

Accredited Registers

Condition Review: The Cognitive and Behavioural Therapy Register (The CBT Register)

1. Outcome

- 1.1 At the CBT Register's initial accreditation, the Professional Standards Authority ('we') issued one Condition on its accreditation, to be completed by the time of their next assessment (see paragraph 11.1 of the published outcome).
- 1.2 This report sets out our assessment of the actions taken by the CBT Register to satisfy the Condition.
- 1.3 We found that the CBT Register had met the Condition.

2. Background

- 2.1 We assess registers against our *Standards for Accredited Registers* ('the Standards')¹. Where a Register has not met a Standard, we can issue Conditions. A Condition sets out the requirements and the timeframe that a Register must meet.
- 2.2 At the CBT Register's initial accreditation, completed in July 2023, we issued one Condition (a full list is published on the CBT Register's directory page [CBT Register UK](#)). Condition One had to be implemented by 31st July 2024:
 - The BABCP/AREBT should inform the Accreditation team when there is a hearing using the new complaints process so that we can observe.
- 2.3 This report discusses the actions the CBT Register took to address the Condition, as well as our decision about whether the Condition is met.
- 2.4 We reviewed the following evidence:
 - a) The CBT Register's reported actions about what it had done to meet Condition

3. Concerns leading to the Condition

- 3.1 The BABCP has published its new complaints procedure on its [website](#). The BABCP/AREBT confirmed that all registrants on the CBT register will be subject to this procedure regardless of which organisation they are members of.

Section 7 of the procedure provides information about who can make a complaint and section 8 provides information on how to make a complaint. The procedure provides an email address and a telephone number for the

¹ The CBT Register were originally assessed against the [Standards for Accredited Registers \(April 2016\)](#)

Complaints and Resolution Manager. The procedure states what should be included in the complaint. Complaints should be made in writing where possible, however the BABCP will accept a complaint made verbally or using other non-written communication. The BABCP will also offer support to a complainant to put a complaint in writing if needed. Where possible complaints should be made within three years of the conduct that is being complained about. If a complaint is made outside this time limit, the complainant must explain why the complaint could not be made within the time limit. The Complaints and Resolution Manager will decide whether, it would be reasonable and in the public interest to allow the complaint to proceed despite the complaint being made outside of time limit.

Once received the complaint is triaged by the Complaints and Resolution Manager using the BABCP threshold test. This determines whether the complaint identifies reasonable grounds for investigating a possible breach of the standards which, if proven, would result in it not being suitable for the registrant to remain on the CBT Register without restrictions or conditions. If the threshold test is not met, the complaint will not be progressed, and the complainant will be informed of the decision and the reasoning. If the complaint is progressed, the Complaints and Resolution Manager will inform the registrant and provide them with information about the complaint and the grounds on which an investigation will start.

The Complaints and Resolution Manager can apply to the Emergency Suspension Panel for an Emergency Suspension Order. This is used where it is deemed that any delay in issuing an interim order would pose a risk to the safety of the public and/or the registrant. An Emergency Suspension Order can only be approved if three members of the Emergency Suspension Panel agree in writing that it is necessary for the protection of the public, in the public interest, or in the registrant's best interests. The registrant can appeal this decision.

Once the investigation is complete the complaint is sent to the Screening Panel which decides based on the realistic prospect test and is usually based on the information provided by the Complaints and Resolution Manager. Where there is a realistic prospect, the Screening Panel can refer to the Hearing Panel if it considers it would be in the public interest to do so. The Complaints and Resolution Manager will notify all parties of the decision and the reasons why.

If the Screening Panel determines that there is a realistic prospect but that it is not in the public interest for a complaint to be referred to a Hearing, then the complaint can be dealt with using the Consensual Disposal Mechanism. This can only be used if both parties agree to the terms set out by the Screening Panel, if there is no agreement then the complaint is referred to a hearing.

The Screening Panel may also decide to send the complaint to the Interim Suspension Panel for the protection of the public while the case is waiting to be heard. If an interim suspension is required, the Complaints and Resolution Manager will inform the registrant and their register entry will be updated to

show their membership has been 'suspended pending the resolution of a complaint.' The registrant is informed of the proposed decision to allow them to make representations to the Interim Suspension Panel, the registrant may also appeal a decision of the Interim Suspension Panel. Interim orders should be reviewed by the Interim Suspension Panel every three months.

At the hearing, the responsibility for presenting the case is with the BABCP. Hearings are held in public unless otherwise directed by the panel following an application from either party for all or part of the hearing to be held in private. This will be considered on a case-by-case basis. Hearings may be in person, virtual or hybrid and the procedure includes information on factors that should be taken into consideration when making this decision as well as additional requirements for virtual and hybrid hearings. Decisions are made on the balance of probabilities. The procedure provides details of factors that should be considered when deciding on the outcome and potential sanctions.

