



For better  
mental health

# **The protection we deserve:**

**Findings from a service user  
survey on the regulation of  
counsellors and  
psychotherapists**

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## **About Mind**

Our vision is of a society that promotes and protects good mental health for all, and that treats people with experience of mental distress fairly, positively, and with respect.

The needs and experiences of people with mental distress drive our work and we make sure their voice is heard by those who influence change.

Our independence gives us the freedom to stand up and speak out on the real issues that affect daily lives.

We provide information and support, campaign to improve policy and attitudes and, in partnership with independent local Mind associations, develop local services.

We do all this to make it possible for people who experience mental distress to live full lives, and play their full part in society.

For further information visit [www.mind.org.uk](http://www.mind.org.uk)

## **Acknowledgements**

Mind would like to thank the service users who took the time to respond to this survey.

# **Executive Summary**

## **Introduction**

The 2007 White Paper 'Trust, Assurance and Safety – The Regulation of Health Professionals in the 21<sup>st</sup> Century' stated that 'psychotherapists and counsellors will be regulated by the Health Professions Council, following that Council's rigorous process of assessing their regulatory needs and ensuring that its system is capable of accommodating them'.

In January and February 2010, Mind carried out a survey with mental health service users on the regulation of counsellors and psychotherapists. The following report aims to give a faithful portrayal of the 181 responses received.

## **Your experience**

75 per cent of respondents said that they were satisfied or very satisfied with the service from their counsellor or psychotherapist. However, some of the respondents recounted negative experiences where their vulnerability had been abused. 38 per cent of respondents reported abuse, with the breaking of professional boundaries the most common experience recounted.

In addition to being registered with a professional body, possession of suitable qualifications, geographical proximity, length of waiting list and cost, many of the service users explained that the ability to connect with a therapist was one of the most important factors when choosing a counsellor or psychotherapist.

Under two thirds of respondents knew whether or not their therapist was a member of a professional body. Of those whose therapist was registered, 43 per cent did not know which body the registration was under.

## **Making a complaint**

Only 20 per cent of service users who felt they had been abused actually made a complaint. Reasons given for not complaining included not knowing how to make a complaint, being worried that the complaint would not be believed, concern that the complaints process was not independent and not having anyone to complain to in the first place.

Of those that did make a complaint, almost three quarters were either not satisfied or very unsatisfied with the complaints process. The lack of independence in the process and feeling discriminated against because of a mental health problem were the most common reasons cited for dissatisfaction with the complaints procedure.

## **Regulation**

Only 53 per cent of respondents were aware that there is currently no statutory regulation of counsellors and psychotherapists. 85 per cent either agreed or strongly agreed with statutory regulation and only 5 per cent disagreed or strongly disagreed. Over two thirds wanted an independent regulator and only 18 per cent would prefer the professional body to regulate these professions. 37 per cent wanted a formal complaints process, 9 per cent wanted a mediation approach and 47 per cent wanted a mixture of both. Regarding what makes a good complaints process, the most popular factors were for the regulators to not all be from the same professionals they regulate (58 per cent) and for there to be one formal complaints process (48 per cent).

## **Conclusions**

In light of this survey, Mind recommends:

- The urgent statutory regulation of counsellors and psychotherapists;
- That the regulation system be fully independent;
- That basic training standards for these professions be put in place;
- That mediation systems, run independently by the regulator, be considered alongside formal complaints processes.

## **Introduction**

In the 2007 White Paper 'Trust, Assurance and Safety – The Regulation of Health Professionals in the 21<sup>st</sup> Century' it was stated that 'psychotherapists and counsellors will be regulated by the Health Professions Council, following that Council's rigorous process of assessing their regulatory needs and ensuring that its system is capable of accommodating them. This will be the first priority for future regulation.'

In January and February 2010, Mind carried out a survey with mental health service users to find out what their experiences of the current regulatory models within counselling and psychotherapy are and what form of regulation they would want to see in the future. The survey was distributed in both online and offline formats to service user networks. 181 responses were received.

