

# Annual review of accreditation 2019/20

Play Therapy UK (PTUK)

December 2019

# Contents

Background .....	3
Outcome .....	4
Assessment against the Standards for Accredited Registers .....	5
Share your experience .....	15
Impact assessment.....	15
Equality duty under the Equality Act 2010 .....	15

## About Play Therapy UK (PTUK)

Play Therapy UK (PTUK) registers:

- Certified Play Therapists
- Accredited Play Therapists
- Certified Practitioners in Therapeutic Play Skills
- Certified Play and Creative Arts Counsellors of Children and Young People
- Filial Play Coaches
- Certified Supervisors of Play and Creative Arts Therapists

Its work includes:

- Setting and maintaining standards of practise and conduct
- Maintaining a register of qualified professionals
- Assuring the quality of education and training
- Requiring registrants to keep up their skills up to date through continuing professional development
- Handling complaints and concerns raised against registrants and issuing sanctions where appropriate.
- Managing a large clinical evidence base

As of 30 January 2019, there were 2334 registrants on PTUK's register.

PTUK was accredited on 11 April 2013. This is its sixth annual review and this report covers 11 April 2018 to 11 April 2019.

## Background

The Professional Standards Authority accredits registers of people working in a variety of health and social care occupations not regulated by law. To be accredited, organisations holding such registers must prove that they meet our demanding [Standards for Accredited Registers](#) (the Standards). Accreditation is reviewed every 12 months.

Accreditation can be renewed by a Moderator in cases where all Standards are evidenced to be met. A Moderator can issue Recommendations and note Achievements.

Where concerns do exist, or information is not clear, a targeted review will be initiated by a Moderator. The outcome of this review is assessed by an Accreditation Panel, who can decide to renew accreditation, renew accreditation with conditions, suspend accreditation or remove accreditation. Panels may also issue Recommendations and note Achievements.

- **Condition** – Changes that must be made within a specified timeframe to maintain accreditation
- **Recommendation** – Actions that would improve practice and benefit the operation of the register, but do not need to be completed for compliance with the Standards to be maintained. Implementation of recommendations will be reviewed at annual renewal
- **Achievement** – Areas where a register has demonstrated a positive impact on one of the four pillars of the programme; protection, choice, confidence and quality.

## Outcome

Accreditation for PTUK was renewed for the period of 11 April 2019 to 11 April 2020.

Accreditation was renewed by a Panel following a targeted review of Standards 3, 7 and 11. A Moderator had determined that all other Standards were met, but that insufficient evidence had been provided to demonstrate continuing compliance with these Standards.

No Conditions were issued

The following Recommendations were issued and an update on their implementation is to be provided with the submission of annual review documentation.

1. PTUK should review its safeguarding process to ensure that it is integrated effectively with the roles and responsibilities of other authorities especially the local authority, police and schools. It should consider taking advice to ensure that the most appropriate authority takes action to investigate child protection concerns and to safeguard children; and that the integrity of evidence is preserved. (Paragraph 3.25)
2. PTUK should review and clearly separate the role of APAC and PTUK within certificates issued by those bodies. PTUK should also review (through its oversight of APAC) accuracy of communications in letters, including to ensure that titles such as 'play therapist' are not suggested to be protected (Paragraph 7.15)
3. PTUK should consider reviewing its complaint processes, including the grounds it may consider and barriers that may exist for complainants. PTUK may wish to consider obtaining an independent review. (Paragraph 11.17)

Following conversations with the Authority, PTUK requested that the following objection to Recommendation 2 be published:

'PTUK objects to recommendation two on the grounds that: the roles of APAC and PTUK in issuing certificates have been separated for over 10 years successfully including the continuous monitoring and auditing by the British Council for therapeutic Interventions with Children;

AND two: we do not agree that APAC suggests that titles such as 'Certified Play Therapist' are protected titles; in our view certificates of training are clearly marked as accredited by PTUK and transcripts are clearly marked as issued by APAC.'

The following report provides detail supporting the outcome.

