meets these standards they are eligible to become registered.
- 3.6 If a registrant's competence is called into question these standards are taken into account in deciding whether any action is necessary in order to protect members of the public. (In practice, almost 90% of complaints considered by the HPC each year are about conduct or have a conduct element and therefore the HPC's standards of conduct, performance and ethics are also relevant.)

Threshold standards

- 3.7 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 the prescription of action. 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.
- 3.8 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 exceeds the threshold standards.

Scope of practice

- 3.9 Once someone becomes registered, the HPC recognises that their scope of practice may change. This might be because of specialisation in a certain clinical area or with a particular group, or a movement into roles in management, education or research.
- 3.10 A registrant's particular scope of practice may mean that they are unable to continue to demonstrate that they meet all of the standards of proficiency that apply for the whole of their profession. As long as they make sure that they are practising safely and effectively within their given scope of practice and do not practise in the areas in which they are not proficient to do so, this is not problematic.
- 3.12 Each profession registered with the HPC renews its registration every two years. Every time a registrant renews their registration, they are asked to sign a declaration to confirm that they continue to meet the standards of proficiency which apply to them.

Generic standards

- 3.13 The standards of proficiency are divided into generic standards, which apply to all HPC registered professions and profession-specific standards which apply to each specific profession.
- 3.14 The generic standards of proficiency have been the subject of a recent public consultation. The results are currently being analysed. (Please see paper to note at this meeting.)

The consultation draft standards of proficiency for psychotherapists and counsellors

- 3.15 The PLG's recommendation to differentiate between psychotherapists and counsellors relied upon being able to identify separate threshold standards of proficiency for each 'sub-section'.
- 3.16 The PLG agreed that the standards of proficiency should contain 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.

- 3.17 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)²; and
 - written in clear language appropriate to their primary role in legislation.
- 3.18 The PLG also took into account the need to ensure that the content and language of the draft standards was widely applicable across the diverse modalities and approaches to the practice of psychotherapy and counselling. The PLG recognised that the process of putting these standards together would take time and that consultation would be very important in shaping the draft standards further, particularly in ensuring that the correct terminology was used.
- 3.19 The draft standards include the phrase 'consistent with the theoretical approach' in recognition that education and training providers and others may meet the standards in different ways dependent on their approach to practice.
- 3.20 The consultation responses about the draft standards of proficiency are included separately as a paper to note at this meeting.

² The Disability Discrimination Act has been superseded by the Equality Act 2010 and the HPC is currently reviewing its standards and processes against the provisions of the new legislation.

4. Threshold level of qualification for entry to the Register

- 4.1 At the last meeting, the PLG had some discussion about whether, in a differentiated structure, the entry level for counsellors going forward should be level 4 or level 5 on the National Qualifications Framework or equivalent on the other qualification frameworks.³
- 4.2 This information is reproduced from the 'Report of the Psychotherapists and Counsellors Professional Liaison Group (PLG)' published for consultation in July 2009. The information includes some background information about the HPC's role in education.
- 4.3 Please note that as the threshold level of qualification for entry to the Register is the threshold level required to deliver the standards of proficiency, it cannot be finally determined until the standards of proficiency are agreed. Should the Government decide to proceed with regulation, the HPC would need to consult on the standards of proficiency and the threshold level before making agreeing the final standards and the level that should be set. This normally takes place following the publication of a Section 60 Order under the Health Act 1999, the secondary legislation required to bring a new profession into statutory regulation.
- 4.4 It is anticipated that the Group's discussion at this meeting will focus on the structure of the Register and the standards of proficiency rather than, directly, the threshold level of qualification. However, it is recognised that the issues of the structure of the Register, the standards of proficiency and the threshold level of qualification are interlinked and therefore, for completeness, the following information is reproduced.

About approval of education and training programmes

- 4.4 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).
- 4.5 The HPC approves programmes delivered by a variety of education and training providers, including Higher Education Institutions (HEIs), professional bodies and private providers. There is no requirement for an approved programme to be delivered or validated by a HEI.
- 4.6 The HPC only approves programmes that lead directly to an individual's eligibility to register and gain access to the relevant protected title(s) for their profession.

³ Level 4 on the NQF is level 4 on the Framework of Higher Education Qualifications (FHEQ) and level 8/9 on the Scottish Credit and Qualifications Framework (SCQF). Level 5 on the NQF is level 5 on the FHEQ and level 8/9 on the SCQF.

- 4.7 The HPC ensures professional input in its key processes through the use of partners. For education and training, the HPC uses one type of 'partner' called 'visitors'. Visitors are members of the regulated professions or lay people with appropriate academic or practice experience who visit education and training providers on the HPC's behalf.
- 4.8 At approval visits, at least one of the two visitors will be from the same profession with which the programme is concerned. In practice, both visitors will normally be from the same profession. In the case of psychotherapists and counsellors, the visitors would be drawn from the relevant modality or theoretical approach as the programme being approved.
- 4.9 If a programme is approved (having met any conditions if applicable), it is granted open ended approval subject to ongoing checks that the programme continues to meet the requisite standards via the annual monitoring and major change processes.
- 4.10 The HPC does not undertake cyclical re-visits of programmes (i.e. every five years). However, if information from the annual monitoring or major change processes indicates that further investigation is necessary to decide whether the standards continue to be met, it may re-visit a programme.
- 4.11 This is designed to strike a balance between fulfilling the HPC's duty to ensure that programmes continue to meet our standards, and reducing the anticipated regulatory burden on education and training providers. Once a programme is approved, someone who successfully completes that programme is eligible to apply for registration.

Opening of the Register

- 4.12 The HPC will approve all those education and training programmes, historic and current, that led or lead to registration with one of the voluntary registers that transfers. (Please see section 5.2, paragraph 8.)