The following report aims to give a faithful portrayal of the responses received. However, the survey was self-selective and as such can only provide a snapshot of the experiences and views of service users. The survey is not representative of the views of the UK population as a whole.

## Your experience

### Have you ever used counselling or psychotherapy services?

Yes – counselling	34	19 per cent
Yes – psychotherapy	27	15 per cent
Yes – counselling and psychotherapy	109	60 per cent
No	7	4 per cent
Not sure	2	1 per cent
Prefer not to say	1	1 per cent

### What is your experience?

Many respondents described very positive experiences of using counselling or psychotherapy services.

“Excellent! Really helped me with my different issues at different stages in my life. Learnt so much about myself - it's challenging but well worthwhile.”

“Life changing experience.”

“Huge success! I am now able to 'work' alone and have got a lot more confidence and a new determination to succeed in life.”

However, there were a number of respondents who reported damaging experiences with counsellors or psychotherapists. Service users highlighted their vulnerability at the time of accessing therapy and how they felt this had been abused. In particular, several respondents referred to breaches of confidentiality and abrupt cessation to their course of therapy.

“I always felt very vulnerable in the private sector services, I was young and it was incredibly expensive - I wasted so much money seeing private sector counsellors/psychotherapists. I had no idea what I should be checking to make sure they were properly qualified, and I felt it difficult to walk away when I was unhappy with their services.”

“She later breached the professional code of ethics and practice by terminating my open-ended therapeutic contact without consulting me; she informed me one evening by fax.”

“She became suddenly ill and I was abandoned with no provision in place. This is when I broke down. It has taken me 30 years to recover.”

“When I returned to university in October, two tutors made comments which related to the issues about which I had spoken to the counsellor. I was devastated. My tutor had also been texting my counsellor.”

**What factors are important to you when choosing a counsellor or psychotherapist?**

Registered with a professional body	121	67 per cent
Possession of suitable qualifications	122	67 per cent
Geographical proximity	113	63 per cent
Length of waiting list	87	48 per cent
Cost	117	65 per cent

In addition to the above, many respondents added that they felt the ability to connect with your therapist was extremely important. One service user also mentioned the need for clear boundaries.

“The most important factor is whether or not I can ‘get on’ with them as a person”

“It is a very personal thing – a sense that is hard to define – to find the right therapist for you.”

“That I get on and connect with the counsellor/psychotherapist and that he/she understands me.”

“Clear boundaries because I now realise how my vulnerability was so easily tracked and abused.”

**If you have used these services, was your most recent counsellor or psychotherapist a member of a professional body?**

Yes	101	59 per cent
No	2	1 per cent
Not sure	67	39 per cent
Prefer not to say	1	1 per cent

**If yes, do you know which professional body your most recent counsellor or psychotherapist belonged to?**

No	23	18 per cent
Yes	55	43 per cent
Not sure	47	36 per cent

Prefer not to say	4	3 per cent
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**Were you satisfied with the service you received from your most recent counsellor or psychotherapist?**

Very satisfied	80	46 per cent
Satisfied	51	29 per cent
Not satisfied	22	13 per cent
Very unsatisfied	14	8 per cent
Not sure	5	3 per cent
Prefer not to say	1	1 per cent

When people were positive about the service they received, many cited the implementation of clear boundaries as necessary for the success of the therapy.

“Very professional, taken seriously, boundaries explained and stuck to by both of us.”

“She maintained appropriate boundaries while offering some needs-led flexibility in the service she provided for me.”

Where people were negative, they often complained about the lack of structure within the process or the therapist’s lack of experience.

“I have seen several private psychotherapists and found the lack of clear structure/regulation/transparency very worrying.”

“Unable to manage their own feelings...I felt I had to support them.”

