

BRITISH/ PSYCHOANALYTIC /COUNCIL

Decision Review

About Us

1. The British Psychoanalytic Council (BPC) is the UK's leading professional association and accredited public register for psychoanalytic psychotherapy. The BPC is a voluntary accredited register; registering psychoanalytic psychotherapists and psychodynamic psychotherapists and is accredited by the Professional Standards Authority (PSA).
2. The core functions of the BPC are to:
 - Set and maintain standards of practice and conduct;
 - Maintain a register of qualified psychoanalytic and psychodynamic psychotherapists ('Registrants');
 - Assure the quality of education and training provided to Registrants by their Member Institutions;
 - Require Registrants to keep their skills up to date through continuing professional development;
 - Consider and investigate complaints and concerns of a Fitness to Practise nature raised against Registrants and issue sanctions, where appropriate to protect the public, act in the public interest and uphold the standards of the profession and maintain public confidence in the profession.
3. The BPC's Council of Member Institutions ('MI') agreed to the introduction of a centralised Complaints Procedure in 2007 and conferred the responsibility for considering complaints raised against Registrants to the BPC.

Purpose of this Document

4. The purpose of this document is to provide guidance to Registrants and Complainants in connection with the Screening Committee's ability to review a decision. This document may also be of assistance to MI's and members of the public wishing to understand further information regarding the BPC's procedures.
5. This document should be read in conjunction with the Fitness to Practise Procedure to provide further information regarding the Fitness to Practise process holistically.
6. The BPC will regularly review this document to ensure it remains consistent with other BPC associated guidance documents.

Screening Committee

7. The Screening Committee can review the following decisions:
 - A decision made by them not to refer an allegation of impaired Fitness to Practise ('allegation') to the Fitness to Practise Committee;
 - A decision made by them to refer an allegation to the Fitness to Practise Committee.
8. With reference to the composition of the Screening Committee, any review of a decision will be undertaken by the Screening Committee who did not make the original decision.

Decision not to refer to the Fitness to Practise Committee

9. Where the Screening Committee have decided not to refer an allegation to the Fitness to Practise Committee, the Complainant or the BPC can refer the matter to the Screening Committee for a review of the decision.
10. The only basis upon which a decision can be sent to the Screening Committee for review, in connection with cases not referred to the Fitness to Practise Committee, are as follows:

Ground 1

1. Where there is new evidence or information which makes a review necessary:
 - a. For the protection of the public;
 - b. To prevent injustice caused to the Registrant; or
 - c. Is otherwise in the public interest

Ground 2

2. Where there is information available to indicate that the British Psychoanalytic Council has erred in its administrative handling of the case, and it is necessary in the public interest to review.
11. Any requests for a review must be made in writing and must be received by the BPC within one year from the date of the letter notifying the Registrant/Complainant of the decision.
12. The request must explicitly reference and include the new information/evidence being presented or clearly stipulate why the British Psychoanalytic Council has erred in its handling of the case with specific examples and evidence.
13. At first instance, the Screening Committee will consider and decide whether either ground has been met or both. Where the Screening decides that either ground (or

both) has not been met, the Complainant will be provided with the Screening Committee's decision in writing as soon as possible following the decision being made.

14. Where the Screening Committee decide that either of the grounds have been met or both, a review of the decision will be undertaken. The BPC will inform the Registrant and the Complainant, in writing that new information has become available and provide them with copies of the information, where appropriate.
15. The Registrant and Complainant will be afforded the opportunity to provide written representations and will be given 28 days within which to do so.
16. Once representations have been received, the Screening Committee will consider all of the available information placed before them and have the following options available to them:
 - Determine that the original decision should stand;
 - Give a Warning;
 - Refer the matter to the FTPC; or
 - Remove any previous Warning that has been issued from a Registrant's record.
17. Once the Screening Committee have made their decision, a copy will be provided to the Registrant and Complainant in writing as soon as possible.
18. There is no further right of review.

Decision to refer to the Fitness to Practise Committee

19. Where an allegation has been referred to the Fitness to Practise Committee, the Registrant or BPC may request a review of the Screening Committee's decision.
20. A request for review must be made in writing and include all salient information relied upon by the relevant party ('the application').
21. Where the application is made by the Registrant, the BPC will contact the Complainant (where applicable) and provide them with 21 days to provide any comments they may wish to make. The BPC will also formally respond to the application and have 28 days within which to do so. The Registrant will be provided with a copy of the BPC's response and any comments made by the Complainant.
22. Where the application is made by the BPC, the Complainant will be permitted 21 days to provide a response to the application and the Registrant will have 28 days to formally respond to the application.
23. The Screening Committee will then meet to consider all of the available documentation and have the following options available to them:
 - Decide that the original decision to refer the case to the Fitness to Practise Committee should stand; or

- Terminate the referral of the case to the Fitness to Practise Committee with no further action to be taken against the Registrant

24. Once the Screening Committee have made their decision, a copy will be provided to the Complainant and Registrant as soon as possible.

25. There is no further right of review.