About the threshold level of qualification for entry to the Register

- 4.13 The Health Professions Order 2001 does not provide the HPC with an express power to set the qualifications required for entry, but enables it to approve qualifications which meet the standards it has set for entry to the Register.
- 4.14 The HPC's obligation is to set threshold standards of entry to the Register, the minimum standards of proficiency which a newly qualified applicant needs to meet in order to be able to practise safely and effectively. The HPC may then approve a qualification which delivers those standards, but it cannot insist that only a specified form of award will do so.

About SET 1: Threshold level of qualification for entry to the Register

- 4.15 Standard 1 of the standards of education and training ('SET 1') sets out the threshold level of qualification for entry to the Register.
- 4.16 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. Given the terms of the Health Professions Order 2001, it would be an improper exercise of its powers for the HPC to 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.
- 4.17 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).

Foundation degree for hearing aid dispensers*

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).

*Hearing aid dispensers part of the Register opened on 1 April 2010.

- 4.18 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.
- 4.19 In setting the threshold level of qualification for entry, the HPC is setting the threshold level of qualification which it would normally accept for the purposes of an approved programme which leads to registration. As the threshold is the 'minimum', programmes above the threshold level may be approved.
- 4.20 The threshold level might change over time to reflect changes in the delivery of education and training. Any change in the threshold level is one that is normally led by the profession and/or by education providers and employers and which occurs over time. At an appropriate time, consideration might be given to changing SET 1, having regard to the level at which the majority of education and training is delivered and the standards for safe and effective practice.
- 4.21 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.

Setting the threshold level for psychotherapists and counsellors

- 4.22 In the Call for Ideas the HPC asked what issues should be considered in determining the threshold level of qualification for entry to the Register for psychotherapists and counsellors. Prevalent themes in responses were the need to ensure that the threshold set did not lower the standards of existing provision; and the need to ensure an inclusive approach to existing education and training routes and to maintain the diverse backgrounds of practitioners.
- 4.23 The PLG's model of differentiating between psychotherapists and counsellors and producing standards of proficiency specific to each meant that it could consider, if appropriate, setting a different threshold education level for psychotherapists and a different threshold educational level for counsellors.
- 4.24 As the standards of education and training are the standards necessary for an education and training programme to successfully deliver the standards of proficiency, the starting point for the PLG's discussions was the standards of proficiency which it had drafted.

4.25 The PLG also had regard to the relevant qualifications frameworks, such as the National Qualifications Framework (NQF) published by the Qualifications and Curriculum Authority. For clarity, the levels referred to throughout this report are levels on the NQF. Where helpful, levels on the NQF are also cross-referenced to other qualifications and curriculum frameworks and an indication is given of the types of awards typically included at that level.

Existing provision

4.26 In response to the Call for Ideas, respondents provided information about the names, awards and levels of existing education and training programmes and the information about the sectors in which they were delivered. Some of this information is summarised in the paragraphs below and helped shape the background to the PLG's discussion in this area.

4.27 There are a large number of education and training programmes that train or purport to train psychotherapists and counsellors. There are a range of different qualification titles with some programmes named as programmes in both psychotherapy and counselling. Training is delivered in a variety of sectors including the higher education, further education and the private sectors.

4.28 In psychotherapy, programmes are often delivered by private training institutions, some with the validation of a university, or within the university sector. In response to the Call for Ideas, most respondents said that qualifications in psychotherapy were at masters level / level 7 on the NQF. Level 7 includes the awards of masters degrees, postgraduate diplomas and postgraduate certificates, or equivalent.

4.29 In counselling, programmes are delivered in all sectors, with a significant proportion of qualifications delivered in the further and higher education sectors. In response to the Call for Ideas, respondents said that existing qualifications varied from level 3 on the NQF up to levels 7 or 8 (doctoral level or equivalent), with qualifications at levels 4 and 5 most frequently cited by respondents.

4.30 A number of respondents said that there should be no move towards requiring formal academic qualifications for entry to the Register and that the diversity of approaches to education and training (in both psychotherapy and counselling) should not be adversely affected, particularly the continued provision of education and training, in the further education and private sectors.

Counsellors

4.31 In response to the Call for Ideas, the most frequently suggested threshold level for counsellors was a diploma level threshold (levels 4 and 5 on the NQF) but suggestions varied from level 3 on the NQF up to level 6 (honours degree level).

- 4.32 In arguing for particular levels, respondents focused on the level and awards of existing provision and explained how they saw particular levels as necessary for safe and competent practice. Some of those that argued for a level 6 threshold said that this was important to ensure parity between counselling and other professions.
- 4.33 Other respondents argued that there was no justification for setting a threshold at first degree level. Arguments included that there was no clear rationale for why such a level was necessary; that the threshold level set should recognise existing education and training provision at levels four and five which currently produced safe and competent practitioners; and that setting the threshold for counselling too high would adversely affect the diversity of entrants to the field and the skills and qualities they were able to bring to practice.
- 4.34 The PLG carefully considered the arguments put forward in the Call for Ideas and its discussion mirrored the points summarised in paragraphs 30 and 31, above and on the previous page. The PLG's discussion centred on whether the level should be set at level 5 (which includes diplomas of higher or further education or equivalent) or level 6 (includes bachelor degrees or equivalent).
- 4.35 The PLG agreed to recommend that the threshold level for the counsellors 'sub-section' of the Register should be set at level 5 on the NQF / level 5 on the Framework for Higher Education Qualifications / Level 8/9 on the Scottish Credit and Qualifications Framework.⁴
- 4.36 The PLG concluded that the threshold should be set at level 5 because it believed that the draft standards of proficiency could be delivered at that level. The PLG also had regard to existing provision in counselling at level 5 and the impact that a higher threshold might have on the diversity of entrants to the profession.
- 4.37 The responses to the Call for Ideas indicate that this is a topic on which there are strongly held, often polarised viewpoints. This was accordingly a topic on which there were also differing viewpoints within the PLG and the PLG's decision was not unanimous. Some members considered that a level 6 threshold was necessary, arguing that this would reflect a movement towards degree level education and training in counselling; that the draft standards of proficiency were consistent with the relevant descriptors for honours degree programmes; and that a level 6 qualification would be necessary to deliver them.