**Have you ever experienced abuse by a counsellor or psychotherapist?**

Sexual	10	6 per cent
Financial	3	2 per cent
Psychological/emotional	45	27 per cent
Physical/neglectful	12	7 per cent
Discriminatory	25	15 per cent
None	89	53 per cent
Not sure	18	11 per cent
Prefer not to say	2	1 per cent
<b>Total number of service users reporting abuse</b>	<b>64</b>	<b>38 per cent</b>

The most common experience of abuse related to the breaking of professional boundaries. Other instances of abuse repeatedly mentioned include breaches of

confidentiality, instances of discriminatory behaviour and sudden cessations to the course of therapy.

“He broke boundaries by coming to my home and giving me hugs...I tried to kill myself.”

“My first therapist formed what I would now call an abusive bond with me. She started by giving me lifts in her car, giving me hugs and then taking me out for meals.”

“After six fortnightly sessions with this counsellor, he wouldn't leave me alone. He constantly telephoned me, called round my home and started a sexual relationship with me.”

“My first therapist who repeatedly throughout the therapy attempted to change the relationship to a romantic/sexual one. I lost my marriage as a result and became seriously mentally ill.”

“He struck up a close relationship with me which led to sex...He knew because of my sexual abuse past that I wouldn't tell anyone.”

“She used personal information about past child abuse to attack members...she also didn't observe boundaries, talking to people (either members or her partner) about group issues outside group times.”

“She made me believe I couldn't achieve, that I should not expect much of myself.”

“I began sessions with a counsellor and they immediately gave their opinions on me being unemployed and made it quite clear that to them unemployed translated as lazy, useless and a burden on taxpayers.”

“She said that she didn't want to see me again...I was left devastated. If it wasn't for the fact that I had a good GP...I dread to think what the outcome could have been, I probably would not be here today.”

“She refused to see me anymore without warning. As a direct result of her...abandonment, I actually did try to kill myself.”

## Making a complaint

Did you ever make a complaint about a counsellor or psychotherapist regarding the professional abuse you experienced?

Yes	25	20 per cent
No	95	77 per cent
Not sure	1	1 per cent
Prefer not to say	2	2 per cent

If you wanted to make a complaint but didn't, why was this?

I didn't know how to complain	21	37 per cent
I was worried that I would not be believed	18	32 per cent
I was concerned that the complaints process was not independent	14	25 per cent
I found the complaints process confusing or difficult	5	9 per cent
There was no one to complain to	14	25 per cent
I had to pay in order to make a complaint	1	2 per cent

Many service users cited concern over potential repercussions as the reason why they did not make a complaint. Others explained that they would have found the complaints process too emotionally difficult or confusing to deal with. Worryingly, a significant minority of respondents were unaware of any complaints process to complaint through.

"I was afraid there would be consequences."

"You get labelled as a troublemaker as soon as you make a complaint."

"I felt vulnerable and intimidated and was worried if I made a complaint there might be adverse repercussions for me."

"At the time, it was the last thing on my mind, just getting through each day was an achievement."

"I felt so isolated and scared."

"I felt too overwhelmed by my emotional difficulties to cope with making a complaint."

"I was too upset and didn't realise that I could."

"The process takes years and contributes to worse health."

“I didn’t realise I could and probably even if I had I was not in a position to do this on my own.”

**If you did make a complaint, were you satisfied with the complaints process?**

Very satisfied	1	3 per cent
Satisfied	6	21 per cent
Not satisfied	6	21 per cent
Very unsatisfied	15	52 per cent
Prefer not to say	1	3 per cent

**If you were not satisfied, why was this?**

The complaints process was confusing/difficult	6	30 per cent
The complaints process was not independent	13	65 per cent
I felt discriminated against because of my mental health problem	10	50 per cent
I had to pay to make complaint	1	5 per cent
I felt the judgement was unfair	5	25 per cent

In addition to the above, respondents explained that they were dissatisfied with the complaints process due to being uninformed of the progress of their complaint, the lack of clarity within the process, the emotional difficulty of driving through a complaint and the way in which some professional bodies reacted negatively to complaints. One service user also cited the financial cost of complaining as the reason for their dissatisfaction.