# Assessment against the Standards for Accredited Registers

## Standard 1: the organisation holds a voluntary register of people in health and/or social care occupations

- 1.1 PTUK reported an increase in the number of registrants on its register in the past year, from 2074 to 2334 practising in the UK and 55 overseas countries.
- 1.2 The Authority noted that PTUK had 16 registrants listed as Certified Play and Creative Arts Counsellors of Children and Young People, the grade PTUK introduced through a Notification of Change for registrants who hold approved qualifications for both play and talking therapies for their practice with children and young people.
- 1.3 PTUK noted that non-renewals to its register were disproportionately from practitioners outside of PTUK's core grades, for example, 'Filial Play Coaches' and 'Certified Supervisors of Play and Creative Arts Therapists'. PTUK perceived that its core grades (such as Certified Play Therapists and Practitioners in Therapeutic Play Skills) had a smaller attrition rate.
- 1.4 The Authority found that this Standard continues to be met.

## Standard 2: the organisation demonstrates that it is committed to protecting the public and promoting public confidence in the occupation it registers

- 2.1 PTUK highlighted its ongoing contribution to the All-Party Parliamentary Group (APPG) on a Fit and Healthy Childhood. The APPG's purpose is 'to promote evidence-based discussion and produce reports on all aspects on childhood health and wellbeing including obesity; to inform policy decisions and public debate relating to childhood; and to enable communications between interested parties and relevant parliamentarians.'
- 2.2 PTUK had contributed to the APPG's 2018 [Mental Health in Childhood](#) report, which proposed the 'Department for Children; with a 'revised green paper leading to a Child Mental Health Act [which would] deliver and be seen to deliver in the interests of children, young people and their families'. The report recommended that only registrants of an Accredited Register or statutory regulator should work in a counselling capacity with children. Statutory inspection agencies would assure that unsafe practitioners were not employed or contacted.
- 2.3 PTUK also highlighted that it had 'sponsored and made a major contribution to the APPG's 2018 report: ['Children's Mental Health beyond the Green Paper'](#). This had resulted in EDM #2285 New Mental Health Legislation For Children being tabled in the House of Commons which as at 17<sup>th</sup> may has 40 supporting MPs'.
- 2.4 The Authority recognised PTUK's continued work to raise the profile of the mental health needs of children.
- 2.5 The Authority found that this Standard continues to be met.

### Standard 3: risk management

- 3.1 At the previous annual review, the Authority noted that PTUK's risk matrix set out broadly defined risks. While PTUK had demonstrated awareness of risks relating to play and talking therapies, the Authority noted that PTUK may additionally benefit from involving the British Council for Therapeutic Interventions With Children (BCTIWC), its 'watchdog' responsible for auditing and scrutinizing PTUK in the public interest, when reviewing its assessment of risk. The Authority had issued a Recommendation to PTUK that the BCTIWC's remit could include scrutiny of PTUK's assessment of risk. This would provide an independent perspective and help ensure that specific risks relevant to the occupations PTUK registers are considered.
- 3.2 PTUK advised that it and the BCTIWC had worked together to produce its '*Review of PTUK's Risk Management Policies and Standards December 2018*' which covered many aspects of risk management.
- 3.3 The Authority noted from the BCTIWC's annual report that it had worked jointly with PTUK from April 2018 on the report, having made recommendations and contributed to the first draft. The BCTIWC advised that its thoughts, recommendations and concerns had been integrated into the report and 'thought it an excellent document and commended the all-embracing nature of the work'.
- 3.4 PTUK stated that the objective of the report was to 'provide PTUK and its registrants with well thought through risk management policies and procedures' in four areas:
1. 'For the PSA as a concise record of the factors that affect the accreditation of the Register of Play and Creative Arts Therapists.
  2. For PTUK and its approved training providers covering their own risk management processes, competencies and learning objectives
  3. For registrants – an initial concise listing of how they should use the check lists themselves. This document to be expanded over the years to cover more advanced risk management techniques'
  4. For registrants to guide and support their employers' management of risk in the environment in which therapy is practised.
- 3.5 PTUK proposed that risk management terminology should change from a risk-averse approach to one of *opportunity seeking*, where opportunities to improve practice or service delivery should be a primary focus.
- 3.6 PTUK considered that implementation of its new approaches, including adoption by its registrants, would take approximately five years. PTUK suggested that registrants could be introduced to this through a CPD course.
- 3.7 The Authority noted PTUK's consideration that it had two practitioner competencies: 'responsibility for the physical and emotional safety of clients.' related to risk management that it considered to be too vague. It developed further competencies for registrants related to risk management, and also the use of touch. PTUK outlined tools, including checklists, which could be integrated into its CAERUS software package, used by registrants to manage