⁴ Qualification and Curriculum Authority, National Qualifications Framework, www.qca.org.uk
Quality Assurance Agency for Higher Education, Framework for Higher Education Qualifications in England, Wales and Northern Ireland, 2008,
<http://www.qaa.ac.uk/academicinfrastructure/FHEQ/EWNI08/FHEQ08.pdf>
Scottish credit and Qualification Framework, www.scqf.org.uk

Psychotherapists

- 4.38 In responses to the Call for Ideas, the most frequently suggested threshold for psychotherapists was level 7 on the NQF (this level incorporates the awards of postgraduate certificates, postgraduate diplomas and masters degrees or equivalent).
- 4.39 Respondents argued that level 7 reflected the existing level of education and training programmes in psychotherapy was linked to safe practice as a psychotherapist and that the level set should not diminish existing standards.
- 4.40 The PLG agreed to 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.
- 4.41 The PLG concluded that the threshold level for psychotherapists should be set at level 7, having regard to existing provision and the draft standards of proficiency.

5. Consultation responses – Structure of the Register and differentiation

- 5.1 Last year we consulted on the recommendations of the psychotherapists and counsellors Professional Liaison Group (PLG) about the potential statutory regulation of psychotherapists and counsellors.
- 5.2 The consultation covered a number of topics, including differentiation. The responses we received on the issue of differentiation are summarised below. This has been reproduced from 'The statutory regulation of psychotherapists and counsellors - Responses to the consultation on the recommendations of the Psychotherapists and Counsellors Professional Liaison Group (PLG)'.

Summary of responses

- 5.3 The majority of respondents disagreed that there should be differentiation between psychotherapists and counsellors – where this question was answered, 21% of respondents agreed and 78% disagreed. This disagreement was more marked amongst individuals who responded – 81% disagreed. This compares to 56% of organisations.⁵

Responses agreeing with differentiation

- 5.4 The responses we received in support of differentiating are summarised below, grouped by topic.

Public protection and understanding

- 5.5 Differentiation between psychotherapists and counsellors would prevent confusion amongst members of the public and ensure that the public can make informed decisions. The public do not see psychotherapists and counsellors as equivalent.
- 5.6 Differentiation between psychotherapists and counsellors would prevent misrepresentation of skills and training and protect the public from practitioners working beyond their competency.
- 5.7 A failure to differentiate would lower standards for psychotherapists and damage both professions.

Education and Training

- 5.8 Education and training was most frequently cited as the differentiator between psychotherapists and counsellors. There are differences between

⁵ Please note that these statistics reflect the views of those that responded to the consultation. It should be noted, however, that some professional organisations encouraged individual members to respond to the consultation, whilst others asked registrants to respond to them and sent a collated response. The statistics are therefore for indicative purposes only, indicating the strength of feeling on this particular topic.

psychotherapists and counsellors in the length, depth, level, intensity and content of education and training that each group undertakes.

- 5.9 Training in counselling was characterised as more variable compared to psychotherapy training which was seen as more consistent in terms of content and length.
- 5.10 Some respondents said they supported differentiation on the basis that a failure to differentiate would inevitably mean that the threshold level for counsellors would be raised to honours degree or postgraduate level and adversely affect the supply of counsellors and counselling provision, particularly in the voluntary sector. This was a common view amongst practitioners who identified that they worked in the voluntary sector, further education training providers and professional bodies representing a large proportion of practitioners working in the voluntary sector.

Different but complementary professions

- 5.11 Respondents to the consultation often said that there was a difference in role between psychotherapists and counsellors without describing that difference. Others commented generally that differences in education and training therefore meant that there were differences in proficiencies and competencies.
- 5.12 Where that difference was described it was often expressed in terms of the psychotherapist's ability to work with complex and enduring severe mental health problems such as personality disorders and to undertake diagnostic procedures.
- 5.13 Another respondent said that psychotherapists are involved in a more 'deliberate and active engagement with the psychological processes that go awry in psychological disorders' and therefore need a more thorough understanding of those processes. Counselling, by contrast, they argued is often more focused on 'identifying problematic issues of concern to an individual and their social context' and 'aims to maximize psychological and social adaptation' – there is 'less focus' on psychological processes that function pathologically and more on 'optimising normal processes of adaptation'.
- 5.14 Some respondents said that there were differences but acknowledged that the titles 'psychotherapist' and 'counsellor' are often used interchangeably by practitioners and by employers. In contrast, some other respondents said that beyond healthcare contexts the titles psychotherapist and counsellor were not used interchangeably by practitioners.

Responses disagreeing with differentiation

- 5.15 We received the following comments arguing against differentiation between psychotherapists and counsellors in the structure of the Register.

Public understanding, protection and choice

- 5.16 The proposed differentiation would result in no public protection value and would instead be confusing to members of the public by making the regulatory system unnecessarily complicated.
- 5.17 Differentiation would prevent those registered as counsellors from working with severe / enduring mental health problems. This would change the nature of the treatment provided by therapists, jeopardise clients' access to timely and affordable therapy and might limit the clients' right to choose the therapy appropriate for them.

Education and training

- 5.18 There is a variety in education and training in counselling and in psychotherapy. Some counselling courses are longer than psychotherapy trainings, the trainings often include the same or similar content and a significant proportion of counselling trainings are delivered at degree or postgraduate level.
- 5.19 Differentiation should not be achieved on the basis of academic levels. In particular, there was concern around how differentiation might alienate counsellors that have higher level qualifications above the proposed threshold level.
- 5.20 A few individual respondents described how they had decided to train as psychotherapists but nonetheless still considered that there was insufficient difference between the proficiencies and the therapeutic activities involved in order to justify differentiation.

