



Association Fitness to Practise Procedures

Declaring Police Charges, Cautions and Convictions and Professional Concerns and Determinations

Good Character and Professional Conduct

'Fitness to Practise' in the context of UPCA membership and procedures refers to a person's suitability to practise as a qualified and registered psychotherapist, maintaining their membership and registration with recognised professional bodies. A member's fitness to practise is in part dependent on standards of good character and professional conduct.

A member's fitness to practice in standards of good character and professional conduct will be brought into question, and may be considered to be impaired, for any one of the following reasons;

- A police charge, caution or criminal conviction in the British Isles (or elsewhere for an offence which would be a criminal offence if committed in England or Wales)
- Bringing UPCA, the UKCP, or the profession of psychotherapy into disrepute
- A determination or decision, through proper procedures and appeals, by a registering or regulatory body either in the British Isles or overseas.

Declaring Actions by Police and Professional Bodies and Organisations

Those applying for membership with UPCA are required to provide detailed information about any of these reasons where good character or professional conduct might be in question. Subsequently, during their period of membership and before annual renewal, members have a responsibility to provide detailed information about any of these reasons where good character or professional conduct might be in question.

This means applicants and members must inform us if they have;

- A police charge, caution or conviction
- A determination or decision by a registering or regulatory body.

Applicants and members are not required to declare fixed penalty fines for traffic offences, unless they led to a disqualification. Applicants and members are not required to again declare offences already declared and dealt with.

A declaration can be accompanied by a character reference and/or the applicant's/member's own account of circumstances concerning the offence.

Actions in Relation to Declarations

Declarations will be managed within UPCA Fitness to Practice Procedures. They will be considered by the Chair of Ethics, and may be referred to a Fitness to Practice Panel for review. In this consideration and review possible patterns of offence, implications for professional practice, potential risk posed to clients, and potential risk to public confidence will be examined. Any character reference and/or the applicant's/member's own account of circumstances concerning the offence, submitted with the declaration, will also be considered.

Having a police charge, caution or conviction or a professional determination is a serious matter. An application for membership may be rejected, and renewal of membership may be refused.

Character Reference

A positive character reference may help in the consideration of a declaration.

A primary reference will be from an employer/line manager, and must be signed on headed paper.

A secondary reference can be from a person of standing in the community who is not a relative of the applicant. This means that your referee must have a reputation in the community. A professional person (eg a doctor, solicitor or accountant) will be recognised as a person of standing in the community as will a:

- Bank manager;
- Justice of the Peace or other judicial official;
- Principal of the institution which granted the applicant an approved qualification or a person authorised to provide character references by the principal of that institution; or
- Minister of the Church, Rabbi, Imam or other religious official acceptable to the Council.

This is not an exhaustive list and if you have any questions as to whether a person is considered to be a person of standing in the community please contact us.

References must show that the person writing the reference has known the applicant or member for at least three years, is aware of the offence they have committed, and will give an opinion as to their character and their fitness to practise.

References must be completed by the referee, they must confirm their occupation, practice, and business address, and should be signed no more than six months before the submitted declaration. References must be returned by referees to the applicant/member and forwarded with the declaration. We cannot accept a reference sent directly to us by a referee, or those faxed, photocopied or emailed. Please remember that providing fraudulent references may lead to prosecution.