

UKCP Consultation: Governing Documents

January 2022

The UKCP Board of Trustees is to embark on a six-week long formal consultation process with our members in order to make some updates to our governing documents – our Articles, Byelaws and Standing Orders. This document explains the reasons for the proposed changes and what they would look like in practice for organisational and individual members. In addition, you will have an opportunity to meet with Trustees and key staff online to ask questions and share views.

The main aim of the updates is to simplify our outdated, complex governing documents, ensuring clarity and transparency in our regulations, appointments and processes.

What is a 'governing document'?

In accordance with Charity Commission rules, UKCP's 'Articles of Association' is a legal document, which works as a rulebook setting out:

- our charitable purposes ('objects')
- what we can do to carry out our purposes ('powers')
- who runs UKCP ('trustees') and who can be a member
- how meetings will be held and trustees appointed
- any rules about paying trustees, investments and holding land
- whether the trustees can change the governing document, including its charitable objects ('amendment provisions')
- how to close the charity ('dissolution provisions')

In addition to our Articles, in 2009 the Board determined that we need two further documents, 'Byelaws' and 'Standing Orders'. These go into a lot of detail about other aspects of the organisation such as Colleges, Faculties, Committees, and Officers. Under our current rules, any changes to any of these documents must involve a full member consultation, to include a meeting of our Members' Forum and a general meeting.

Why do they need to be revised?

Our governance documents were first drafted in 2009 and have been subject to minor updates since then, most recently in 2018 to permit Trustees and other elected officers to serve a second term. Since those original documents were drafted, UKCP has grown and evolved considerably against a backdrop of a raft of legislative changes in areas such as Consumer Protection.

We wish to make a number of changes to:

- Improve public protection.
- Better protect UKCP against existing, new and emerging risks.
- Make our governance clearer, more accessible and easier to apply.
- Better promote modalities internally and externally.
- Ensure sustainable leadership along with transparency and accountability.

These points have been raised repeatedly in the Professional Regulatory Committee of Colleges and Faculties (PRCCF) over successive meetings and in 2020 we created a joint working group of staff and members of the PRCCF to work together on systems of migrating regulatory administration to the relevant staff members.

Whilst the administrative tasks are migrating to the staff team, the standards will be set by colleges and follow established college processes.

Improve public protection

Practitioners on an Accredited Register are part of a government-backed scheme to protect the public; Standard 10 of the Professional Standards Authority's charter requires Accredited Registers to run their registers well. Our proposed draft governance documents will improve public protection and increase confidence in the psychotherapy profession by stressing the importance of achieving and maintaining UKCP membership requirements.

New and emerging risks

We are facing a significant increase in complaints enquiries, not only against individual practitioners but also against our organisational members. It has become apparent that we need to strengthen our regulatory governance to ensure we are sufficiently robust and agile to meet existing, new and emerging threats.

Not only do complaints present an acute financial threat, they may also inflict reputational damage on UKCP as a whole and its members if our governance is not revised to ensure our processes are watertight. More importantly, our primary duty is to the public as a charity to ensure their protection and to assure them that they can trust our practitioners.

Making our governance clearer, accessible and easier to apply

Currently, we have two governance documents in addition to our Articles of Association: Byelaws and Standing Orders. As well as specifying in more detail the work of the Board, our membership requirements and general rules about elections, these documents set out in great detail the huge array of committees both centrally and within individual Colleges (see attached diagram) which, for a relatively small professional organisation and charity, places a significant burden on volunteers,

duplication and complexity of work as well as confusion for members. This is atypical of similar organisations which usually have one 'working document' setting out internal rules – Standing Orders.

Usually any changes are at the behest of the Board of Trustees rather than the whole membership as the Board is a largely elected entity representing practitioners. We propose merging our byelaws and standing orders into one document that carries less detail on committees, officers and their terms of reference but which specify and ensure an appropriate process for changes to internal terms of reference and policy documents.

Better promote modalities internally and externally

UKCP's central governance is currently member-led, and the proposed changes will add further leverage to the modality voice in UKCP strategy and operations. The vast majority of members of our Board of Trustees; Professional Conduct Committee (PCC); Remuneration, Appointment and Performance Management Committee (RAPMC); and Education Training Practice Committee (ETPC) are UKCP members. Our Finance, Risk and Audit Committee has equal UKCP member and equal lay member participation. Even our Executive Committee comprises just under 50% members which is unusual for an operational entity.