- their annual revalidation process and to collect information for registrants' clinical and management reporting.
- 3.8 PTUK noted that the ability to record incidents or accidents were to be added to the 2018 version of CAERUS which should enable it to identify risks occurring in registrants' practice.
  - 3.9 The Authority recognised PTUK's report provided effective groundwork for the identification and mitigation of risk by PTUK and potentially by other organisations.
  - 3.10 The Authority found that this Recommendation had been considered.
  - 3.11 The Authority has recently considered Accredited Registers' approach to 'adjunctive therapies': practices performed by registrants in the course of their work that are outside of the registers' explicit scope of practice or competence.
  - 3.12 PTUK had demonstrated awareness of adjunctive therapies and developed mitigating actions for related risks, for example, by developing its 'Certified Play and Creative Arts Counsellor of Children and Young People' qualification for registrants wishing to introduce talking therapies into their work.
  - 3.13 PTUK advised that it monitors for registrants' practice of adjunctive therapies through its application forms. PTUK advised that it would respond to concerns, or complaints raised, about a registrant's use of adjunctive therapies through its 'complaint procedure as 'harm to the child' and the ethical principles of fidelity, beneficence and non-beneficence'.
  - 3.14 The Authority noted checks would be made through registrants' annual revalidation which process consists of 'making declarations and supplying evidence of clinical governance, as at present, plus more details of clinical supervision, CPD and other data for quality assurance and the publication of guidelines to improve practice.'
  - 3.15 The Authority has also recently considered Accredited Registers' approach to safeguarding issues; how registers are prepared to protect children, young and vulnerable people from abuse and neglect. As a register for practitioners working primarily with children and young people, PTUK's risk management practices are focussed on risks that may occur when treating these groups.
  - 3.16 The Authority noted PTUK has checks in place for registrants joining the register or renewing registration. Practitioners must 'have an up-to-date, clear CRB (Criminal Records Bureau) Check'. (PTUK advised it is updating references to the current Disclosure and Barring Service (DBS) system)
  - 3.17 PTUK listed DBS checks as a mitigating action against a risk of child abuse by a practitioner within its risk matrix, PTUK also listed requirements for clinical supervision, and the use of its clinical evidence base to demonstrate the effectiveness of play therapy delivered to PTUK standards. PTUK also advised that safeguarding matters are covered within the Post Graduate Certificate in Therapeutic Play Skills course leading to eligibility for registration.
  - 3.18 PTUK advised it has raised awareness of safeguarding matters through its 'Play for Life' journal and monthly 'Good to Know' e-newsletter.

- 3.19 The Moderator noted the information provided about PTUK’s approach to safeguarding, as reflected in its Ethical Framework and risk management policies, including that registrants are provided with advice on this issue by PTUK. The Moderator sought to better understand how PTUK understood the responsibilities it had as an organisation when addressing safeguarding concerns.
- 3.20 The Moderator asked what actions PTUK would take should it receive concerns about the safety of a child, whether as part of a complaint or otherwise. PTUK advised the Authority how it would investigate and act as required.
- 3.21 PTUK advised that as a result of its investigation it may issue a caution, or, if warranted would consider ‘removal from the register; conditional removal of suspension through compliance with apology, caution or sanction and re-instatement, rehabilitation conditions taking into account all issues and circumstances’.
- 3.22 The Moderator had asked how PTUK would balance its proposed actions against its legal obligations under the GDPR. PTUK stated that relevant guidance was provided within its Data Protection Policy, which advised taking formal advice where possible, but acknowledged that staff may need to make a decision without such advice during an emergency.
- 3.23 The Panel queried whether PTUK’s process adequately covered the range of situations which may occur - for example, if PTUK were aware of a child protection concern prior to other relevant authorities.
- 3.24 The Panel noted that although PTUK had processes in place, it was not satisfied that it was sufficiently clear as to the limits of its role in relation to investigating and responding to child protection concerns, set against those of other authorities including the schools in which play therapists work, local authorities and police. The Panel were mindful that no concerns had been raised about the way PTUK has handled such matters in the past.
- 3.25 The Panel issued a Recommendation for PTUK review its safeguarding process to ensure clarity, including where immediate action is necessary and how PTUK will deal with instances in which other organisations (such as Local Authorities or the police) are involved, or should be involved. (Recommendation One)
- 3.26 The Authority found that this Standard continues to be met.

