

The future regulation of counsellors and psychotherapists: The case for statutory regulation

Jon Levett, Chief Executive

Introduction



Chief Executive of the UK Council for Psychotherapy (UKCP), bringing extensive leadership experience across membership bodies, statutory regulation and the charity sector. Previously led organisations including the National Association of Funeral Directors and the Institute of Psychoanalysis, with a strong focus on governance, professional standards and strategy.

Let's talk about the work UKCP has done in arriving at a position on statutory regulation since January 2024

What do we mean by statutory regulation?

A system for regulating a profession, for the benefit of the public, whereby it is a criminal offence for a person or business to use either certain professional titles and/or undertake professional activities unless authorised to do so.

Authorisation may come from being on a statutory register. However, it may simply involve not being legally barred from doing so.

Comparison between statutory regulation and PSA accredited register scheme

PSA oversees both statutory regulators and accredited voluntary registers

PSA standards similar for both statutory regulators and voluntary registers, and PSA consulting to align even more closely

Both within framework of public protection

But no legal requirement to register with voluntary registers and no protected titles or functions

Why would the government introduce statutory regulation?

Category 1	Category 2	Category 3
<p>Unregistered ‘therapists’ operating outside professional oversight</p> <p>Anyone can set themselves up as a ‘counsellor’ or ‘psychotherapist’ without any training or supervision and offer any type of therapy (regardless of its evidence-base or efficacy).</p>	<p>Registered counsellors and psychotherapists (regulated by professional bodies, with varying levels of compliance)</p> <p>Members of a professional body/on a PSA-approved register.</p> <p>Arguably, the safest and less risky of the 3 categories and yet with the strongest protective measures in place.</p>	<p>Deregistered or ‘struck-off’ practitioners who may continue practising despite sanctions</p> <p>A significant number of individuals who have been removed from PSA-approved professional registers continue to offer their services/practice unimpeded as ‘counsellors’ and ‘psychotherapists’.</p> <p>These individuals are free to operate outside of any professional body standards and may offer any form of ‘therapy’ (like those in Category 1).</p>

Ella Janneh's campaign and other

Press articles in Guardian, I-paper, and Economist have highlighted some poor practice and lack of protection for clients when things go wrong

Ella Janneh's campaign has been a prominent voice advocating for stronger legal oversight and accountability in the sector. Her campaign highlights the need for consistent standards, clearer complaints processes, and better protection for clients.



Alongside similar advocacy efforts, this has contributed to growing pressure on policymakers to consider statutory regulation.

What is the government's current position?

Sky News – Blurred lines and no rules: The dark side of therapy



UKCP's consultation with members

Most members support the overall direction and principles, while raising concerns about potential government overreach

Balance between public protection, practitioner autonomy, and professional identity

Title protection and restriction of high-risk functions are broadly valued by most

Diversity of modalities concerns highlighted

Voluntary enhancements seen as helpful, but concerns over strength and cost

Concerns raised about UKCP's dual role as both membership body and potential regulator

Members want greater clarity, transparency, and involvement in shaping future regulation

Developing a principle-based approach

A principles-based approach allows UKCP to:

- centre public protection as the primary purpose of regulation
- protect the integrity and diversity of psychotherapeutic practice
- support fair, proportionate and accessible regulation
- engage clearly and consistently with policymakers and partners.

The principles describe what good regulation would need to achieve, rather than setting out a detailed regulatory model UKCP would support. This provides clarity while allowing flexibility as policy discussions evolve.

Enhancing the voluntary system

Alongside the work on statutory regulation, UKCP has agreed a programme of voluntary enhancements to strengthen public protection within the existing Professional Standards Authority (PSA) Voluntary Accredited Register system.

These enhancements focus on what can be done now within the existing voluntary framework. Together, they aim to improve consistency, transparency, safeguarding and public understanding across the voluntary system.

Making UKCP stat-reg ready

The review supports a move towards risk-based regulation, enabling a more proportionate and targeted approach to oversight.

It aims to ensure governance arrangements align with best practice, legal, and regulatory expectations.

UKCP's governance review is aiming towards a more streamlined and effective organisational structure.

A key development is the separation of Membership and Standards into distinct functions, strengthening independence and clarity in decision-making.

The changes are designed to improve efficiency, make better use of resources, and enhance member engagement and influence.

Overall, the review seeks to modernise UKCP's governance and future-proof the organisation in a changing professional landscape.



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