
MINUTES OF THE PUBLIC PROTECTION COMMITTEE

Held on Friday 4 March 2022, Teams Meeting at 1.30pm

- Present:** Vanessa Stirum (VSt), Chair
Humza Chaudhry (HC), Lay Committee Member
Stacey Goldman (SG), BACP Committee Member
Philip Matthews (PM), Lay Committee Member
- In attendance:** Jo Burns (JB), Observer
Fiona Ballantine Dykes (FBD), Chief Professional Standards Officer
John O'Dowd (JO'D), Acting Registrar
Gemma Fay (GF), Hearings Manager
Tolu Aluko (TA), Head of Governance, Assurance and Risk
Jo Smith (JS), Governance Officer
- Apologies:** Velia Soames (VSo), Lay Committee Member
Mervyn Wynne-Jones (MWJ), BACP Committee Member
Beckie Grace (BG), Assistant Registrar - Entry and Maintenance

Summary of actions

Agenda Item 1.4

Matters Arising/Action Tracker

Action 1: Action to be updated and a revised deadline of 25 October 2022 was agreed. JS to update Action Tracker. [JS]

Agenda Item 1.4

Matters Arising/Action Tracker

Action 2: TA and JO'D will review Safeguarding metrics and how to issue appropriate feedback following on from JH's presentation. An update to be provided at the 24 May 2022 PPC meeting [TA/JO'D]

Agenda Item 2.1

Update from 8 February 2022 PPC meeting

Action 3: JO'D to bring Strategy paper to the next meeting on 24 May 2022 [JO'D]

**Agenda Item 2.2.
Governance Report**

Action 4: TA to recirculate the Governance Report for PPC comment by the next meeting on 24 May 2022. [TA]

**Agenda Item 2.2.
Governance Report**

Action 5: A draft PPC workplan will be produced for 2022 for consideration at the next meeting [Governance]

**Agenda Item 3.1
Chief Professional Standards Officer Report**

Action 6: Risk reporting to be discussed by PPC at the 26 July meeting [PPC]

**Agenda Item 3.2
Acting Registrar's report**

Action 7: PPC to provide feedback and comment on the Ethical Framework and Precepts work by the next meeting 24 May 2022. [PPC]

**Agenda Item 3.4
Assistant Registrar Entry & Maintenance Report**

Action 8: BG to provide update to 24 May 2022 meeting on themes and metrics [BG]

**Agenda Item 4.0
AOB**

Action 9: Timing of papers to be reviewed and will be issued at the earliest possible date. [JS]

**Agenda Item 4.0
AOB**

Action 10: A glossary of acronyms to be included in the Committee papers. [JS]

**Agenda Item 5.0
Presentation of record on BACP website**

Action 11: VSt, TA and JO'D to review minutes before publication on website. [VSt/TA/JO'D]

**Agenda Item 6.0
Date and Time of next meeting**

Action 12: The Governance Team will ascertain availability of Committee members to meet face to face on either of these dates and to identify a venue. [JS]

Action 13: JS to recirculate the above dates to Committee members to confirm these dates are fixed. [JS]

Pre- Meeting Presentation

Safeguarding Policy by Joanna Holmes (JH)

The Chair welcomed all attendees to the meeting and brief introductions were given by each attendee prior to the presentation.

A 30-minute presentation followed. The slides are attached to the minutes.

The Chair thanked JH for her presentation, noted that the Policy is already approved, and invited questions/comments which are summarised below with responses:

The presentation was well received and the PPC raised the issue of Training and JH responded that training needs are being planned for BACP staff in relation to safeguarding.

1.1 Welcome, Apologies and quoracy

The introductions were briefly repeated as HC had joined the meeting.

Apologies had been received from VSo and MWJ. It was noted that the meeting was quorate.

1.2 Declarations of interest

There were no declarations of interest.

1.3 Minutes and approved actions from the last meeting

The minutes of the meeting on the 9 November 2021 were approved as an accurate record.

1.4 Matters arising/Action Tracker

Action 01/01 and 01/02 - Website. This has been followed up. Feedback from the Committee was shared with the Website team. They are aware of the issues with the website in relation to navigability and accessibility and are working on how to address them as part of a larger web restructure project.

In the meantime, work has started to make the conduct pages more easily navigated, pending the larger web restructure work, simultaneous with the development and launch of an online complaints form.

The timescale is dependent upon the overall website development project, although the complaints form, and other pages will be made more accessible in advance of this. The due date for this action is to be moved to 15 October 2022 (PPC meeting date).

Action 1: Action to be updated and a revised deadline of 25 October 2022 was agreed. JS to update Action Tracker. [JS]

Action 03/01 - The approved Safeguarding Policy was presented earlier in the meeting and TA and JO'D will now follow up on the metrics based on this presentation and an updated action is listed below.