Hierarchy

- 5.21 The proposed differentiation would create a hierarchy between psychotherapists and counsellors, with counselling appearing to be 'inferior' to psychotherapy. The proposal is designed to elevate the power and status of some psychotherapists when in fact counselling and psychotherapy should be seen as of equal value and equal worth.
- 5.22 There is such a considerable degree of overlap in theory, practice and principles as to make differentiation between psychotherapists and counsellors unworkable.

Evidence

- 5.23 A consistent theme amongst respondents disagreeing with differentiation was that of a lack of evidence. It was argued that there was a lack of evidence to support there being a difference between the proficiencies of a psychotherapist and those of a counsellor, and between the practise of psychotherapy and counselling. It was argued that the PLG had reached its conclusions without sufficient evidence to justify the recommendation.

- 5.24 The draft standards of proficiency were often cited in arguments that there was a lack of evidence to support differentiation. In particular, it was noted in many responses that amongst the standards of proficiency there were 49 common standards and only 2/3 differentiators and it was argued that this was an insufficient basis on which to differentiate.
- 5.25 Respondents also referred to research findings which they said had concluded that the orientation or modality of practice is not a key factor in the outcome of therapy for the client. This point was used to argue that differentiation was not merited as the experience of the client did not differ on the basis of the 'label' used by the practitioner. This argument was also made in supporting the recommendation not to differentiate between modalities.
- 5.26 A number of respondents said that the proposed differentiation was out of sync with research more generally as well as other developments such as New Ways of Working for Psychological Therapists, Increasing Access to Psychological Therapies (IAPT), and the development of National Occupational Standards by Skills for Health which bridge both fields.

Service provision and practice

- 5.27 We received a number of responses from counselling and psychotherapy service providers who argued that the proposed differentiation had no correlation with the reality of service delivery. These were echoed by many individual respondents.
- 5.28 A common argument was that practitioners in a variety of different environments will have a range of clients including those who might have or potentially have a defined mental illness. Counselling services reported that they employed both psychotherapists and counsellors and that both worked with high levels of distress, trauma and disturbance.
- 5.29 Respondents argued that decisions about which title to use were a matter of personal choice, sector, belief, style of practice and philosophy, rather than a reflection of 'higher' or 'lower' level skills. They argued that the titles were used interchangeably by practitioners, employers and others. These comments were echoed by some service providers who explained that they employed both psychotherapists and counsellors under the label of a counselling service.

Unintended consequences

- 5.30 One of the consultation questions asked about the impact of regulation. Many of the identified impact areas were related to service provision. It was argued that the PLG had failed to properly take into account the impact upon services of the proposed differentiation.
- 5.31 A number of respondents said that the title 'counsellor' was developed and used to move away from the language of 'stigmatisation', 'prejudice' and 'segregation'. Differentiation and protection of title would necessitate

counselling services employing both psychotherapists and counsellors including the title 'psychotherapist' in their names, which would increase stigma and prejudice, increase social exclusion and have financial implications for services. It was argued that there was stigma attached to the term 'psychotherapist' which members of the public often saw as being associated with mental illness.

- 5.32 It was argued that the differentiation would result in a reduction in career opportunities for both counsellors and psychotherapists, negatively impacting upon opportunities for career progression by necessitating retraining and limiting access to some jobs.
- 5.33 Individual practitioners responded concerned that they would be excluded by the proposals from undertaking long term or more complex work and would instead (because of the standards of proficiency) have to refer clients on to colleagues despite having the experience and skills to help clients. Although some acknowledged the nature of threshold standards, it was argued that this may nonetheless be an unintended consequence of differentiation.

Standards

- 5.34 Respondents questioned, with reference to the profession-specific standards for psychotherapists, whether psychotherapists could or should undertake diagnosis and treatment for severe medical disorders. They said that they understood this to be the scope of practice of psychologists, psychiatrists and other medical doctors.
- 5.35 The differentiation in the standards is artificial - both psychotherapists and counsellors need to know about and work with mental disorders. Psychotherapists also need to be able to work with life problems. The ability to work with certain disorders is more a matter of experience than title or entry training.

6. Consultation responses – threshold level of qualification for entry to the Register

- 6.1 The responses we received to the 2009 consultation about the threshold level of qualification for entry to the Register are summarised below. This has been reproduced from ‘The statutory regulation of psychotherapists and counsellors – Responses to the consultation on the recommendations of the Psychotherapists and Counsellors Professional Liaison Group (PLG)’.

Summary

- 6.2 The majority of respondents disagreed that the threshold educational level for entry to the Register for counsellors should be set at level 5 on the National Qualifications Framework (NQF) / level 5 on the Framework for Higher Education Qualifications (FHEQ) / level 8/9 on the Scottish Credit and Qualifications Framework (SCQF) – where this question was answered, 23% agreed and 74% disagreed. Although overall both individuals and organisations that responded disagreed, there were different trends. Amongst individuals, 82% disagreed with this question, whilst amongst organisations only 49% disagreed.
- 6.3 The majority of respondents disagreed that the threshold educational level for entry to the Register for psychotherapists should be set at level 7 on the NQF / level 7 on the FHEQ / level 11 on the SCQF – where this question was answered 33% agreed and 65% disagreed. This trend was more marked amongst individual respondents – 74% disagreed. However, the reverse trend was true amongst organisations that responded - 62% agreed and 37% disagreed.⁶

