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## Byelaws of the United Kingdom Council for Psychotherapy

### 1. Interpretation

Save as provided in these Byelaws, words and expressions which bear the particular meanings set out in the Articles of Association of the United Kingdom Council for Psychotherapy, hereafter referred to as 'the Charity', shall bear the same respective meanings in these Byelaws.

## PART 1 MEMBERSHIP

### 2. Organisational Membership

- 2.1. Organisational Membership shall be open to an organisation which fulfils all of the following conditions:
- 2.1.1. It should be relevant to psychotherapy or psychotherapeutic counselling, and should support the aims and objectives of the Charity;
  - 2.1.2. It shall have been in existence for at least three years before application for Membership of the Charity;
  - 2.1.3. It shall possess an accountable financial and administrative structure compatible with the UKCP Memorandum and Articles of Association;
  - 2.1.4. It shall not be a sub-unit or branch of any Organisation or institution which is separately eligible for Membership;
  - 2.1.5. It shall possess a code of ethics and practice compatible with UKCP requirements;
  - 2.1.6. It shall be viable to UKCP.
- 2.2. Organisations containing, or created by, a significant representation of UKCP Full members, shall be eligible for Membership of UKCP.
- 2.2.1. In these circumstances, the Membership application process may be expedited. However, the decision to accept an expedited application process, is at the absolute discretion of the Board of Trustees;
  - 2.2.2. The applicant organisation shall meet the requirements of (2.1) above, (and be subject to the same assessment procedures as other applicant organisations) with the following exceptions:
    - 2.2.2.1. It shall be viable to UKCP;
    - 2.2.2.2. The organisation shall have Contingent Membership, until it has been in existence for at least one year or has achieved the membership figure in 2.2.2.1 above;
    - 2.2.3. If the organisation is to be multi-modality it must have the appropriate procedures and policies in place to fulfil the requirements of each discrete modality college in addition to the generic standards required for the type of organisation in the UKCP in order to accredit or reaccredit individuals.
- 2.3. Organisations may apply for membership by submitting an application form to the UKCP Professional Regulatory Committee of the Colleges and Faculties.

### **3. Categories of Organisational Membership**

- 3.1. Categories of Organisational Membership shall be as determined from time to time by the UKCP Board of Trustees.
- 3.2. Full Organisational Membership shall be for organisations providing training, and for organisations serving the professional development of its members, in accordance with approved UKCP standards.
- 3.3. Contingent Organisational Membership shall be for organisations working towards full membership requirements and is limited to 3 years.
- 3.4. Affiliate Membership shall be for organisations having a parallel purpose in the community

### **4. Review of Organisational Membership**

A Quality Review of each Organisational Member will periodically be conducted in accordance with the appropriate quality review procedure.

### **5. Individual membership**

- 5.1. Full individual membership shall be open to those who have approval of a UKCP College and either
  - 5.1.1. fulfilled all relevant conditions for accreditation as a UKCP practitioner with sponsorship for UKCP Membership by a full Organisational Member
  - or
  - 5.1.2. hold a European Certificate of Psychotherapy and meet the requirements for international members specified by the approving college.

### **6. Categories of individual membership**

- 6.1. Categories of individual membership shall be as determined from time to time by the UKCP Board of Trustees.
- 6.2. Full Clinical Membership of UKCP is open to those who meet UKCP requirements for accreditation and re-accreditation as a practitioner.
- 6.3. Full Non-clinical Membership is open to those who have met UKCP requirements for accreditation and re-accreditation for a minimum period of 5 years, who continue to meet UKCP standards for Continuing Professional Development, but who are not re-accredited as a practitioner.
- 6.4. Therapist-in-Training Membership is open to individuals registered with a UKCP-accredited Organisation, working as a trainee therapist and working towards UKCP accreditation;
- 6.5. Student Membership is open to individuals registered with a UKCP-accredited Organisation and not working as a trainee therapist.
- 6.6. Affiliate Membership is open to individuals working in a field allied to psychotherapy.

**7. Privileges and Responsibilities of Membership**

- 7.1. Full individual members (6.2 & 6.3) and Full Organisational Members (3.2) shall each be eligible to vote.
- 7.2. Full Organisational Members 3.2 shall be eligible to sponsor individuals for membership of UKCP.

**8. Withdrawal of Membership**

Where it has come to the attention of the Trustees that any member has failed to fulfil the conditions of Membership that Member will be required to withdraw from Membership of the Charity in accordance with the provisions of Article 10.

