

# Re: UKCP Ethics and Complaints Procedures A Response from the UKCP

To the Editor, *Self & Society*

*Re: UKCP Ethics and Complaints Procedures: fact or fiction by Professor Clarkson and Vincent Keter & The UKCP and its member organisations - a Kafka's Castle? anon:*

Thank you for offering an opportunity for a response to your two articles, published in the April-May edition of your journal (vol 28, no1).

I am not able to comment upon the article by Clarkson and Keter as Professor Clarkson currently has a grievance being investigated by UKCP. In respect of the anonymous article, it is not possible to comment on an anonymous complaint. What I can do is to outline the current situation within UKCP and the developments for the future.

UKCP is an 'Umbrella' Organisation of 76 semi-autonomous organisations, each with its own code of Ethics and Practice and each with its separate Complaints procedure. It has a constitution and structure which allows it to monitor agreed training standards and ethical practices. The members of UKCP are thus not individual registrants but are the Member Organisations which are required to conform to agreed principles of function and of standards of practice.

There is no central body which has the authority to impose a structure upon the organisations and all change happens slowly, through a process of consensus and majority decision making arrived at in General Meetings. Once decisions have been agreed, the various Sections and the Governing Board and its sub-committees exercise a monitoring function, ensuring that each organisation's documents comply with agreed guidelines approved by a General Meeting. Each Organisation must have a Complaints Procedure and an internal appeals procedure. A central final appeal to the Governing Board of UKCP was agreed in January 1999. The net result is that, while all Member Organisations are required to incorporate into their codes the UKCP Code of Ethics and Practice, there are in effect as many complaints procedures as there are organisations. The Central Appeal Procedures operate a form of 'judicial review' of actions taken by the Member Organisations, within the limits imposed by the authority determined by the Member Organisation's procedures, although there is limited room for reinvestigation and the exercise of common sense.

We are keenly aware that there are difficulties with the current complaints procedures. In large measure this is a question of the historical development

of the UKCP and the fact that it has become a victim of its own success. The federal structure of the original model was exceptional at the time, given the context of many and disparate psychotherapy models with little agreement and much suspicion between them. UKCP has succeeded in the outside world beyond all expectations. In doing so it has created in the minds of the public an expectation that was not commensurate with the internal model as first conceived and implemented. The public envisage an hierarchical structure with centralised authority over the Member Organisations, perhaps like the GMC. That has never been the structure and our powers, which are voluntarily given and accepted not statutorily imposed, are quite limited. With case experience (and English law itself is dynamic and case-law lead) it is apparent that procedures fail to meet the complexity of some of the cases that can arise. The changing social climate with its emphasis on quality and 'clinical governance' also suggest that the structure of UKCP, 10 years since its inauguration, may need revision. It may be time to move in a direction which parallels other professional bodies and ultimately to embrace statutory regulation, which would of course be hierarchical.

Despite the short comings inherent in the structure, there are in fact relatively few complaints being made to UKCP, and figures are falling. There are approximately 5000 psychotherapists registered with UKCP and the total number of complaints from a member of the public notified to the office since its inauguration in 1995 amounts to 88, with the largest number (33) in 1995/6 and the fewest (12) in 1998/9. Allowing for some

uncertainty that all have been recorded, this represents a very low, some might say too low, percentage of psychotherapists who have complaints brought against them. There is no doubt that things do go wrong, but the figures suggest that on the whole people are satisfied with the treatment that they receive and complaints are rather rare.

The Human Rights Act which comes into force in October will introduce a number of changes to the legislation on complaints and disciplinary hearings, and offers an opportunity for a general review of UKCP procedures. This Act requires that all hearings must be 'impartial and independent' and heard in public if the respondent so wishes. In practice this imposes a requirement for lay presence on all complaints panels and introduces a necessary safeguard for those (few) cases where things have gone wrong through bias and a wish to protect the member. But such cases are rare.

Considering the relative youth of UKCP, its historical development and the struggle to identify a model which would bring together a large number of independent organisations, the achievements are remarkable. UKCP has put psychotherapy on the map. We are not unmindful of the need to change; our structure with its need for consensus makes change a slow process but change is happening and will continue. Our goal is to ensure that all those registered with UKCP perform to the highest standards of competence and ethical practice, and that any who fall below these standards are held to account.

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