Colleges have raised concerns over the years that central committees are too remote from the modalities so we are keen to find yet further ways to ensure the modality voice is fully-reflected. Instead of Colleges hosting duplicate committees, they would instead send representatives to key regulatory central committees, including Ethics and Equality, Diversity and Inclusion, task and finish groups and panels. They would also work collaboratively with our research, policy and campaigns team to inform our messaging to the public and policymakers. They would also work with our Content and Engagement team on internal member communications, events and much more. College/modality creation and review of

standards as well as assessments will continue as they do currently but with administration and co-ordination by staff rather than volunteers. If we can move forward with a simpler and less rigid set of Standing Orders, the Colleges, Committees, Board and staff can work together to better streamline operations and decision-making in a way that preserves College/modality standard-setting and assessment while also making sure our systems, processes and timelines are legally robust.

Making volunteering enjoyable and sustainable and more representative, transparent and accountable

Some Colleges have made representations that the volume and complexity of regulatory administration that UKCP had placed upon them is leading to stress and burnout. It is wholly unacceptable to continue that way as an organisation that should be setting a very high standard of mental and emotional wellbeing. Colleges are also finding it hard to recruit new volunteers to replace chairs and sit on committees.

Some Colleges do not have Chairs which presents a tangible risk to UKCP without clear lines of ownership, accountability and communication. Volunteering for UKCP should not be burdensome and it is appropriate that it focusses on psychotherapeutic expertise rather than administration. Therefore, UKCP will ensure that any professional services that are over and above psychotherapeutic/modality oversight and scrutiny such as formal assessments or professional consultancy projects, are appropriately contracted and remunerated.

The Board is also keen to ensure that sustainable opportunities to volunteer are widely advertised, fully inclusive and that appointments or elections are handled with the same level of transparency as at Board level. New College roles would offer rich and varied opportunities to volunteer and contribute to making UKCP's vision a reality.

The Board wishes to establish the principle that officers and volunteers in Colleges and Committees, like Trustees, are:

- follow an open and transparent process established by RAPMC to ensure eligibility before standing for election by the membership;
- transparent and accountable to the membership;
- time limited in any particular role.

UKCP also wishes to ensure volunteers and contractors have access to training, development and mentoring.

To pursue these goals a limited number of changes to the Articles of Association and other Governance documents are required.

What will those revisions be?

Articles

[Click here to view the proposed Articles](#)

Byelaws and Standing Orders

[Click here to view the proposed Standing Orders](#)

How will my experience with UKCP change?

Individual members

We do not envision any notable changes other than that the governance documents will be more accessible and that UKCP's structure will be simpler to understand.

There will be increasing member/modality representation in central committees to better reflect the plurality of UKCP members' practices and professional contexts. There will be a greater understanding of how leadership and committees are established and how any necessary changes are implemented. There will be new, varied and supported ways to volunteer and share thought leadership.

There will also be a greater opportunity for you to have your voice heard.

Organisational members

Currently, the Board only has powers to admit or expel an organisational member (OM). Under the proposed changes, the Board would have new powers to impose conditions of membership on an OM rather than having to take the drastic step of expulsion. This would be a developmental process enabling an OM time to address concerns for full restoration of accredited status.

What is the process?

The proposed changes will go out to consultation. Following a six-week consultation period, any feedback and comments will be reviewed. A final draft of the proposed changes will be shared with members and a general meeting will be called.

The general meeting will allow all Full Clinical Members, all Full Non-clinical Members and Organisational members to vote on the proposed changes.

How will the consultation be organised?

All details of the consultation will be sent by email which will explain what changes are being proposed, the reason for the changes and what difference the changes will make.

How can I make my views heard?

Members will be able to submit their responses to the proposed changes via email. All responses should be sent to governance@ukcp.org.uk.

When will the general meeting take place?

The date of the General Meeting is to be confirmed and the formal notice communicated soon. It will be an online/virtual General Meeting and all voting eligible members will be encouraged to vote by proxy prior to the meeting. Details of how to do this will be communicated in due course.

