

Psychotherapists and Counsellors Professional Liaison Group (PLG)  
26 and 27 May 2009

Dual registration

Executive summary and recommendations

**Introduction**

This paper invites the PLG to discuss the topic of dual registration.

**Decision**

The PLG is invited to discuss and agree the approach outlined on page five of this paper.

The PLG is additionally reminded to bear in mind the potential equality and diversity implications of any recommendations it may make. This includes considering the extent to which any recommendations would have an adverse impact on some groups compared to others.

**Background information**

- Structure of the Register and protected titles, considered by the PLG on 28 and 29 January 2009  
[www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors\\_archive/index.asp?id=442](http://www.hpc-uk.org/aboutus/professionalliaisongroups/psychotherapistscounsellors_archive/index.asp?id=442)

**Resource implications**

None

**Financial implications**

None

**Appendices**

None

**Date of paper**

18 May 2009

## **Dual registration**

### **1. Introduction**

At its meeting in January 2009, the Group considered a paper on the structure of the Register and protected titles. As part of this, the Group considered comments made in the Call for Ideas about the implications of regulation for dual registration and the practice of other professionals.

In its discussion, the Group did not consider this to be a significant issue. However, this issue will need to be addressed in the PLG's report and the subsequent consultation. This has been raised by a member of the Group as an issue on which a clear steer from the PLG would be helpful.

This brief paper outlines the main issues in this area and invites the PLG to agree its approach.

### **2. The HPC Register and dual registration**

A small number of existing HPC registrants are dual registered with other statutory regulators or are registered in more than one part of the HPC Register.

For example, some operating department practitioners are also registered nurses; some physiotherapists are also registered as podiatrists. Other registrants may be registered with voluntary organisations – e.g. some art therapists are also members of psychotherapy and counselling registers.

Each part of the Register attracts a registration fee. Therefore, someone who was registered as both a physiotherapist and a podiatrist would pay two registration fees. Whether they needed to be registered twice would be a professional decision for the individual, taking into account whether they were using the protected title or, if applicable, whether their employer required registration for the role they were performing. If they wished to use a protected title they would need to be registered in the relevant part of the Register.

However, someone 'registered more than once' in the same part of the Register would not need to pay two registration fees. For example, if someone was registered as both a psychotherapist and a counsellor, they would pay one registration fee. They would have one entry in our registration system but would appear as both a psychotherapist and counsellor on the public facing register, and have access to both protected titles which would appear on their registration certificate.

### **3. Responses to the Call for Ideas**

A small number of respondents asked about the impact of regulation and protecting professional titles on the practice in these areas of other professionals. Other respondents referred more generally to counselling and psychotherapy interventions performed by other regulated and non-regulated staff.

The British Psychological Society holds a register of psychologists that are qualified to practice in psychotherapy and raised the impact upon psychologists who use the title psychotherapist if the title was protected. They said that psychologists who are able to undertake psychotherapy should be able to use the requisite title without the need for additional registration. They suggested that

one alternative might be a 'post-registration flag' on a psychologists' HPC registration.

The British Psychoanalytic Council wanted to ensure that those undertaking psychotherapy were qualified and met the requisite standards and that other professionals did not undertake activities that were outside of their scope of practice and that that should be undertaken by a psychotherapist.

#### **4. Discussion**

In this section some of the possible issues in this area are outlined in order to assist the Group's discussion.

##### **4.1 Protection of title**

The paper considered by the PLG at its meeting in January 2009 outlined the HPC's protection of title powers. This paper explained that, in keeping with most of the other professional regulators, the HPC regulates by protected title. Protected titles are linked to parts of the HPC Register and only someone in that part is able to legally use the protected title or titles of that part.

The paper also explained that in cases of alleged misuse of protected titles by persons who are not registered, the HPC can take action where the title is expressly used and where its use is implied. As an example, in the recommendations, a person who used the title 'psychotherapist' but who was not registered could be liable to prosecution; someone who did not use the title but who advertised that they offered 'psychotherapy' could also be prosecuted. However, the HPC would only be successful in any action if it could demonstrate that there was an 'intention to deceive'.

It is important to note, therefore, that as titles rather than functions are protected, protection of title would not prevent other professions from employing psychotherapy or counselling interventions as part of their practice. However, the use of the titles 'psychotherapist' and 'counsellor' would be restricted to those who are HPC registered.

##### **4.2 Extent of the potential problem**

It is difficult to assess the extent of any potential problem of protecting the titles 'psychotherapist' and 'counsellor' in respect of the dual registration of other professionals. In responses to the Call for Ideas, it was noted by some respondents that psychotherapy and counselling interventions are undertaken by a variety of different practitioners. However, the issue of the continued use of a protected title and dual registration was only raised by one group – psychologists.

The British Psychological Society holds a Register of psychologists who are qualified in delivering psychotherapy. A cursory examination of this Register reveals that a number of practitioners also hold membership of psychotherapy and counselling registers. Some practitioners, therefore, would be likely to be eligible for separate registration as psychotherapists. It is unclear the number of psychologists who would not be eligible to register via the voluntary register transfer or an approved programme who would wish to use the title 'psychotherapist' to describe an area of their professional practice. The BPS Register of psychologists practising in psychotherapy might be considered as

part of the process for determining which registers should transfer to the HPC Register.

The Group may wish to discuss the suggestion that psychologists might be able to continue to use the protected title without the need for additional registration. The HPC Executive would suggest that such an approach would be problematic in terms of public understanding and equity with other groups who also wish to use the title and who would need to dual register.

There may be other groups who use the title 'psychotherapist'. 'Consultant psychiatrists in psychotherapy' are psychiatrists entered in the specialist register of the General Medical Council who have undertaken further specialist training in psychotherapy. This training in psychotherapy is linked to membership of psychotherapy and counselling registers and our understanding, therefore, is that the majority of practitioners are likely to be eligible to register via the voluntary register transfer or an approved programme. Dual registration was not cited as a potential problem for this group in Call for Ideas responses.

#### **4.3 Department of Health Steering Group on the Statutory Regulation of Practitioners of Acupuncture, Herbal Medicine, Traditional Chinese Medicine and other Traditional Medicine Systems Practised in the UK**

In the recent report of a Department of Health working group, the use of protected titles by other already regulated health professionals was discussed. The working group suggested that an agreement might be reached by which other regulated professions might be able to continue to use the proposed protected title 'acupuncturist', provided they were clear about their professional background and that it was clear that they used acupuncture as part of the practice of that first profession. The Department of Health is due to consult on the recommendations of the Steering Group so no final decision has been made in respect of this suggestion.

The Group may wish to consider the merits of this suggestion in relation to psychotherapists and counsellors. In particular, whether such an arrangement would pose difficulties in terms of clarity for members of the public.

## 5. Decision

In the light of the discussion points raised in this paper, the PLG is invited to discuss and agree the following points for inclusion in its recommendations:

- The Group notes that introducing regulation for psychotherapists and counsellors will mean that some professionals may be required to be dual registered, either with the HPC and another regulator or registered twice by the HPC.
- The Group has considered whether members of other regulated professions who use psychotherapy or counselling as part of their practice should be able to continue using one of the protected titles without being registered separately as a psychotherapist or counsellor.
- The Group considers that the extent of dual registration is likely to be relatively small and that many of those who would be required to register twice are likely to be already voluntarily registered by organisations in the field or would be likely to be able to register via having completed an approved training.
- The Group considers that it is important that those who use the protected titles should be HPC registered, regardless of their professional background, as this is important for public protection and for public understanding.