

# Proposed changes to the Standing Orders of the United Kingdom Council for Psychotherapy

## 1. Interpretation

These Standing Orders have been made by the Board of Trustees and replace previous the Byelaws and Standing Orders dated 20 September 2019. Except where otherwise provided in these Standing Orders, words and expressions shall have the same meanings as set out in the Articles of Association of the United Kingdom Council for Psychotherapy.

## 2. Membership

There shall be 9 categories of Membership; Organisational (Full, Contingent or Affiliate) and Individual (Full Clinical, Full Non-clinical, Therapist-in-Training, Student, Affiliate or Retired).

### Organisational Membership

- 2.1. Organisational Membership shall be open to an organisation which fulfils all of the following conditions:
  - 2.1.1. It should be active in the field of psychotherapy or psychotherapeutic counselling, and should support the aims and objectives of the Charity;
  - 2.1.2. It shall possess an accountable financial and administrative structure compatible with the UKCP Articles of Association;
  - 2.1.3. It shall not be a sub-unit or branch of any Organisation or institution which is separately eligible for Membership;
  - 2.1.4. It shall possess a code of ethics and practice which satisfies UKCP requirements;
  - 2.1.5. It shall possess and operate a complaints procedure for matters involving members which do not fall under the UKCP's Complaints and Conduct Process;
  - 2.1.6. It will co-operate with the UKCP quality review procedure;
  - 2.1.7. It will comply with the terms and conditions of membership;
  - 2.1.8. It shall be viable to UKCP.
- 2.2. Notwithstanding paragraph 2.1, Organisations containing, or created by, a significant representation of UKCP full clinical and full non-clinical individual members (as defined at 2.12 and 2.13), shall be eligible for Organisational Membership of UKCP:
  - 2.2.1. In these circumstances, the Membership application process may be expedited. However, the decision to accept an expedited application process, is at the absolute discretion of the Board of Trustees;
  - 2.2.2. The applicant organisation shall meet the requirements above, (and be subject to the same assessment procedures as other applicant organisations) with the following exceptions:
    - 2.2.2.1. It does not, during the period of Contingent Membership, have to be viable to UKCP;

- 2.2.2.2. The organisation shall have Contingent Membership, until it has been in existence for at least ~~three~~ one years;
- 2.2.3. If the organisation is to be multi-modality it must have the appropriate procedures and policies in place to fulfil the requirements of each discrete modality college in addition to the generic standards required for the type of organisation in the UKCP in order to accredit or reaccredit individuals;

## **Categories of Organisational Membership**

- 2.3. Full Organisational Membership shall be for organisations providing training, and for organisations serving the professional development of its members, in accordance with approved UKCP standards.
- 2.4. Contingent Organisational Membership shall be for organisations (who do not satisfy Full Organisational Membership) but who are working towards full membership requirements and is limited to 3 years.
- 2.5. Affiliate Organisational Membership shall be for organisations that demonstrably align with UKCP's vision and purpose.

## **Application for Organisational Membership**

- 2.6. Organisations may apply for membership by submitting an application form in the prescribed form and the required documentary evidence to UKCP.

## **Review of Organisational Membership**

- 2.7. A Quality Review of each Organisational Member will periodically be conducted in accordance with the appropriate quality review procedure.
- 2.8. Failure to cooperate or comply with the Quality Review may result in removal or conditions of membership under Article 10(6).

## **Individual membership**

- 2.9. Initial full clinical and non-clinical individual membership shall be open to those who have:
- 2.9.1. fulfilled all relevant conditions for accreditation as a UKCP practitioner with sponsorship for UKCP Membership by a full Organisational Member; or,
  - 2.9.2. hold a European Certificate of Psychotherapy and meet the requirements for international members specified by UKCP from time to time.
- 2.10. All individual members must comply with the terms and conditions of membership for their category of membership.
- 2.11. Where it has come to the attention of UKCP that any member has failed to fulfil the terms and conditions of membership, that Member's membership may be suspended, terminated or withdrawn from Membership of the Charity in accordance with the provisions of Article 10 and these Standing Orders.