Overall

- 6.4 There was no overall or general support for the threshold levels, although some trends were identifiable. Where these questions were answered, many respondents disagreed with the proposed levels as part of their disagreement with the proposed differentiation between psychotherapists and counsellors. This meant that respondents did not always suggest an alternative level or levels to those proposed. Many respondents responded with their views on differentiation but did not directly answer the related questions about the threshold educational levels or responded in relation to one of these questions but not the other.
- 6.5 As many of the arguments made were contingent on support or opposition for the proposed differentiation between psychotherapists and counsellors, many of the arguments made had common features across different viewpoints. As such, this section provides a summary of comments

⁶ Please note that these statistics reflect the views of those that responded to the consultation. It should be noted, however, that some professional organisations encouraged individual members to respond to the consultation, whilst others asked registrants to respond to them and sent a collated response. The statistics are therefore for indicative purposes only, indicating the strength of feeling on this particular topic.

received more generally about educational threshold levels and the factors important in determining where the level or levels should be set. The comments we received arguing for and against specific levels are then summarised, with an indication of the types of respondents who made these comments and whether any correlation was identifiable with views on differentiation between psychotherapists and counsellors.

6.6 Responses were generally split into the following areas:

1) NQF level 4 / FHEQ level 4 / SCQF level 8/9 for counsellors and NQF level 7 / FHEQ level 7 / SCQF level 11 for psychotherapists, usually if the Register differentiated between psychotherapists and counsellors but respondents often focused only on one group and/or did not address the differentiation question.

2) NQF level 6 / FHEQ level 6 / SCQF level 10 for psychotherapists and counsellors if the Register did not differentiate between psychotherapists and counsellors.

3) NQF level 5 / FHEQ level 5 / SCQF level 8/9 for counsellors had some support amongst both those who supported the proposed differentiation and those who did not.

6.7 There was no clearly identifiable trend that respondents strongly favoured one level over another and the arguments made in support of particular levels often overlapped.

6.8 The remainder of this section refers to NQF levels for simplicity and clarity.⁷

About threshold levels

We received the following more general comments about threshold levels.

6.9 A common argument, in line with the comments against the proposed differentiation, was that there are insufficient differences between the standards proposed for psychotherapists and those for counsellors which could justify setting different thresholds. The gap between the proposed thresholds was considered to be 'arbitrary' and to fail to recognise the overlap in practice.

6.10 Respondents often argued that the proposed differentiated entry levels were not an accurate reflection of the qualifications of existing practitioners and the level of existing education and training programmes. In contrast others pointed to the level of education and training in support of differentiation. One respondent said that debate about the threshold entry level for counsellors centred on levels 4 to 6, whereas in psychotherapy there was general consensus at level 7.

⁷ National Qualifications Framework (NQF): www.qcda.gov.uk
Framework for High Education Qualifications (FHEQ): www.qaa.ac.uk/academicinfrastructure
Scottish Credit and Qualifications Framework (SCQF): www.scqf.org.uk

- 6.11 One respondent questioned the HPC's role in setting levels as it was not a qualifications body and, as outlined in the PLG report, it could not in any event lawfully refuse approval to a programme which met the remainder of the HPC's standards but was delivered at a different level from those proposed. It was argued that the terms of the standards of proficiency mean that they cannot be easily read across to levels linked to qualifications frameworks such as the NQF.
- 6.12 A common theme was the impact of the threshold set on existing practitioners. There was some anxiety that the level might mean that existing practitioners would have to retrain or would leave the workforce, and some concern, with particular reference to counselling, that the levels set might devalue those practitioners who hold qualifications at higher levels. However others, some of whom argued that the proposed levels were too high, said that the threshold was only a minimum which could be exceeded.
- 6.13 A common argument (particularly amongst individual practitioners who also argued that the proposed threshold for counselling was too high) was that there was no correlation between academic attainment and the ability to practise effectively as a therapist. More generally some respondents equated a level on the National Qualifications Framework (NQF) with academic qualifications delivered in the Higher Education sector.
- 6.14 Some respondents were concerned about the proposed levels lowering existing standards, often referring to the standard required to achieve practitioner accreditation in schemes run by professional bodies. However, others considered the levels to be too high and were concerned about diversity, access to affordable therapy and the impact upon the voluntary sector.
- 6.15 A few respondents talked of the need for consistency and higher standards in education and training – saying they saw this as important for the 'professionalisation' of the field.

Arguments for and against different levels

- 6.16 We received the following comments arguing for and against different threshold levels.

Level 4

- 6.17 Arguments for a level 4 threshold were often made with particular reference to counsellors rather than psychotherapists. We received a number of responses from individual practitioners who responded with their views on this particular question but who did not answer the other consultation questions. However, we did receive some responses which argued that the threshold should be level 4 with no differentiation between the titles.

- 6.18 Level 4 is the 'currently accepted norm' for counsellors and no good rationale has been provided as to why this should change. There is no clear argument to explain why level 4 courses are seen as inadequate and no argument to demonstrate how level 5 would produce better counsellors and better ensure patient and client safety.
- 6.19 Level 4 training delivered in Further Education has successfully produced safe and effective counsellors for a number of years. Level 4 trainings are practical and thorough, equipping students with the ability to work with clients in the real world.
- 6.20 Respondents frequently said that academic achievement was far less important than personal qualities such as intuition, integrity, perception, emotional intelligence and compassion. Level 5 courses and above are more concerned with academic ability, including the ability to undertake research, and not practical ability.
- 6.21 A level 5 requirement would be 'elitist' and 'out of touch with society'. Many students on level 4 courses include groups underrepresented in higher education including mature returners to the study and work, women in the 40+ age bracket returning after a career break and others without prior formal academic qualifications who wish to work in the voluntary sector. A level 5 requirement would increase the length of training, increase the cost, and would be detrimental to the diversity of entrants to the profession. These arguments were made both by education and training providers and individual practitioners.
- 6.22 As a result, the level 5 threshold would affect recruitment into the profession, leading to fewer trainees and in turn adversely affecting the workforce, increasing demand and increasing costs for those needing support. This would also reduce choices for clients.
- 6.23 The reduction in supply of counsellors would adversely impact on the availability of services in the third sector, impacting on the NHS as less counselling is provided voluntarily. The availability of affordable counselling for the financially and socially disadvantaged would decrease as the educational level increased.
- 6.24 Some respondents were concerned about the impact of a level 5 threshold on existing practitioners who did not hold a level 5 qualification. Some were concerned that 'excluding' such practitioners from the workplace or making them retrain would be unfair. Others commented on the impact on existing students already undertaking level 4 courses and the impact on course providers in amending their programmes.
- 6.25 Some recently qualified counsellors or students undertaking counselling programmes at level 4 responded saying that their qualification was excellent and should be allowed to continue.