**Standard 4: the organisation demonstrates that it has sufficient finance to enable it to fulfil its voluntary register functions effectively including setting standards, education, registration, complaints and removal from the register**

- 4.1 There were no significant changes reported or noted in the past year.
- 4.2 PTUK noted planned significant costs for the 2019 financial year, for example an ‘ambitious’ annual conference and further parliamentary engagement. PTUK listed mitigating actions should unexpected shortfalls of income occur.
- 4.3 The Authority noted from PTUK’s November 2018 Board minutes that registrant fees had not been increased as they had been the previous year.

- 4.4 As part of its due diligence, the Authority reviewed financial information including records from Companies House and found that this Standard continued to be met.

**Standard 5: the organisation demonstrates that it has the capacity to inspire confidence in its ability to manage the register effectively**

- 5.1 The Authority checked the BCTIWC's annual report of its work with PTUK, which detailed the scrutiny carried out, including its audit of registrant details.
- 5.2 The Authority noted that the BCTIWC reported that it had been kept apprised of and given the opportunity to contribute to relevant matters. This included being notified of complaints received by PTUK. As part of its work, the BCTIWC had checked PTUK's communications with different stakeholders, as recommended at an earlier annual review, and had not identified any causes for concern.
- 5.3 The Authority noted from the BCTIWC's annual report that its Chair had been involved with PTUK's complaints handling at early stages. The Authority queried whether this may cause a conflict of interest, as the BCTIWC receives appeals against PTUK complaints decisions. PTUK clarified that it had previously updated its processes to ensure information is passed to the BCTIWC only after a case is closed. Appeals will be managed by BCTIWC members without prior knowledge or involvement in the complaint. The Authority suggested the BCTIWC may consider it proportionate to only review a sample of complaints.
- 5.4 As part of its assessments, the Authority considers public engagement in a register's governance, such as by having lay participation in boards or councils. Play Therapy UK is managed by an Executive Board of two members, its Chief Executive & Clinical Director and its Registrar. The BCTIWC is composed of five members; three of whom are lay members including its Chair. PTUK advised a majority of lay members must be present for a BCTIWC meeting to be quorate.
- 5.5 The Authority noted PTUK's work to raise awareness of matters relating to General Data Protection Regulation (GDPR), for example through its registrant newsletters. PTUK had noted some employers were not aware of the rights of 'data subjects' under GDPR or had produced information about GDPR without demonstrating compliance. PTUK advised of its work to resolve such issues affecting its registrants and their clients.
- 5.6 PTUK advised it had been 'increasingly involved in publishing statistics in various forms about the effectiveness of play therapy' as enabled through data collection by registrants through CAERUS. PTUK advised it has adopted the *Code of Practice for Statistics of the Office for Statistics Regulation*, based around trustworthiness, quality and value.
- 5.7 The Authority found that this Standard continues to be met.

**Standard 6: the organisation demonstrates that there is a defined knowledge base underpinning the health and social care occupations covered by its register or, alternatively, how it is actively developing one. The organisation makes the defined knowledge base or its development explicit to the public**

- 6.1 PTUK highlighted the continuing development of CAERUS to develop the practice evidence base for play therapy.
- 6.2 The Authority found that this Standard continues to be met.