**9. Member Duty to Inform**

- 9.1. Members shall inform the Trustees of any information that is material to the individual's or organisation's terms of membership.
- 9.2. The Trustees may compel, or delegate to an officer the capacity to compel members to produce documents or other material or give evidence relevant to the Charity's objects, duties or powers.
- 9.3. Failure of a member to comply with an Order to Produce under this paragraph shall constitute grounds for a complaint under individual or organisational complaints processes of the Charity.
- 9.4. No member shall be required to produce any material or give any evidence which the individual or organisation could not be compelled to produce in civil proceedings in any court in the United Kingdom.

**PART 2 STRUCTURE**

**10. Colleges**

- 10.1. Colleges shall be established by the Charity on the basis of a degree of commonality of underpinning philosophy and/or practice. The proposed College shall have a mechanism whereby individual registrants can be accredited and reaccredited in accordance with the current approved UKCP Reaccreditation procedure.
- 10.2. Colleges will be the gateway to Full Organisational Membership of the Charity. Organisations applying for Full Membership of the Charity shall be required to demonstrate their affiliation with a College.
- 10.3. Colleges are formed or dissolved through application, in the first instance, to the Chair of UKCP. The responsibility for accepting, rejecting or deferring such an application rests with the Board of Trustees.
- 10.4. Members may seek affiliation with more than one College.
- 10.5. Each College shall appoint one Representative to the Members' Forum.
- 10.6. Each College shall meet at least twice in every year and shall make a report to the Board of Trustees.
- 10.7. Each College shall cause proper minutes to be made of all proceedings of all Meetings of such College and all business transacted at such Meetings.

10.8. Each College shall present a business plan with anticipated budgetary requirements identifying the process by which the College's obligations, as set out above, will be fulfilled.

10.9. A Quality Review of each UKCP College will periodically be conducted in accordance with the appropriate quality review procedure.

#### 11. **Dissolution of a College**

11.1. The UKCP shall investigate any allegation that a college is not complying with the regulations as set out in the Articles and in these Byelaws.

11.2. If a college is found to be in breach of any of the regulations as described in the Articles or Byelaws, then the Board of Trustees shall require the College to take immediate action to rectify the situation. If the College shall not satisfy the Board of Trustees, the Board of Trustees may dissolve the College.

11.3. All members of the College that has been dissolved may immediately apply for membership in another college. For a maximum duration of one year, while any such application is being resolved, such members shall retain all rights held prior to the dissolution. If, after a period of one year, the application for membership remains unresolved, Organisational Members will revert to either Contingent Membership or Affiliate Membership as determined by the Professional Regulatory Committee of the Colleges and Faculties; Individual Members will revert to either Non-Clinical Members or Affiliate Members as determined by the Registrar.

#### 12. **Faculties**

12.1. Faculties may be established by the Charity on the basis of a commonality of aim and purpose which is not otherwise addressed via a College.

12.2. Faculties are formed or dissolved through application, in the first instance, to the Chair of UKCP. The responsibility for accepting, rejecting or deferring such an application rests with the Board of Trustees.

12.3. Members may seek affiliation with more than one Faculty.

12.4. Each Faculty shall appoint one representative to the Members' Forum.

12.5. Each Faculty shall meet at least twice in every year and shall make a report to the Board of Trustees.

12.6. Each Faculty shall cause proper minutes to be made of all proceedings of all meetings of such Faculty and all business transacted at such meetings.

#### 13. **Board of Trustees**

13.1. The composition of the Board of Trustees is as set out in the Articles.

13.2. The powers of the Board of Trustees shall be in accordance with the Articles.

13.3. The Board of Trustees shall delegate to and receive reports from all relevant bodies and may decide on new policy and general direction of the work of the Charity in relation to the agreed aims and objectives of the organisation as laid down in the Articles of Association.

- 13.4. The Board ensures that all policies, procedures and practices of the Charity are in compliance with relevant legislation and are in accordance with best practice in the field and that the policies, procedures and practices of the Charity are feasible and consistent with its objects.
- 13.5. The Board of Trustees ensures that the vision, mission and values of the Charity incorporate considerations of ethics, diversity and equalities, and that the standards, regulation and quality assurance of the organisation are of the highest order.
- 13.6. The Board of Trustees shall institute policies and procedures for elections.
- 13.7. The Board of Trustees may maintain a Complaints and Conduct Process (CCP) for the purpose of considering clinical complaints against full individual members. The CCP may provide for sanctions respecting the membership status and conditions of practice of the member. The CCP may be amended, varied or substituted on such terms as the Board considers necessary.
- 13.8. The Board of Trustees may maintain a process for the consideration of complaints against Organisational Members that may include sanctions on membership and operations.