The BABCP will publish the panel's findings on its website for all complaints which are upheld. The findings will include the registrant's name and registration number. Sanctions will be noted on the register. For health-related complaints the sanction will be published on the website and the register but there will be no further details included. Decisions remain on the website until the sanctions have been completed at which time a sanctions compliance notice is posted. Removals from the register are published for seven years.

The registrant and the complainant can appeal the decision. All appeals should be made in writing within 28 days of the decision being appealed against. The submission should include the grounds for appeal. The procedure provides details of how the appeal will be run.

The Accreditation Panel welcomed the changes the BABCP/AREBT made to its handling of complaints against registrants. We found that the new process addressed all the points which had previously been highlighted by the PSA, including the removal of the Board from the decision-making process and having clearer processes for handling interim orders. We noted that the BABCP process included the ability to hold hearings in different formats which should ensure that all parties are able to fully participate. We also welcomed the work the BABCP/AREBT had done to ensure that the complaints process was clear to complainants with the publication of the Plain English and Accessible Guides. The Accreditation Panel was satisfied that Actions two and three had been considered and therefore that this Standard is now met with a Condition.

- 3.2 Further details can be found under Standard 11 of the CBT Register's initial accreditation outcome².

² [Initial Accreditation Panel Report](#)

4. Assessment of Condition One

- 4.1 The CBT Register provided its response to the Condition on 12 August 2024.
- 4.2 The matter of the singular Condition we issued to The CBT Register at their initial accreditation in July 2023 was first raised at the introductory meeting of 9th May 2024 between representatives of the Register and the new members of the Accreditation Team. The oral invitation extended at that meeting was later followed by a formal one on 31st May 2024 to observe a Disciplinary Hearing Panel scheduled for 10.00 am to 4.30 pm on 10th June 2024: [RE Invitation to Observe BABCP Hearing Panel on 10 June 2024.msg](#). There was no doubt that this invitation was an action by the CBT Register to meet our Condition.

The formal invitation was swiftly followed three days later, on 3rd June 2024, with another correspondence forwarding the first bundle of papers for the Hearing: [Index Summary and Papers Complaint 267 Hearing 10 June 2024v1.pdf](#). This first set of papers was later updated by the Register when new papers were added to the bundle, and the new set of papers was again swiftly forwarded for our attention: [Revised Papers - Hearing Panel 10 June 2024.msg](#). The final communication regarding the invitation [Agenda - Hearing Panel 10 June 2024.msg](#) arrived another three days later when the Accreditation Team received a well-structured Agenda for the Hearing: [Hearing Panel Agenda 10.06.24.pdf](#).

In accordance with the provisions of the CBT Register's Complaints Procedure, the Hearing proceeded to hold virtually and in private on 10th June 2024, starting at 10.00 am and lasted until 4.30 pm, as scheduled. Using the Teams link made available for the purpose, the Hearing was duly observed by a member of the Accreditation Team: [RE Condition evidence reminder Accepted invite.msg](#). The Hearing was conducted strictly along the lines outlined on the agenda, with sanctions imposed by the Panel as the outcome. It was clarified, however, that these were subject to appeal within 28 days of notification of all parties to the dispute and prior to publication of the report.

The CBT Register has since produced a detailed report minuting the proceedings of the Hearing, and this was made available to the Accreditation Team for this assessment: [BABCP Complaints Hearing Panel Minutes 10.06.24.docx](#). The Minutes contain a record of attendance and serves as evidence that the CBT Register's disciplinary hearing was indeed observed by our Accreditation Team in fulfilment of the Condition.

Following our enquiry on the status of the matter, we were informed in an email dated 13th August 2024 that the outcome is yet to be published on the CBT Register's website due principally to the fact that the 28-day appeal period allowed by the Procedure is yet to elapse. We were also informed in the same correspondence that "to date, the member has not appealed the Hearing Panel decision": [The CBT Condition review Publication of decision.msg](#).

We submit, therefore, that the minimum requirement in respect of the singular Condition we issued to the CBT Register at our last assessment is suggested to be met.

Observations

The Accreditation Team made several observations on the process. We have noted these below, not to qualify our assessment above, but rather only as a matter of interest and intended simply to highlight aspects of good practice that could inform broader policy development on complaints handling:

- **Timely Dissemination of Information:** The Accreditation Team was given sufficient notice of the Hearing – about a month. This provided enough time for members carrying out the assessment, who were new to the team, for background reading and preparation. All other information relating to the Hearing was received in a timely manner.
- **Organisation and Preparation:** Linked to the above, the CBT Register demonstrated excellent organisational skills in its preparation for the Hearing. All relevant information, including additional information at relevant points, was made readily available to all participants, including on the day of the hearing. The meeting was well structured, with an agenda that indicated time allocation for each item to enhance effective time management. This ensured that the meeting ran to schedule.
- **Capacity of the Register:** The Hearing provided an opportunity for the CBT Register to showcase not only its impressive capacity but also the seriousness it attached to the issue and continues to attach to the accreditation programme. To support the Hearing and enhance the chances of success of the proceedings, the CBT Register deployed sufficient human resource personnel with complementary roles within the organisation: a presenting officer, complaints coordinator, complaints and resolution manager, and a legal assessor, all of which speaks to the capacity of the Register. Like the Accreditation Team, two members of the CBT Register's complaints team were there to observe the first-ever hearing panel under the new Complaints Procedure.
- **Professionalism of the Panel:** The Hearing itself was conducted with utmost care, sensitivity and professionalism, with the CBT Register's complaints team meticulously ensuring that there was strict adherence at every stage to the provisions of the Complaints Procedure. The panel took its responsibility seriously and executed itself remarkably admirably. They considered every aspect of the process as important and referred to the legal support at hand where necessary. Issues such as remorsefulness, irremediability, public confidence, public protection, professional standards, mitigating factors, aggravating factors, fitness to practise, and sanctions were all taken into consideration during the deliberations and decision making by the Panel.

- **Good Governance:** The principles of good governance were observed throughout the proceedings: Chair's welcome; introductions by all participants; declaration of purpose of the meeting; conflicts of interest declaration (none was declared); member complained against introduced themselves and was asked about any conflicts of interest they may be aware of (none was declared); the agenda was reviewed and adopted prior to the commencement of the hearing; the governing procedures and processes (including appeals, publication of outcome and information sharing) were outlined and made clear to all present; the case was presented in significant detail and thereafter the presenter recused themselves from the deliberations of the panel; the Chair asked for comments, questions or suggestions at every significant stage and ensured full participation by every member of the panel; the deliberations were frank; and legal assistance/guidance was sought from the legal assessor when necessary; etc
- **Member Complained against only a Witness:** In accordance with the provisions of the Complaints Procedure and our expectations, the member complained against was present only as a witness. They were given an ample opportunity to present their side of the matter, respond to questions, ask questions themselves or seek clarification as they wished. We observed no encumbrances to their full participation in the adjudication process.
- **Composition and Independence of the Panel - Lay Involvement:** We can confirm that there was lay involvement in the process. We observed that the adjudication process was completely devoid of Board involvement, ensuring that there was a clear separation from the governance of the Register. Two of the three panel members (including the Chair) were lay; the third was just a member of the CBT Register and not involved in its management. This underlined the independence of the process and greatly enhanced the chances of fairness of the outcome of the process.
- **Credibility of Outcome: Sanctions vs Proportionality:** This was one of the key issues that occupied the attention of the panel once the member complained against accepted the allegations. In deciding what sanction to impose on the member, the panel took several issues into consideration in their deliberation: public protection; public confidence in the Register and profession; the wellbeing of the registrant/member; the imperative to uphold professional standards; effluxion of time since the incident; aggravating and mitigating factors; and remedial actions on the part of the member complained against since the incident. All of these weighed heavily on the minds of the Panel and informed the final decision.

Overall, the Accreditation Team left the meeting with very positive impressions. We are confident that the CBT Register has in place a robust

complaints procedure that is tried and tested. The CBT Register has demonstrated a capacity to institute a complaints process that is credible and capable of dispensing justice to its registrants, the Register, its clients, and the public. The appropriately composed panel followed every step stipulated in the procedure. Similarly, every important aspect of the process received the due attention of the Panel, including what would happen after the hearing (such as appeals, publication of outcome, and information sharing with other registers and regulators). The Complaints Procedure itself is published on the Register's website and, therefore, accessible to all registrants, members, service users, and the public.

5. Conclusion

- 5.1 Based on the above submission, we suggest that the Condition we issued to the CBT Register at our last assessment, requiring them to “inform the Accreditation Team when there is a hearing using the new complaints process so that the PSA can observe”, is suggested to be fully met. First, the CBT Register extended an oral invitation to the Accreditation Team to observe the Hearing. Then they followed this up with a formal invitation that contained specific information about the Hearing: date and time. Next, they forwarded all relevant papers and an Agenda for the Hearing. Finally, when a decision was made to hold the Hearing in private and virtually rather than publicly and in-person, a Microsoft Teams invite to that effect was sent to the Accreditation Team. This enabled a member of our team to attend and observe the Hearing as required. Minutes have since been produced as a record of the Hearing, containing an attendance list that serves as evidence that a member of our Accreditation Team indeed observed a disciplinary hearing predicated on the CBT Register's new complaints procedure.
- 5.2 As this satisfies our Condition, we suggest that the minimum requirement is met, and we have identified no further areas for improvement. The Standard is, accordingly, suggested to be fully met.