**Standard 7: governance**

- 7.1 The Authority received a concern about 'Certificates of Practice' issued by The Academy of Play and Child Psychotherapy (APAC). APAC is a training organisation operated by PTUK's directors. PTUK accredits the clinical elements of APAC courses. APAC graduates, having completed academic (validated by Leeds Beckett University) and clinical (PTUK accredited) training may be eligible to join PTUK's register.
- 7.2 The concern stated that wording used on 'Certificates of Practice', issued by APAC following completion of academic and clinical training, suggested qualifications would be invalidated if registration with PTUK (or its affiliate, Play Therapy International) was not acquired or maintained. Accompanying letters from APAC suggested that graduates should not practise or use the title 'play therapist' (or similar) if not registered with PTUK (or PTI).
- 7.3 'Play Therapy' is not a protected title or practice within the UK.
- 7.4 The concern was raised by practitioners working outside of the UK and outside the remit of the Accredited Registers programme. The Authority noted that the concern could apply to UK practitioners and considered on this basis.
- 7.5 The Authority noted that the APAC certificate stated that it was 'valid whilst the holder is a full member of PTUK or PTI and continues to work according to the requirements of PTUK's register.
- 7.6 The accompanying letters from APAC stated that 'you need to be a current member of PTUK/PTI to entitle you to practise as and use the title Certified Play Therapist'.
- 7.7 The person had asked APAC to change this wording and had been told by APAC that 'Play therapists should not be practicing without adhering to [PTUK's] professional standards.
- 7.8 PTUK had advised the Authority that this messaging reflected APAC and PTUK's strong encouragement for practitioners to belong to an appropriate registering body, whether PTUK or another Accredited Register such as the British Association of Play Therapists (BAPT) or the British Association for Counselling and Psychotherapy (BACP), that maintain appropriate standards for their registrants.
- 7.9 PTUK recognised that a practitioner could work as a play therapist without belonging to any register, advising that the certificate of practice was intended

to demonstrate meeting the standards of PTUK's register and the assurance this provided to the public and employers.

- 7.10 The Moderator considered there was a potential conflict of interest for the training provider, APAC, to state that play therapists must adhere to PTUK's professional standards and retain membership of PTUK/PTI. The Moderator noted that this raised a potential conflict of interest between the shared governance of PTUK and APAC.
- 7.11 The Moderator considered a risk that graduates of APAC courses, employers, and the public may be misled into thinking that PTUK registration is mandatory to practice. This could affect PTUK's compliance with Standard 7, particularly Standards 7b, 7d and 7f.
- 7.12 The Panel noted that that the register wished to promote the benefits of registration as a form of assurance to the public, patients and employers in line with the goals of the Accredited Registers programme. The Panel however accepted the concerns about the potential for a conflict of interest; that certificates issued by the training provider could be interpreted as misleading and PTUK stood to gain from this. The Panel also considered there was a risk that an APAC-issued certificate held by graduates could be interpreted by employers as proof of PTUK registration.
- 7.13 The Panel considered that a certificate of qualification (of academic and / or clinical training) needed to be separate from any certificate of registration with PTUK. The Panel stated that such certificates should be clearly marked as issued by APAC. Certificates of PTUK registration, highlighting current compliance with PTUK's standards, should be awarded by PTUK.
- 7.14 The Panel issued a Recommendation for PTUK to review and clearly separate the role of APAC and PTUK within certificates issued by those bodies. PTUK should also review (through its oversight of APAC) accuracy of communications in letters, including to ensure that titles such as 'play therapist' are not suggested to be protected. (Recommendation Two)
- 7.15 The Authority found that this Standard continues to be met.