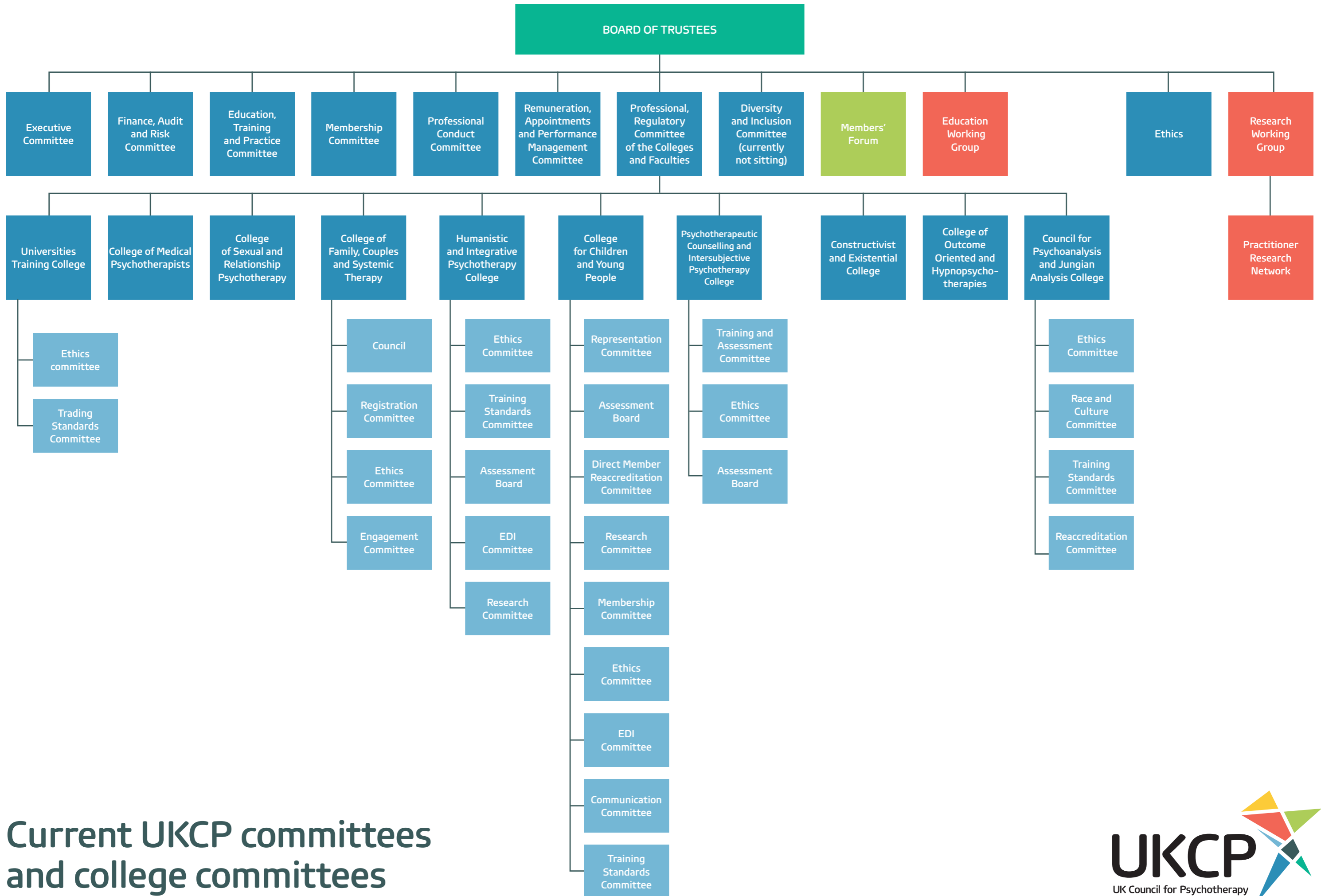
Who is eligible to attend and to vote?

All Full Clinical Members, Full Non-Clinical Members and Organisational Members will be able to 'attend' and vote at the virtual General Meeting.