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## Categories of individual membership

- 2.12. Full Clinical Membership of UKCP is open to those who meet UKCP's requirements [from time to time] for accreditation and re-accreditation as a practitioner.
- 2.13. Full Non-clinical Membership is open to those who have met UKCP requirements for accreditation and re-accreditation for a minimum period of 5 years, who continue to meet UKCP standards for Continuing Professional Development, but who are not re-accredited as a practitioner.
- 2.14. Therapist-in-Training Membership is open to individuals registered with a UKCP-accredited Organisation, working as a trainee therapist and working towards UKCP accreditation;
- 2.15. Student Membership is open to individuals registered with a UKCP-accredited Organisation and not working as a trainee therapist.
- 2.16. Affiliate Membership is open to individuals working in a field allied to psychotherapy.
- 2.17. Retired membership is open to former Full Clinical or Non-Clinical members who have fully retired from all clinical activity.

## Application for Individual Membership

- 2.18. Individuals may apply for membership by submitting an application form in the prescribed form and the required documentary evidence to UKCP.

## Privileges and Conditions of Membership

- 2.19. Full individual (Clinical and non-Clinical) members (and Full Organisational Members) shall each be eligible to vote. (see Elections below)
- 2.20. Full Organisational Members shall be eligible to sponsor individuals for membership of UKCP.
- 2.21. Members shall inform UKCP of any information that is material to the individual's or organisation's terms of membership.
- 2.22. The Trustees may compel, or delegate to an officer of the Charity the capacity to compel, members to produce documents or other material or give evidence relevant to the Charity's objects, duties or powers including but not limited to eligibility for continued membership, during the course of a Quality Review or investigation .
- 2.23. No member shall be required to produce any material or give any evidence which the individual or organisation could not be compelled to produce in civil proceedings in any court in the United Kingdom.

## 3. Structure

### Board of Trustees

#### Accountability

- 3.1. The Board of Trustees is appointed by and accountable to members of the Charity and to the Charity Commission. It is responsible for overseeing the fulfilment of the Charity's objects.

### **Composition and powers**

- 3.2. The composition of the Board of Trustees is as set out in the Articles
- 3.3. The powers of the Board of Trustees shall be in accordance with the Articles.
- 3.4. The Board of Trustees shall delegate to and receive reports from all relevant bodies and may decide on new policy and general direction of the work of the Charity in relation to the agreed aims and objectives of the organisation as set out in the Articles.
- 3.5. The Board ensures that all policies, procedures and practices of the Charity are in compliance with relevant legislation and are in accordance with best practice in the field and that the policies, procedures and practices of the Charity are feasible and consistent with its Objects.
- 3.6. The Board of Trustees ensures that the vision, mission and values of the Charity incorporate considerations of ethics, diversity and equalities, and that the standards, regulation and quality assurance of the organisation are of the highest order
- 3.7. The Board of Trustees shall institute policies and procedures for elections.
- 3.8. The Board of Trustees shall maintain a Complaints and Conduct Process (CCP) for the purpose of considering complaints against Full clinical individual members. The CCP may provide for sanctions respecting the membership status and conditions of practice of the member. The CCP may be amended, varied or substituted on such terms as the Board considers necessary.
- 3.9. The Board of Trustees may maintain a process for the consideration of complaints against Organisational Members that may include sanctions on membership and operations.
- 3.10. The Board of Trustees is entitled to exercise all of the powers open to the Charity through its constitution in pursuit of the Objects of the Charity. Such powers include the right to delegate such powers to the Chief Executive.
- 3.11. The Board of Trustees remains the final authority for all executive action. When needed the Board of Trustees will clarify or adjudicate on decisions by the Chief Executive. The Board of Trustees will hold responsibility for dealing with the right of appeal by any member of the UKCP.

### **Duties**

- 3.12. The duties of the Board of Trustees are to:
  - 3.12.1. Set and maintain vision, mission and values
  - 3.12.2. Develop strategy
  - 3.12.3. Ensure compliance with UKCP's governing document
  - 3.12.4. Ensure accountability
  - 3.12.5. Ensure compliance with the law
  - 3.12.6. Maintain proper fiscal oversight
  - 3.12.7. Select and support the chief executive
  - 3.12.8. Maintain effective board performance
  - 3.12.9. Promote the organisation
  - 3.12.10. Support external relationships