## **Standard 8: setting standards for registrants**

- 8.1 There were no significant changes reported or noted in the past year.
- 8.2 As with safeguarding issues, discussed at Standard 3, the Authority is considering registers' approach to [whistleblowing](#) and the [duty of candour](#).
- 8.3 The Authority noted that PTUK's Ethical Framework includes, for example, that:

'Practitioners should respond promptly and appropriately to any complaint received from their clients or carers. An appropriate response in agency-based services would take account of any agency policy and procedures. Practitioners should endeavour to remedy any harm they may have caused to their clients and to prevent any further harm. An apology may be the appropriate response'

- 8.4 PTUK registrants must also raise incidents where clients may have been harmed to their clinical supervisor or manager and also inform their clients or carers about PTUK and other applicable complaints procedures.
- 8.5 PTUK affirmed that recognised registrants' 'duty to be open and honest with the users of our registrants' services, or their families, when something goes wrong that appears to have caused or could lead to significant harm in the future'. PTUK highlighted that as well as its Ethical Framework, this is emphasised in initial training, in the clinical supervision of registrants and through complaints procedures.
- 8.6 The Authority found that this Standard continues to be met.

### **Standard 9: education and training**

- 9.1 There were no significant changes reported or noted in the past year.
- 9.2 PTUK advised that its 'main training programme, 'MA in Practice Based Play Therapy delivered by our accredited training provider APAC has been revalidated by their collaborative partner Leeds Beckett University.'
- 9.3 The Authority found that this Standard continues to be met.

### **Standard 10: management of the register**

- 10.1 There were no significant changes reported or noted in the past year.
- 10.2 The Authority conducts sample checks of registrant websites as part of its assessment and had not noted any issues requiring referral to PTUK. PTUK had advised that it typically checks 100 registrant websites per year and noted that 'this year many corrections have been requested and completed, mainly for incorrect use/positioning of logos and attribution of training. The BCTIWC is provided with a summary.'
- 10.3 PTUK had noted that registrants were taking 'ownership' of its 'Caerus' software package, which assist registrants to manage their annual revalidation process and information for their own clinical and management reports. PTUK advised it continues to run subsidised workshops to assist registrants with this.
- 10.4 The Authority found that this Standard continues to be met.

### **Standard 11: complaints and concerns handling**

- 11.1 The Authority had not yet observed a PTUK complaints hearing and asked to attend any upcoming hearing, to be reported on at the next annual review, if accreditation was renewed.
- 11.2 PTUK reported that in the past year of accreditation it received three complaints against registrants, none of which involved harm or risk to children. PTUK reported that none of the complaints resulted in hearings under PTUK's formal complaints procedure however two had been addressed through mediation. PTUK's mediation process allows complainants to seek a desired outcome or remedy without necessarily escalating to its formal procedure. PTUK reported that in those case it had issued cautions and required

apologies from registrants and found those requirements had been complied with.

- 11.3 PTUK's complaints procedures state that 'You must either have used the therapeutic play services of the Registrant or be complaining on behalf of a child or young person with whom the person has worked.' The Authority asked PTUK to confirm if concerns could be raised by other parties for a concern to be considered, including issues raised outside of the therapeutic environment, for example during the practice of 'adjunctive therapies'. PTUK confirmed these could be included.
- 11.4 From the information provided, the Moderator considered actions taken by PTUK over the previous year of accreditation regarding concerns raised about registrants. The Moderator considered a potential risk that potential complainants may feel unable to raise or progress a complaint and sought assurance regarding this. The Moderator also asked PTUK to confirm details of concerns received against registrants over the past year including written enquiries that may have not led to formal investigations. PTUK confirmed these were the same numbers as initially reported.
- 11.5 PTUK had advised that if a complaint was found to be vexatious, not fully upheld and no harm to a child had occurred, the complainant would have to pay the costs of any hearing. The Authority asked if PTUK had a policy to determine when a complaint is vexatious, including if such a ruling could be appealed. PTUK advised that its criteria were:
- if the concern would confer substantial personal advantage (in monetary terms or personal reputation), rather than safeguarding children or their parent/carers or the profession, or
  - if the concern was raised to avoid incurring costs by bringing legal proceedings against the person or organisation complained of, or
  - if the concern was not of the type that it is in the interests of the play therapy profession alone to incur costs resolving the complaint
- 11.6 PTUK confirmed such rulings could be appealed.
- 11.7 The Moderator noted apparent contradictions in communications from PTUK requiring complainants being asked to provide either detailed accounts or summaries of concerns. PTUK advised it asked for additional information to better understand the circumstances of the complaint or outcomes sought. Where the facts of a concern were hard to establish, PTUK would ask for a summary.
- 11.8 The Moderator had noted an example of PTUK setting deadlines for responses in its communications, but not making the impact of not meeting such deadlines clear. PTUK advised that in that example, further information was required to progress the complaint however this was not provided. PTUK was later informed the matter had been resolved informally and no evidence of a breach of PTUK's codes was identified.
- 11.9 PTUK advised that it had considered the Moderator's concern and updated its complaints procedure. The Panel noted that the updated procedure set out

the timescales it would aim to follow where further information was requested, and that requests for extensions would be considered.