“It was just kind of swept under the carpet and they didn’t do anything.”

“They just ignored it.”

“I was not included or informed, I was just moved on to a different counsellor.”

“Everything is so secret that it’s like a national defence system.”

“I was not informed of what happened to her.”

“I was just told it would be dealt with and I was passed on to another counsellor. I never heard anything else.”

“No clear process.”

“The complaints process was a long, arduous time.”

“Complaints process made me very unwell mentally. Wears you down. Too many stages and you end up getting ill so they get away with it.”

“The organisation experienced complaints as a threat.”

“Open to abuse and mismanagement. People should not be allowed to investigate themselves.”

“The financial and emotional costs became too great.”

## Regulation

**Until today, were you aware that there is no statutory (i.e. state) regulation of counsellors and psychotherapists?**

Yes	95	53 per cent
No	72	41 per cent
Not sure	11	6 per cent

**What do you think about this statement: Counsellors and psychotherapists should be statutorily regulated?**

Strongly agree	124	69 per cent
Agree	29	16 per cent
Not sure	18	10 per cent
Disagree	5	3 per cent
Strongly disagree	4	2 per cent

**If you needed to make a complaint about a counsellor or psychotherapist, would you prefer to do so through a professional body or an independent regulator?**

A professional body	32	18 per cent
An independent regulator	122	68 per cent
Not sure	23	13 per cent
Prefer not to say	3	1 per cent

The majority of respondents preferred an independent regulator. Feeling unable to trust a professional body and feeling that an independent regulator would be more objective were very common themes running through service user comments in relation to this question. Of the minority of service users that wanted to see a professional body regulating these professions, a number explained that they felt a professional body would be better able to understand the ethics and practise of counsellors and psychotherapists. One respondent emphasised the need for service users to be involved in the regulation process.

“I would have problems trusting the professional body, after what happened.”

“People in the same organisation will stick up and back the person complained about.”

“Professional bodies take fees from the professionals being complained about and are run by people who protect their own.”

“I feel that a professional body would be likely to ‘close ranks’ and not take the client seriously.”

“I would feel that their overriding interest would be safeguarding the reputation of the body as a whole, not looking out for me and my mental health.”

“An independent regulator is preferred to prevent bias towards the professional and help ensure a fairer outcome.”

“An independent regulator might be less dismissive of client views.”

“In my experience, independent regulators have better processes for addressing complaints and dealing with their fairly.”

“It is much better to have independent regulation which can take a more balanced view of the situation.”

“Self-regulation is no regulation.”

“Professional bodies understand the ethics and practise of their profession far better than outsiders.”

“The regulator should have massive input from service users as well, i.e. they should sit in any panels or tribunals.”

**If you needed to make a complaint about a counsellor or psychotherapist, would you prefer to do so through a formal complaints process or through mediation?**

A formal complaints process	65	37 per cent
Mediation	16	9 per cent
Mixture of the two	84	47 per cent
Not sure	13	7 per cent

**What do you think makes a good complaints process?**

The regulators are all from the same profession as the professionals they regulate	37	21 per cent
The regulators are not all from the same profession as the professionals they regulate	103	58 per cent

There is one formal complaints process	86	48 per cent
There are a number of different stages to the complaints process that depend on which professional body the counsellor or psychotherapist is a part of	47	26 per cent
The complaints process is based on a mediation approach	50	28 per cent

Common themes recurring in service user comments to this question included arguing for a clear and easy complaints format, guidelines to be provided to service users on how the complaints process works, independent advocates to be provided, quick handling of complaints and a flexible approach where necessary.

“A clear path to flexible outcomes.”

“There are clear guidelines for potential complainants.”