## Colleges

- 3.13. Colleges shall be established by the Charity [for affiliation by any Member or group of Members] on the basis of a degree of commonality of underpinning philosophy and/or practice.
- 3.14. Colleges will be the gateway to Full Organisational Membership of the Charity. Organisations applying for Full Membership of the Charity shall be required to demonstrate their affiliation with a College.
- 3.15. Colleges' and Faculties' method of appointment or election of their representatives should be transparent, inclusive and recommended to the Board of Trustees by the Remuneration, Appointments and Performance Management Committee (RAPMC).
- 3.16. Each UKCP College is a forum for the coming together of Organisational and Individual Members under the umbrella name of the College reflecting shared and philosophical base and modality interests which is recognised by the profession
- 3.17. The functions of a College are to provide expert insight and information of its modality to the appropriate other constituent parts of UKCP including:
  - 3.17.1. defining modality specific standards for education, training and practice
  - 3.17.2. assessing Organisational Members according to modality specific standards
  - 3.17.3. assessing potential Organisational Members
  - 3.17.4. assessing re-accreditation services in Organisational Members.
  - 3.17.5. providing a representative to the UKCP Members' Forum.
  - 3.17.6. producing a periodic strategic development plan for Board of Trustees approval.
  - 3.17.7. maintaining a pool of modality assessors.
- 3.18. Colleges are formed or dissolved through application, in the first instance, to the UKCP Chair. The responsibility for accepting, rejecting or deferring such an application rests with the Board of Trustees.
- 3.19. Members may seek affiliation with more than one College.
- 3.20. Each College shall appoint one Representative to the Members' Forum.
- 3.21. Each College shall meet at least twice in every year and shall make a report to the Board of Trustees.
- 3.22. Each College shall cause proper minutes to be made of all proceedings of all Meetings of such College and all business transacted at such Meetings.
- 3.23. Each College shall present a business plan with anticipated budgetary requirements identifying the process by which the College's obligations as set out above will be fulfilled.
- 3.24. A Quality Review of each College will periodically be conducted in accordance with the appropriate quality review procedure.

### **Suspension or Dissolution of a College**

- 3.25. The UKCP shall investigate any complaint that a College is not furthering the Charity's Objects or complying with the regulations as set out in the Articles and in these Standing Orders
- 3.26. If a College is found to be in breach of any of the regulations as described in the Articles or Standing Orders, then the Board of Trustees shall require the College to take immediate action to rectify the situation. If the College shall not satisfy the Board of Trustees, the Board of Trustees may suspend or dissolve the College.

3.27. All members of the College that has been suspended or dissolved may immediately apply for membership in another College. For a maximum duration of one year, while any such application is being resolved, such members shall retain all rights held prior to the dissolution. If, after a period of one year, the application for membership remains unresolved, Organisational Members will revert to either Contingent Membership or Affiliate Membership as determined by UKCP; Individual Members will revert to either Non-Clinical Members or Affiliate Members as determined by the Registrar.

### **Composition**

3.28. Colleges need:

- 3.28.1. Chair
- 3.28.2. Vice Chair
- 3.28.3. Members' Forum representative
- 3.28.4. Ethics representative
- 3.28.5. Diversity and Equalities representative
- 3.28.6. Education, Training and Practice representative
- 3.28.7. Research representative
- 3.28.8. Engagement representative

### **Faculties**

- 3.29. Faculties may be established by the Charity on the basis of a commonality of aim and purpose which is not otherwise addressed via a College.
- 3.30. Faculties are formed or dissolved through application, in the first instance, to the UKCP Chair. The responsibility for accepting, rejecting or deferring such an application rests with the Board of Trustees.

### **Members' Forum**

- 3.31. The Members' Forum shall be the means of debating the future direction and strategy of the UKCP. It shall act in an advisory capacity to the Board of Trustees, and shall have the responsibility to ensure the development of the profession of psychotherapy and psychotherapeutic counselling and their promotion to the public benefit via the encouragement and support of dialogue and innovation across a diversity of theoretical perspectives and practical approaches.
- 3.32. The Forum shall be composed of the following:
  - 3.32.1. UKCP Chair
  - 3.32.2. UKCP Vice Chair
  - 3.32.3. Representative from each College and any Faculty
  - 3.32.4. Honorary Fellows of UKCP
  - 3.32.5. Two representatives from each UKCP membership region
  - 3.32.6. Other members, or categories of representative, the terms for appointment or election of which shall be determined by the Board of Trustees in consultation with the Members' Forum.
  - 3.32.7. Representatives to the Members' Forum may appoint an alternate to attend in their place.

- 3.33. Terms for appointment or election of Members' Forum members shall be determined by the Board of Trustees in consultation with the Members' Forum.
- 3.34. The Members Forum shall elect its Moderator from among its members via a process agreed by RAPMC.
- 3.35. The Moderator of the Members' Forum may be invited to attend meetings of the Board of Trustees in a non-voting, observer capacity in order to express the view of the Members' Forum, without the legal requirement of a trustee to act in a non-representational way.
- 3.36. Attendance at Members' Forum meetings will be open to all UKCP members but only members of the Members' Forum listed under 3.32.1 to 3.32.7 will have a vote.