Level 5

- 6.26 Those who supported a level 5 threshold often made similar arguments to those made for a level 4 threshold level. In particular, that higher levels of qualification would privilege academic ability over proficiency as a therapist and that a level 5 qualification would keep open a route into practice for those wishing to embark on a second career and for those with life experience but a less academic background.
- 6.27 A common theme amongst respondents generally, and with particular reference to the proposed threshold levels, was the need to protect good existing practitioners without existing academic qualifications.
- 6.28 One respondent made a distinction dependent upon the context in which the practitioner was working. Level 5 would be appropriate for those working independently; level 4 would be sufficient otherwise.
- 6.29 A few respondents spoke more generally about oversupply of students graduating from courses in the Further Education sector and of poor courses producing counsellors and psychotherapists who were inexperienced and required lots of close supervision. They argued more generally that level 5 was insufficient for public protection.

Level 6

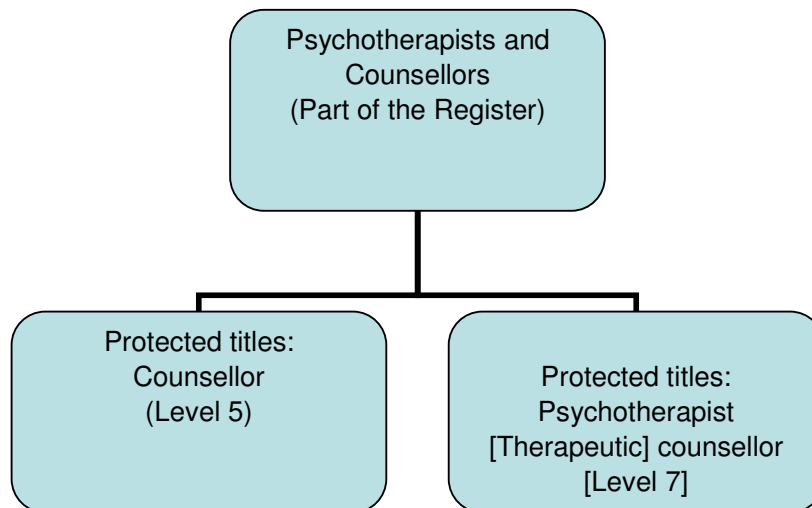
- 6.30 A level 6 threshold was often cited as a threshold for those who said that there should not be differentiation between psychotherapists and counsellors. Respondents often did not provide a rationale for a level 6 threshold but, where they did, often said that this was necessary to ensure parity with other professions such as teaching, social work and nursing.
- 6.31 Some respondents explained that this was necessary to ensure sufficient theoretical understanding, skill and practical ability necessary to work with clients. A common theme was the need to have a sufficient number of hours with clients and some argued that a level 6 qualification was necessary to achieve this.
- 6.32 Some respondents argued for level 6 but acknowledged that this might be more of an aspiration at this point in time. They argued that level 6 should be the stated future ambition, acknowledging that the threshold might have to be set lower initially. Some suggested the 'stepped approach' outlined in the PLG report, in recognition that many new entrants to the profession currently complete a diploma level qualification.
- 6.33 In contrast, others expressed concern about the possibility that the threshold might be set at level 6, seeing this as unnecessary and preventing continued provision of counselling training in the further education sector. One respondent said that there was insufficient evidence for such a 'radical change'.

Level 7

- 6.34 There was general support for a level 7 threshold for psychotherapists from those who supported differentiation between psychotherapists and counsellors. A very small minority of respondents argued for a level 7 threshold for both psychotherapists and counsellors or saw this as a potential future aspiration.
- 6.35 Some argued that the standards did not support differentiation and the setting of different levels and therefore did not support the setting of a level 7 threshold for psychotherapists. They argued that many psychotherapists are not trained in diagnosis and treatment of severe mental disorders and have not qualified at level 7 on the NQF.
- 6.36 One respondent said that 60% of psychotherapy courses offered no academic award because they were not validated by Higher Education Institutions (HEI) or qualifications bodies and were only approved by professional bodies. They argued that a level 7 threshold was therefore aspirational and asked what would happen to current level 5 and level 6 courses in psychotherapy.
- 6.37 Some disagreed with the necessity of a level 7 qualification arguing that there was no evidence that a postgraduate qualification made someone a better therapist. It was also argued that a level 7 requirement would reduce access to practice placements and reduce the number of people able to practise as psychotherapists.
- 6.38 A few respondents argued that level 7 may be too low for some speciality areas which they argued were at level 8 on the NQF.
- 6.39 A common theme amongst those who disagreed with differentiation was what the status would be of a counsellor who had qualified at level 7. Some suggested that the appropriate approach, if differentiation was retained, would be to allow those counsellors who reached level 7 to also register as psychotherapists. A number of respondents said that if differentiation was retained it would be important for the HPC to ensure that there were education and training programmes so that counsellors could become psychotherapists without having to effectively retrain.