Summary

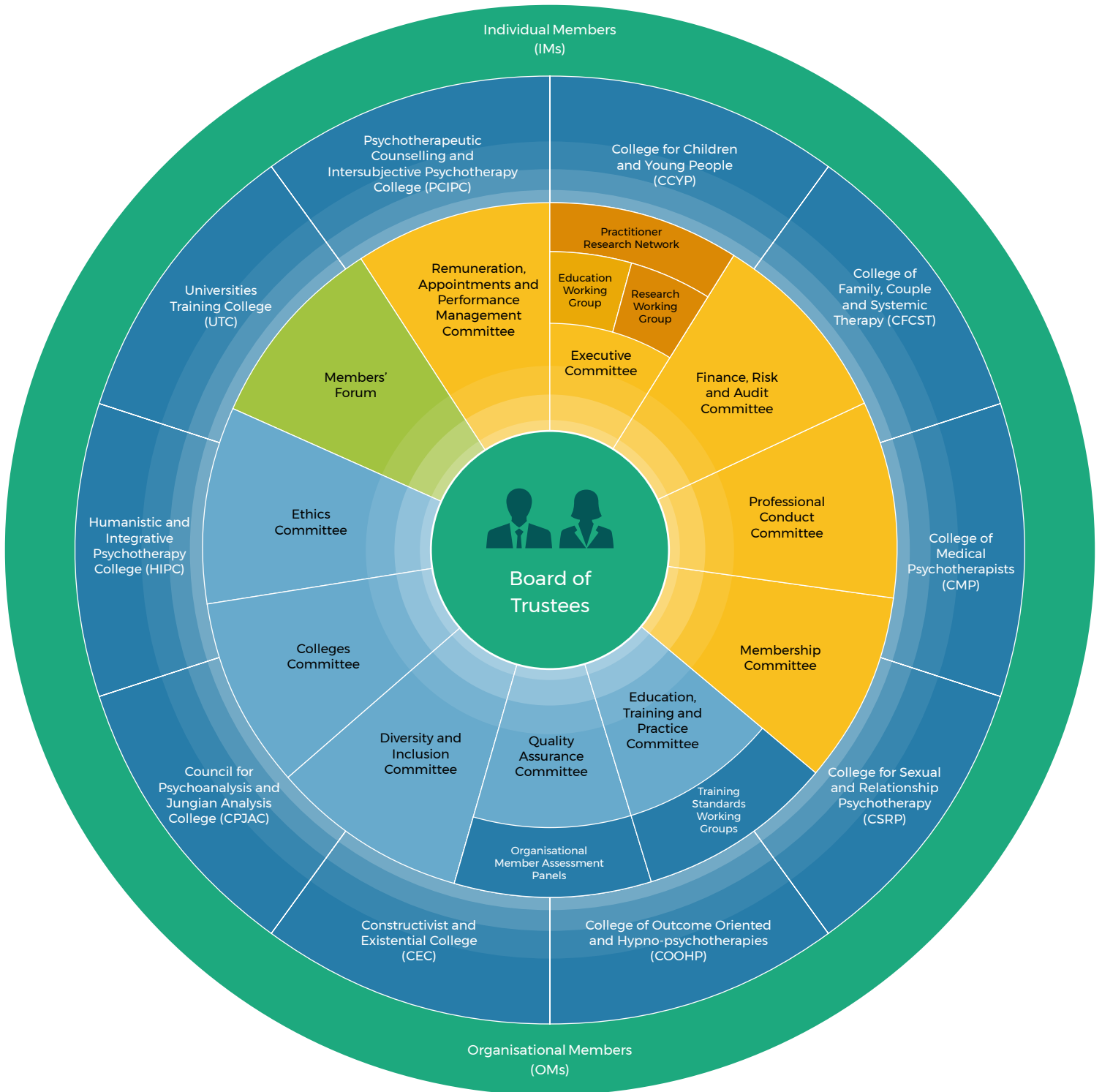
As a result of these governance changes, UKCP will have a much more representative culture and systems of governance. We are improving processes and protocols as well as creating role clarity and clear lines of accountability and escalation. This does not change the critical role that modality experts play in our regulatory work. It simply ensures that we are agile in the context of heightened risks and constantly shifting legislative frameworks for the profession.

Currently the Colleges carry a significant burden of risk as a group of volunteers, causing stress and overload which is not acceptable.



Current UKCP committees and college committees

- Committee reporting to the Board of Trustees
- Meeting with college and member representatives
- Committee reporting to the Board of Trustees with college representation
- Colleges



Proposed UKCP Structure

UKCP recruit a mix of both members and non-members to join our committees. Committees may, from time to time, form working groups to carry out particular projects.