#### **Officers and Committees**

- 3.37. The Board of Trustees may create and disband Committees and appoint additional officers as is necessary to carry out the work of UKCP. All appointments should be transparent, inclusive and recommended to the Board of Trustees by the Remuneration, Appointments and Performance Management Committee (RAPMC).
- 3.38. The current Committees, Colleges and Officers are set out in Appendix A.
- 3.39. Terms of Reference of Officers and Committees will be determined by or in close consultation of the Board of Trustees.
- 3.40. A Charity organogram and current list of committees and their terms of reference will be posted on the UKCP website.
- 3.41. The UKCP website will also feature links to key policies and procedures.

## 4. Elections

- 4.1. Voting in elections or resolutions of the membership, including dismissal elections, will be on the basis of one Full member (both individual and organisational) one vote.
- 4.2. Elections for Trustees on the Board of Trustees will be by a vote of one Full member (both individual and organisational) one vote.
- 4.3. Nominations, seconded by Full Members, for election to the position of Chair, Vice Chair or Trustee will be solicited from the membership at least 60 days before the ballot is to be taken.

## 5. UKCP Change Management for UKCP Official Documents

- 5.1. No alterations may be made to the Articles that would cause UKCP to cease to be a charity in law. Other alterations to the Articles may only be made by a special resolution at a general meeting and in certain circumstances with the prior consent of the Commission.
- 5.2. Change requests to official documents must be sponsored by the Board of Trustees, College or Committee. Any individual or body may petition the Board of Trustees, College or Committee to propose a change, but the final decision for any proposed alterations to the Articles lies with the Board of Trustees.
- 5.3. If the Board of Trustees agrees to or decides that the change should be considered, the requested change timescale and rationale will be published on the UKCP website.

- 5.4. All individual and organisational members shall be advised of the publication of the change, approved or not, and the timescale of the consultation if approved.
- 5.5. For these purposes publication in both UKCP internal email channels and on the UKCP website is deemed sufficient notification of change for Individual and Organisational Members.
- 5.6. The time frame for consultation must include at least one Members' Forum meeting more than 30 days from the date of the change notice, and the change notice must include information on how to have a question discussed at the Members' Forum.
- 5.7. Where an urgent change is needed to a process or procedure, the process may be expedited by asking the UKCP Chair to sanction a change. Under such circumstances, where the change is made, the change must be published, together with the justification for the critical change path, in accordance with the standard change management process. Feedback from stakeholders must be considered and responded to.
- 5.8. Information on changes made to Official Documents will be disseminated on the UKCP website.
- 5.9. The Charity shall inform the Commission and Companies House of any alterations to the Articles within the prescribed timelines and all future copies of the Articles issues must contain the alterations.

### **Standing orders**

- 5.10. The Board of Trustees may from time to time make and amend Standing Orders as it may deem necessary or convenient for the proper conduct and management of the UKCP and for the purposes of prescribing classes and conditions of membership.
- 5.11. The Standing Orders must not be inconsistent with the Articles or such that they would otherwise need to be made by a special resolution. No standing order may be made which invalidates any prior act of the Board of Trustees which would otherwise have been valid.

### **Terms of Reference of Officers and Committees**

- 5.12. Any proposed changes to Terms of References of Committees must be submitted to the Board of Trustees via the UKCP Governance Manager in the prescribed form.

### **Operational and regulatory documents**

- 5.13. Any proposed changes to UKCP policies, procedures and forms that support the aims and objectives of the Charity must be submitted to the UKCP Senior Management Team via the Head of Operations and Regulation in the prescribed form.