7. Potential alternative models

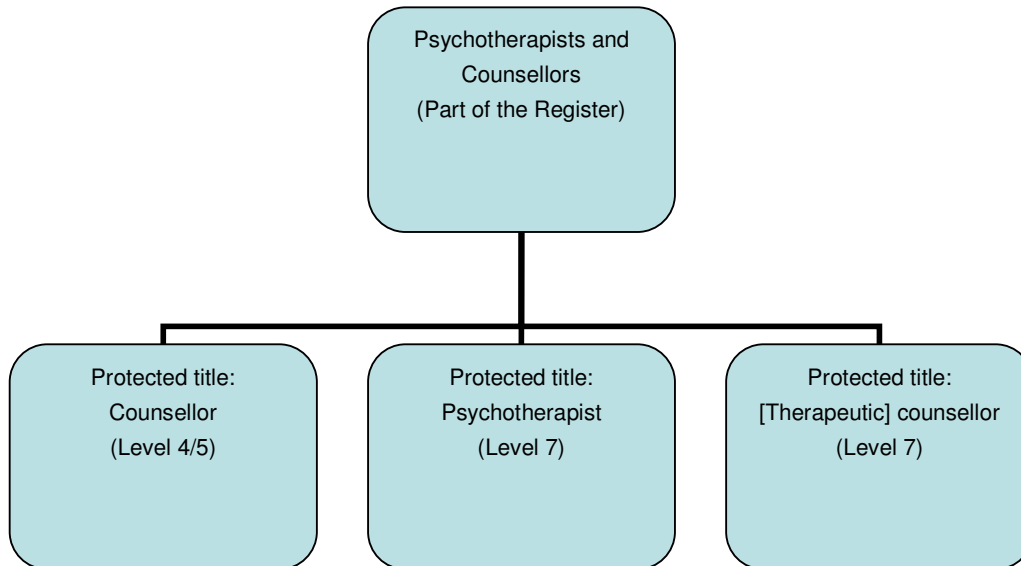
- 7.1 At the last meeting the PLG considered information tabled by the UK Council for Psychotherapy (UKCP), British Association for Counselling and Psychotherapy (BACP) and the British Association for Behavioural and Cognitive Psychotherapies (BABCP) about the structure of the Register / standards of proficiency. The group also considered a paper from the Executive which outlined the discussions the HPC had had in April 2010 with the Psychological Professions Alliance Group (PPAG) about the potential models it was actively discussing.
- 7.2 The suggested models are described in paragraphs 7.4 and 7.5.
- 7.3 Please note, that the titles in these models shown in square brackets '[...]' indicate draft titles which have not yet been substantively discussed or agreed and are included for indicative purposes only.
- 7.4 Figure 1



- There would be two sets of profession-specific standards of proficiency, one for counsellors, the other for psychotherapists and therapeutic counsellors (see below).
- Registrants would have access to the protected title for counsellors or the protected titles for psychotherapists and therapeutic counsellors.
- There would be approved qualifications for each – i.e. approved qualifications leading to the eligibility to register and use the title for counsellors and approval qualifications leading to the eligibility to register and the use the titles for psychotherapists and therapeutic 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 two different levels could potentially be set. The threshold levels proposed by the PPAG might be level 5 for counsellors and level 7 for psychotherapists and therapeutic counsellors.⁸

7.5 Figure 2



- This is the same as 7.4 but counsellors and psychotherapists are additionally differentiated at level 7.

7.6 These potential models were suggested in order to seek a solution to the debate about differentiation in the Register between psychotherapists and counsellors and to reflect that:

- a 'binary differentiation' between counsellors and psychotherapists may not reflect the continuum of education and training and practice at entry to the professions;
- many counselling programmes are delivered at postgraduate level (level 7 on the NQF); and the argument that
- there is a step change in practice at entry to counselling at level 5, and at level 7, which is understood in the field and can be meaningfully reflected in the structure of the Register.

7.7 In the paper 'Information for the Psychological Professions Alliance Group' the HPC gave its 'initial' and 'in principle' thoughts on the proposals as they stood at that time. We noted that there were a number of issues that might need to be considered in any event and that the PLG would need to discuss any proposals at an appropriate point.

⁸ Levels are referenced against the National Qualifications Framework (NQF)

- 7.8 We understand that there is no general agreement at this stage about whether differentiation at level 7 is possible, desirable or necessary but that there is a willingness to explore this in the context of developing threshold standards of proficiency.
- 7.9 At the meeting it was agreed to cancel the planned PLG meeting in October 2010 to allow time for the professional bodies and other stakeholders to develop standards of proficiency which would help inform discussions about whether the proposed model(s) of differentiation were possible or necessary.

8. Summary and discussion

- 8.1 This section provides summary of the key points from sections one to seven and some brief points for discussion by the PLG. It is not designed to be exhaustive.
- 8.2 It is anticipated that the Group's discussion at this meeting will focus on the structure of the Register and the standards of proficiency rather than, directly, the threshold level of qualification for entry to the Register. However, it is recognised that the issues of the structure of the Register, the standards of proficiency and the threshold level of qualification are interlinked and therefore, for completeness, information about the threshold level has been included in this paper.

Summary

- 8.3 The following provides a short summary of some of the key points outlined in sections one to seven of this document.

Differentiation and the structure of the Register

- Differentiation between titles in the structure of the Register relies upon being able to specify differentiated threshold standards of proficiency for entry to the Register for each title. For example, in the arts therapists part of the Register there are differentiated titles for art, music and dramatherapists and the standards of proficiency include profession-specific standards which apply only to each of those groups.
- If there are differentiated standards of proficiency for different titles, it is possible to consider separate threshold levels for entry for each of those titles.
- In the consultation, the arguments in support of differentiation between psychotherapists included public perception of differences between psychotherapist and counsellors; differences between entry level education and training; and the competencies and field of practice involved in each.
- In the consultation 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 positive impact on practitioners, service providers and the public.

Standards of proficiency

- The standards of proficiency are the threshold or 'minimum' standards required for entry to the Register. They are primarily used in approval of education and training programmes to ensure that students who successfully complete those programmes are fit to practise.