Action 2: TA and JO'D will review Safeguarding metrics and how to issue appropriate feedback following on from JH's presentation. An update to be provided at the 24 May 2022 PPC meeting [TA/JO'D]

Terms of Reference

There are some minor corrections included in the pack regarding job titles in the document - the substantive information is not changed.

PPC Committee agreed to these changes.

2 Strategy

2.1 Update from 8 February 2022 PPC meeting

The Acting Registrar will bring a paper to the next meeting on 24 May 2022. This will sit alongside the notes from the meeting which are currently being prepared.

Some of the suggestions raised on 8 February will be researched further - for example mediation. This will enable the PPC to make fully informed decisions.

Action 3: JO'D to bring Strategy paper to the next meeting on 24 May 2022 [JO'D]

2.2 Governance Report

This can be re-circulated via email for PPC specific responses, comments, and thoughts.

The Committee's specific attention was drawn to the Board workplan which had been included in the Pack. A draft workplan will be produced for PPC for 2022 for consideration at the next meeting.

Action 4: TA to recirculate the Governance Report for PPC comment by the next meeting on 24 May 2022. [TA]

Action 5: A draft PPC workplan will be produced for 2022 for consideration at the next meeting [Governance]

3 Reports

3.1 Chief Professional Standards Officer Report

FBD highlighted key points from the report relevant to the work of PPC. The development around the EDI strategy is ongoing with a number of workstreams already in progress.

An extremely positive response has been received to the £30k grant scheme (a partnership plan to engage with hard to reach clients), and it is under consideration as to whether a further grant(s) can be offered.

Further media activity since the report was issued, has resulted in an increased level of coverage including a particular focus on unqualified therapists.

The SCoPEd framework was published in the first week of February 2022 with the six partners signed up and this is a significant milestone in the implementation of the Framework.

The Chair queried whether there are any particular risks that need to be considered by Committee. The Governance Team is overseeing this area in terms of managing and reporting risk across BACP and there are individual risk registers focussed on the department's work.

Action 6: Risk reporting to be discussed by PPC at the 26 July meeting [PPC]

The next 5 year BACP Strategy is also under development and landscape scanning together with risks and opportunities will be part of this work.

The Committee **noted** this report.

3.2 Acting Registrar's report

JO'D talked to the report. Much of the focus of the report concerns risk management. In particular, in May 2021, there were increasing workloads and backlogs building up. Therefore a restructuring has been ongoing to respond to this that is modelled on recruiting an internal team of administrators which has been complemented by a legal team and an external team of qualified technical experts. This enables the team to adjust workloads to respond to demands and available resources.

Two main risks included were the backlogs and number of complaints related to this. This area of work is significantly improved by the establishment of the new structure. The team culture is very much about supporting people and not just implementing the processes.

The hybrid structure of internal and external teams has resulted in better relations and ways of working across BACP.

In addition, the manual systems, that have been employed traditionally, are also under review with a Business Analyst to improve efficiency.

The Business Analyst has worked closely with the team and many efficiencies and simplifications have been made including looking at an automated system and improved online experiences.

This has involved a culture change within the existing Team which has been assisted by bringing in new members of the team. Cross-training for the Team is now included to address the issue of providing cover where one member of staff is responsible for a single area or work.

The focus going forwards in addition to the processes is a small project focussing on qualitative aspects of the Team's work on audits of decision made by decision making panels such as the Investigation and Assessment Committees and Hearing Panels. This will feed into minimising general and financial risks.

Member support is also an ongoing area of work including Upstream prevention and this can be brought in more detail to a future meeting. This is an important area of work in terms of enhancing public protection.

The potential for hearings being held face to face is being considered as Covid 19 restrictions are relaxed. BACP is reviewing this in line with other regulators and the approach they are taking now that COVID restrictions have been lifted.

The Chair thanked the Acting Registrar for the PSA Accreditation work and detailed submission which had involved much input from across BACP, including sign off from PPC and Board.

Bates Wells Draft report

The Ethical Framework and precepts work is at an early stage and PPC are asked to provide feedback on this area. It is designed to simplify and bring clarity to understanding the Ethical Framework and how it fits into individual complaints.

The Ethical Framework is a good example of cross team working across BACP and a staff member is being recruited to take this work forward. The draft Bates Wells report is the first stage of this work.

The Chair noted that the Bates Wells report was a very helpful report.

An initial comment was raised as to whether the report was explicit enough about "contracting" and a discussion ensued about "contracting" in its broader sense. PPC recognised the importance of resources already developed online around the issue of "contracting".

The discussion widened and extended into further areas including:

The work of Upstream Prevention and the process of dealing with a potential complaint being dealt with immediately to encourage resolution at the earliest possible opportunity. Parallels were drawn with formal legal complaints procedures which are based on engagement rather than contracting. This also provides a clear structure of how to deal with a potential complaint.