#### 14. **Members' Forum**

- 14.1. The Members' Forum shall be the means of debating the future direction and strategy of the UKCP. It shall act in an advisory capacity to the Board of Trustees, and shall have the responsibility to ensure the development of the profession of psychotherapy and psychotherapeutic counselling and their promotion to the public benefit via the encouragement and support of dialogue and innovation across a diversity of theoretical perspectives and practical approaches.
- 14.2. The Members' Forum shall be composed of the following:
  - The Chair of UKCP
  - Vice Chair of UKCP
  - Representatives from each College and Faculty
  - Honorary Fellows of UKCP
  - Two representatives from each UKCP membership region
  - Other Council members, or categories of representative, the terms for appointment or election of which shall be determined by the Board of Trustees in consultation with the Members' Forum.
- 14.3. Representatives to the Members' Forum may appoint an alternate to attend in their place.
- 14.4. Colleges and Faculties shall determine the process for appointment or election of their representatives.
- 14.5. Terms for appointment or election of Members' Forum members shall be determined by the Board of Trustees in consultation with the Members' Forum.
- 14.6. The Members' Forum shall elect its Moderator from among its members.
- 14.7. The Moderator of the Members' Forum may attend meetings of the Board of Trustees in a non-voting, observer capacity in order to express the views of the Members' Forum, without the legal requirement of a trustee to act in a non-representational

way.

- 14.8. Attendance at Members' Forum meetings will be open to all UKCP members but only elected members of the Members' Forum will have a vote.

## 15. Elections

- 15.1. Voting in elections or resolutions of the membership, including dismissal elections, will be on the basis of one full member **(both individual and organisational)** one vote.
- 15.2. Elections for Trustees on the Board of Trustees will be by a vote of full Individual Members and full Organisational Members.
- 15.3. Nominations, seconded by Full Members, for election to the position of Chair, Vice Chair or Trustee will be solicited from the membership at least 60 days before the ballot is to be taken.

## PART 3 OFFICERS AND COMMITTEES

### 16. Terms of Reference of Officers and Committees

- 16.1. The Chair shall be responsible for:
- 16.1.1. Providing leadership for the Board of Trustees as it fulfils its governance duties and responsibilities towards the organisation
  - 16.1.2. Planning and leading meetings of the Board of Trustees
  - 16.1.3. Coordinating board management of the Chief Executive
  - 16.1.4. Sitting on appointment and disciplinary panels
  - 16.1.5. Oversight of Regulatory Matters
- 16.2. The Chair and Chief Executive shall be jointly responsible for
- 16.2.1. Representing the organisation, acting as key spokespeople
  - 16.2.2. Oversight of Equalities and Diversity framework
  - 16.2.3. Oversight of Risk Management
  - 16.2.4. Developing and supporting effectiveness of Board of Trustees
  - 16.2.5. Giving direction to Board policy making
- 16.3. There shall be a Vice Chair who shall be responsible for supporting the Chair and deputising for the chair as and when required both externally and internally in liaison with the Chief Executive.
- 16.4. There shall be an Executive Committee composed of the Chair, Chief Executive, Vice Chair and such others as the CE and Chair deem to be necessary, responsible for the translation of strategy into tactics.
- 16.5. There shall be a Professional Regulatory Committee of the Colleges and Faculties composed of chairs or chairs' designates of recognised colleges and faculties responsible for coordinating the work of the colleges and faculties.
- 16.6. There shall be a Finance and Audit Committee responsible for proposing a budget to the Board of Trustees in accordance with the strategic plan established by the Board of Trustees.
- 16.7. The Board of Trustees shall appoint such additional officers and committees as it deems necessary.
- 16.8. The specific terms of reference for each of the Charity's standing committees is set

down in the UKCP Standing Orders Document.

Membership of the Charity's Board and Committees may be drawn from UKCP Individual Members in good professional standing from across all Colleges and Faculties, experts in the field and lay members.

#### **PART 4 CHANGE MANAGEMENT**

17. The UKCP Change Management Process for UKCP Official Documents, governing change to all official documents including the UKCP Byelaws and the UKCP Standing Orders, is set down in the UKCP Standing Orders.