- The standards of proficiency must be:
 - 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 to ensure that they do not act as an unfair barrier to disabled people, or indeed, to other groups; and are
 - written in clear language appropriate to their primary role in legislation (i.e. written appropriately for entry to the Register).

Threshold level of qualification for entry to the Register

- The threshold level of qualification for entry to the Register (SET 1) is the level necessary to deliver the standards of proficiency. The standard uses the term 'normally' as the HPC could not refuse approval to a programme which delivered the standards of proficiency and met the remainder of the SETs but which did not result in the form of award specified in SET 1.
- The standard applies to pre-registration programmes seeking approval after the opening of the statutory register; it does not apply to individuals who may have qualified at different levels in the past.
- In the consultation views about the threshold levels proposed were informed by responses to the differentiation issue.

Discussion

- 8.4 The areas (relevant to this paper) that the group are invited to discuss and agree by the conclusion of its final meeting in February 2011 are:
- To agree in principle, as far as possible, the draft standards of proficiency (recognising that further work and further iterations are likely to be necessary and that a consultation would be held prior to the opening of any statutory register).
 - To agree the structure of the Register including agreeing whether the Register should differentiate between psychotherapists and counsellors and in the ways described in section seven of this paper.
 - To agree in principle the threshold level or levels for entry to the Register (recognising that this will be subject to future consideration in light of the finalised standards and subject to a consultation held prior to the opening of any statutory register).

Structure of the Register and standards of proficiency

- 8.5 In its discussions about the structure of the Register and the standards of proficiency the PLG is particularly invited to consider:
- Whether the proposed structure(s) would reflect current practice and education and therefore be meaningful for the public; practitioners; education providers; service providers; and other interested parties.
 - Whether the proposed standards of proficiency adequately support the proposed structure, including whether there are sufficient differences expressed between standards for different titles, clearly demonstrating that differentiation is both possible and necessary.
 - Whether the standards of proficiency proposed reflect the threshold level required for safe and practice and therefore public protection; are consistent with the content of the majority of pre-registration education and training; and are written in a language appropriate for entry to the Register.
 - The range of views expressed in the responses to the 2009 consultation summarised in this paper.
- 8.6 Two areas of particular note are discussed below which may be helpful to the group's discussions.
- **Existing HPC regulated professions**
- 8.7 At the last meeting, the group discussed the potential models which have emerged from the discussion of the PPAG. Some of that discussion was about the rationale and justification for proposing that there might be a 'level 5 counsellor' and a 'level 7 counsellor' in the structure of the Register (see section seven of this paper), in contrast to the way in which the Register is structured for the existing HPC regulated professions.
- 8.8 It might be helpful to explain how differences in education levels at entry are managed in the existing HPC register. In some HPC professions there is a range of entry level education and training that leads to registration. For example, in the paramedic profession the threshold level is equivalent to a certificate of higher education (level 4 on the NQF). However, the threshold level is a minimum and can be exceeded - entry level programmes also exist at levels up to honours degree level (level 6 on the NQF). There is no differentiation in standards or levels between those registering having followed a programme at level 4 and those registering having followed a programme at level 6 and approval of programmes is against one set of standards of proficiency.

8.9 Given the above, the proposed structures are very different and for a different structure to be agreed for counsellors and psychotherapists there needs to be a clear rationale that this is necessary for public protection and there need to be clear differences between the different levels / titles which could be meaningfully supported by standards of proficiency.

- **Conversion routes**

8.10 In addition, in the papers tabled at the last meeting it was suggested that it would be important that there were 'conversion' routes which might allow a 'level 5 counsellor' to become a 'level 7 counsellor' and so on without individuals having to effectively retrain.⁹

8.11 This was not discussed at the meeting, but it is important to note that the HPC would not be directly involved in developing any such 'conversion' routes. The HPC does not carry out an education and training or awarding role and only approves qualifications which lead to registration. Therefore if there was a 'market demand' and such programmes were developed, the HPC would be able to approve them, subject to an approvals visit to ensure the standards of education and training and standards of proficiency were met.

Impact

8.12 In the PLG's discussions it is invited to continue to consider the impact of its proposals. The impact of regulatory decisions was a key theme in the consultation held in 2009.

8.13 Prior to proposing the introduction of any new regulation the Department of Health will draft a regulatory impact assessment ('RIA') setting out the how that regulation will affect individuals and businesses including any financial consequences. Any regulation will have some impact but the purpose of the RIA is for Civil Servants, Ministers and Parliamentarians to consider whether the benefits realised from a policy justify its impact, including any steps that can be put in place to mitigate that impact.

8.14 Whilst the PLG is not invited to undertake a full impact assessment as this is undertaken by the Government, the PLG is nonetheless invited to keep in mind the impact of its decisions.

8.15 The PLG is invited to consider the impact of its proposals upon groups including:

- Service users
- Practitioners
- Education providers
- Students/ trainees now and in the future
- Service providers, including the voluntary sector

⁹ See BACP position statement on the regulation of psychotherapists and counsellors, PLG meeting 19 October 2010
http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=552

8.16 Some questions, for example:

What would be the impact upon service provision, practice and practitioners of differentiating; or failing to differentiate? For example:

- To what extent are psychotherapists employed in roles under the title of 'counsellor' and vice versa? (At the PLG's last meeting, one service provider invited to present said that psychotherapists were employed / volunteered under the title 'counsellor' and similar comments were made in the consultation).
- If the Register is differentiated, or is not differentiated, are there any steps that can be taken to mitigate any impact identified?

What would be the impact on individuals, education providers and future practice of setting the threshold level?

- If a level 5 threshold was proposed, what, if any, would be the impact on level 4 programmes, practitioners now and in the future and on service providers that may rely on the practitioners they produce?