

Do you agree with our proposal that the new offence should cover all formal health and adult social care settings, both in the private and public sectors? Please explain your views.

Yes No

Yes, BACP agrees that the offence should cover all health and adult social care settings. Specifically, BACP would suggest that in Annex A, the professions which would be covered by the offence should include 'counsellors' and 'psychotherapists'. The Health and Social Care Act 2012 established the Professional Standards Authority for Health and Social Care (the Authority) and the Accreditation Scheme for Accredited Voluntary Registers.

In February 2013, BACP - the leading and largest professional body for counselling and psychotherapy in Europe, with a membership of over 41,000 practitioners - became the first psychological therapists' register to gain accreditation from the Authority. The scheme means that members of the public are now able to choose a counsellor or psychotherapist belonging to a register approved by an independent body which is accountable to Parliament.

Being on the BACP Register demonstrates that a counsellor or psychotherapist exceeds the minimum level of competence that a client has a right to expect from a practitioner as well as protecting the health and safety of the public by ensuring rigorous standards in the practice of talking therapies.

In addition to the register, all BACP members are bound by the Ethical Framework for Good Practice for Counselling and Psychotherapy and within this, the robust Professional Conduct Procedure.

Do you agree with our proposal that the offence should not cover informal arrangements, for example, one family member caring for another?

Yes No

Comments

Should the new offence cover social care services for children, and if so which services should it cover? Please list any children's services that you think should be excluded from the scope the offence and explain your view.

Yes No

Comments

Should the offence apply to people who are providing care or treatment on a voluntary basis on behalf of a voluntary organisation?

Yes No

Comments

Do you agree with our proposal that the new offence should concentrate on the act of wilfully neglecting, or ill-treating an individual rather than any harm suffered as a result of that behaviour?

Yes No

Comments

Do you agree with our proposal that the offence should apply to organisations as well as individuals?

Yes No

Comments

How, and in what circumstances, do you think the offence should apply to organisations?

Yes No

Comments

Do you agree that the penalties for this offence should be the same as those for the offences in section 315 of the Mental Health (Care and Treatment) (Scotland) Act 2003 and section 83 of the Adults with Incapacity (Scotland) Act 2000?

Yes No

Comments

Should the courts have any additional penalty options in respect of organisations? If so, please provide details of any other penalty options that you think would be appropriate.

Yes No

Comments

What issues or opportunities do the proposed changes raise for people with protected characteristics (age; disability; gender reassignment; race; religion or belief; sex; pregnancy and maternity; and sexual orientation) and what action could be taken to mitigate the impact of any negative issues?

Comments