PPC also discussed whether the Ethical Framework extended to professional conduct at all times and not just during work or business hours. It is a difficult area to enforce and monitor, especially as it could be primarily based on perceptions.

PPC were referred to 4.7.1 of the Bates Wells report which covers this item:

“The Ethical Framework contains an express requirement that practitioners will avoid any actions that will bring the profession into disrepute. This is a common requirement across a diverse range of regulatory frameworks and is often relied upon in disciplinary proceedings. It provides a flexible “catch-all” for actions in your practitioners’ professional and personal lives which could impact their fitness to practise safely and their suitability more generally. It is also an important duty of BACP as a charity. We would therefore recommend including it as a separate precept to allow you to take disciplinary action in response to conduct that is not, on its face, directly connected to practitioners’ work but might nonetheless bring the profession into disrepute or undermine public confidence in the profession.”

It was noted that PPC welcomed the opportunity to have more time to review and comment on the report and that there would be further discussions at future meetings.

Action 7: PPC to provide feedback and comment on the Ethical Framework and Precepts work by the next meeting 24 May 2022. [PPC]

3.3 Hearing Manager’s Report

GF talked to the paper. There was a verbal update on 2022 data. Since January 2022 to the date of the report, there have been 44 new complaints, around 6 more than the same period last year. There are 192 live cases that have completed preliminary assessment. Hearings are being booked up as quickly as possible with a view to meeting a target of 12 months for all cases being heard.

There have been 11 hearings since the beginning of 2022 and a further 23 are confirmed to take place by June 2022. The team is fully up to capacity with training being rolled out across the most recent recruits.

There are currently 2 cases being scheduled as face to face meetings. The Team are monitoring what other regulators are doing in response to COVID restrictions being lifted in relation to face to face hearings and virtual Hearings.

It has been BACP’s experience that many parties to complaints have found virtual hearings more suitable to their needs than face to face hearings.

General Case File audits will be undertaken to look at quality and customer service.

The Committee asked how the recruitment process went and how the new recruits were settling in. It was confirmed that both the new administrators and scheduling teams provide a good balance of support. Some were recruited on temporary contracts, which meant the recruiting process had been extended slightly but in general the pace was picked up as expected.

The Team have moved on successfully to a position of having sufficient resource to address the backlog of hearings built up during Covid. The Team culture is one of a positive, can do attitude which is visibly noticeable.

This positive feedback will be shared with the Board, alongside relevant metrics.

The Committee noted this report.

3.4 Assistant Registrar Entry & Maintenance Report

In the absence of BG, JO'D highlighted Upstream Prevention and Member support which are progressing quickly and work with different teams across BACP is ongoing to identify themes and sub themes.

Consultation is also ongoing with the Research department to ensure that the relevant information is collected. The website publishes the outcomes of complaints cases outcomes and the possibility of a report publishing learning outcomes from these cases is being explored.

Member support is being led by BG with the support of other BACP staff. There are aspects of support that can be delivered online and feedback from other teams who deal with members on different levels is being assessed.

The Chair noted that interpreting themes and metrics in relation to the Assistant Registrar's report, and relating these to potential risks that might impact on the Board is relevant for PPC and should be kept under review. The Chair raised a specific query about Committee being able to assess themes and metrics in future reports to gauge any trends.

Action 8: BG to provide update to 24 May 2022 meeting on themes and metrics [BG]

The Committee noted this report.

4.0 Any Other Business

4.1 The issue of the timing of issuing papers was raised. Where possible, papers should be circulated to give two clear weekends time for reading papers for the Committee.

A glossary of acronyms was requested to be circulated with the papers.

Action 9: Timing of papers to be reviewed and will be issued at the earliest possible date. [JS]

Action 10: A glossary of acronyms to be included in the Committee papers. [JS]

5.0 Presentation of Committee's minutes record on BACP website

5.1 No items were identified based on the discussion for redaction, however the Chair is to review minutes with TA and JO'D before they are published on the website.

Action 11: VSt, TA and JO'D to review minutes before publication on website. [VSt/TA/JO'D]

6.0 Date and Time of next meeting

6.1 The dates for the remainder of 2022 are:

Tues 24 May
12.00 - 15.00
Tues 26 July
14.00 - 17.00
Tues 25 Oct
09.00 - 12.00

The Committee were asked to consider whether May or July could be a face to face meeting - preferably in London.

Action 12: The Governance Team will ascertain availability of Committee members to meet face to face on either of these dates and to identify a venue.[JS]

Action 13: JS to recirculate the above dates to Committee members to confirm these dates are fixed. [JS]

Next meeting 24 May 2022 12.00
Venue or Teams tbc

Circulation List:

PPC Committee
Board of Governors
SMT