- 11.10 The Moderator noted that PTUK had required complainants to state their desired outcome to their complaint, in addition to setting out alleged breaches of PTUK's codes. The Moderator queried if PTUK was distinguishing appropriately between low level complaints which might be suitable for informal resolution and matters which needed to be dealt with under the formal procedure, where a complainant's desired outcome may not be relevant.
- 11.11 PTUK advised the aim of requiring complainants' desired outcomes assisted it to identify harms caused or deficiencies in the services provided. PTUK would conduct its own investigation, beginning with the complainant's objective. The Panel considered that when a concern was raised about a registrant, PTUK should be able to investigate and gather evidence regarding whether its standards were or were not being met.
- 11.12 The Authority considered that PTUK's approach to complaints might be better set out within its processes, clearly distinguishing between concerns that are appropriate to solve through mediation (where it may be appropriate to consider a complainant's desired outcome) and the formal procedure to investigate concerns raised and determine whether a registrant is fit to remain on the register with or without a restriction of practise. This should be established as early as possible after a concern is received.
- 11.13 PTUK's policy states complaints handled through 'mediation may result in a caution being issued with conditions attached to our registrant and/or an apology being made by our registrant and/or by PTUK. Registrants may also be suspended from the Register of Play and Creative Arts Therapists which is accredited by the Professional Standards Authority until they have met the conditions of the caution.'
- 11.14 The Moderator noted that it was not clear who determined such outcomes in the mediation process. There was potential for conflicts of interest when appealing such decisions, and it was not clear from PTUK's process whether such decisions would be published in line with formal complaints procedure outcomes.
- 11.15 The Moderator noted that the possibility of a suspension as a result of mediation appeared to contradict PTUK's requirement to escalate the complaint, if a sanction at the level of a caution or apology was not appropriate. The Authority had suggested that in line with this, suspension of registration should not be issued as an outcome of mediation (attached to a caution or otherwise). It was also conceivable that a suspension (as an outcome) applied following mediation without the registrant's consent, or without having followed their disciplinary procedure, could result in legal proceedings against PTUK on 'right to a fair hearing' grounds.
- 11.16 The Panel considered that these points suggested a pattern of potential barriers to complaints being made and investigated. The Panel had been minded to issue a Condition to PTUK as it considered that there were potential barriers to members of the public raising concerns. In particular, they felt that the potential for complainants to be charged for the costs of a hearing

could prevent members of the public from submitting a complaint to PTUK. Following discussion with the Authority, PTUK stated it would remove that section of its complaints procedure.

11.17 To address remaining concerns, the Panel considered that an audit of complaints handling may be required. The Panel issued a Recommendation for PTUK to consider reviewing its complaint processes, including the grounds it may consider and barriers that may exist for complainants. PTUK may wish to consider obtaining an independent review. (Recommendation Three)

11.18 The Authority found that this Standard continues to be met.

### **Share your experience**

12.1 The Authority received one response to the invitation to share experience but did not provide evidence that could be considered within the assessment.

12.2 The Authority received two concerns about PTUK during the accreditation year.

12.3 The first concern was raised by telephone regarding experience of the complaints process. It was not clear that this had concluded. The Authority asked the caller to share their experience when it had. The second was discussed under Standard 7.

### **Impact assessment**

13.1 There were no significant changes reported or noted in the past year.

13.2 The Authority took account of the impact of its decision to re-accredit.

### **Equality duty under the Equality Act 2010**

14.1 The Authority had due regard to its duty under the Equality Act 2010 when considering the application for renewal of accreditation.