## Appendix A.

### **Committees:**

This is a high level executive summary of committee remits only:

1. Executive Committee: responsible for the translation of strategy into operations.
2. Remuneration, Appointments and Performance Management Committee (RAPMC) as defined by article 18 of the Articles of Association.
3. Finance, Risk & Audit Committee responsible for finance, budgeting, risk and auditing.
4. Quality Assurance Committee responsible for the oversight and scrutiny of regulatory policies and processes.
5. Education, Training and Practice Committee responsible for recommending enhancements to UKCP requirements on the basis of current best practice in training and practice standards.
6. Membership Committee responsible for oversight of membership issues other than those dealt with under the Complaints and Conduct Process (CCP)
7. Professional Conduct Committee responsible for overseeing the role, function and management of the Complaints and Conduct Process (CCP)
8. Colleges Committee responsible for peer support, informing Board strategy, engaging members including students and trainees, promoting modality and/or client-specific work, informing policy campaigns and providing expert members for UKCP working groups and the Quality Assurance Committee (QAC).
9. Equality, Diversity and Inclusion Committee responsible for advising the Board of Trustees about current legislation and best practice, monitoring and promoting awareness of Diversity and Inclusion through appropriate means.
10. Ethics Committee responsible for enhancing and supporting members' ethical practice through appropriate means, such as conferences, seminars, workshops and publications; overseeing, reviewing and maintaining the Code of Ethics and Professional Practice and any associated policy, guidance and standards.

### **Colleges:**

1. College for Children and Young People (CCYP)
2. College for Sexual and Relationship Psychotherapy (CSRP)
3. College of Family, Couple and Systemic Therapy (CFCST)
4. College of Medical Psychotherapists (CMP)
5. College of Outcome Orientated and Hypno-Psychotherapies (COOHP)
6. Constructivist and Existential College (CEC)
7. Council for Psychoanalysis and Jungian Analysis College (CPJAC)
8. Humanistic and Integrative Psychotherapy College (HIPC)
9. Psychotherapeutic Counselling and Intersubjective Psychotherapy College (PCIPC)
10. Universities Training College (UTC)

## Officers:

Other than for staff positions or professional fees, the Board of Trustees reserves the right over whether to award honoraria or other payments. These are indicative summaries of roles and fuller details will be set out in Role Descriptors:

1. The Chief Executive (employed): responsible to the Board for the day-to-day management of the Charity.
2. The Company Secretary (employed): responsible to the Board of Trustees for the administration of the proceedings of the Board of Trustees, for the meetings and elections of the membership, and for the maintenance of the Charity's records as prescribed by law.
3. The Registrar (employed): responsible for ensuring the integrity of the UKCP registers, and to ensure the credibility of UKCP as a regulator is maintained and improved.
4. Ethics Lead: responsible for working cross-organisationally with our Colleges, our committees, our members and our staff on ethical matters, co-ordinating the work of volunteer experts, co-opting external experts where desired, as well as drawing upon the particular expertise of College representatives. NB: The role holder will be an independent non-member, lay expert.
5. Chair of Education, Training and Practice Committee: working in consultation with modality colleges and member organisations, setting the minimum standards for education, training and continuing professional development.
6. Chair of Professional Conduct Committee: responsible for overseeing the role, function and management of the complaints and conduct process (CCP), reviewing complaints and advising on whether they should be referred to an Adjudication Panel.
7. Chair of Membership Committee: responsible for considering organisational applications to join UKCP, overseeing the removal process and making recommendations to Board on complaints that sit outside the remit of the CCP.
8. Treasurer and Chair of Finance, Risk & Audit Committee: responsible for proposing a budget to the Board in accordance with the strategic plan.
9. Chair of Quality Assurance Committee: responsible for oversight and scrutiny of regulatory processes for individual and organisational members. NB: The role holder will be an independent non-member, lay expert.
10. Chair of Colleges Committee: providing peer support and constructive forum for College chairs towards developing and implementing strategies towards furtherance of their modalities and the profession as a whole.
11. Members' Forum Moderator: responsible for co-ordination of the Members' Forum.
12. Practitioner Research Network Leader: responsible for supporting, empowering and providing expertise to research-active members.
13. Chair of College
14. Vice Chair of College
15. Chair of Faculty
16. Vice Chair of Faculty
17. College Ethics Representative: representing the modality/client voice in Ethics meetings and working group projects.
18. College Research Representative: liaising with staff and Research Working Group on capturing and promoting research and scholarship within Colleges.
19. College Equality, Diversity and Inclusion Representative (EDI): representing the modality/client voice in the discussions of the Diversity and Inclusion Committee

20. College Members' Forum Representative: representing the College at Members' Forum meetings.
21. College Education, Training and Practice Representative (ETPC): representing the College at ETPC meetings.
22. College Engagement Representative: working with the staff Content and Engagement team on opportunities to promote the modality/client voice internally and externally.
23. Regional Representatives: responsible for engaging members geographically and reporting to the Members' Forum and Executive Committee on experiences, challenges and opportunities.