“It should be in an easy format for the person.”

“Accessible – available in writing, audios, easy to read etc.”

“I think the concept of an independent advocacy scheme is important.”

“Lack of independent advocacy was an issue – she had a professional advocate who her insurance company paid for –I had an inexperienced worker who had never done anything like that before!”

“Advocates automatically offered to prepare complaint and support throughout.”

“Simple, staged and with strict time limits.”

“Outcomes at each stage.”

“Anonymised outcomes circulated so other professionals can learn.”

“There needs to be flexibility, some complaints don’t need to be formal.”

### **Further comments**

Many respondents used the ‘Further comments’ section to call for the urgent implementation of statutory regulation for counsellors and psychotherapists. Others highlighted the need to set up services that support service users making a complaint.

“I strongly believe that all counsellors and psychotherapists should be statutorily regulated...bad practise could have life threatening consequences.”

“We shouldn’t even be discussing it – it should have happened already and it’s a disgrace that it hasn’t.”

“The urgency of the regulation of counsellors and psychotherapists cannot be overemphasised. The devastation my counsellor has caused has been profound...I could have killed myself over my counsellor’s actions.”

“I can’t believe that in 2010 they are still not regulated.”

“Clients are very vulnerable and may be in crisis. It is essential that some framework/supervision is put in place for their protection.”

“The service user will generally feel intimidated about making complaints and so there must be options so that they are encouraged to do so rather than disengage from services completely.”

“I had no idea when I went for counselling to check that therapist was a member of a regulatory body. I assumed that they automatically should be. Perhaps people should be made more aware of this issue.”

“An independent advocate is essential for hearings and appeals...I could never have done this on my own. I was terrified...my voice deserted me.”

## **Conclusions**

The majority of respondents were either satisfied or very satisfied with the service they had received from their counsellor or psychotherapist. However, there was a worrying lack of knowledge about whether a counsellor or psychotherapist was registered with a professional body even though 67 per cent of respondents said that being registered with a professional body was important to them when choosing a therapist. When abuse was experienced, only 25 per cent of service users made a complaint and, of those making a complaint, almost three quarters were not satisfied or very unsatisfied with the complaints process. It is therefore perhaps unsurprising that the overwhelming majority of respondents (85 per cent) were in favour of the independent and statutory regulation of counsellors and psychotherapists.

In light of this survey, Mind recommends

- The urgent statutory regulation of counsellors and psychotherapists;
- That the regulation system be fully independent;
- That basic training standards for these professions be put in place;
- That mediation systems, run independently by the regulator, be considered alongside formal complaints processes.

# Appendix

The following survey was distributed to Mind campaigners and members of 'Mind Link', the charity's network of users and survivors of mental health services. The survey was available in both online and offline formats and was undertaken in January and February 2010. Please note, the formatting of the survey has been slightly altered for use in this report.

## Your experience

### 1. Have you used counselling or psychotherapy services?

- Yes – counselling
- Yes – psychotherapy
- Yes – counselling and psychotherapy
- No
- Not sure
- Prefer not to say

What is your experience?

### 2. What factors are important to you when choosing a counsellor or psychotherapist? Please tick all that apply.

- Registered with professional body
- Possession of suitable qualifications
- Geographical proximity
- Length of waiting list
- Cost
- Other (please specify):

***If you have not used counselling or psychotherapy services, please go to Question 11.***

### 3. If you have used these services, was your most recent counsellor or psychotherapist a member of a professional body?

A *professional body* is an organisation that provides training and professional development to its members. An example is the British Association for Counselling and Psychotherapy (BACP) and the United Kingdom Council for Psychotherapy (UKCP).

- Yes
- No
- Not sure
- Prefer not to say

### 4. If yes, do you know which professional body your most recent counsellor or psychotherapist belonged to?

- Yes (please specify below)
- No
- Not sure
- Prefer not to say

Which professional body?

**5. Were you satisfied with the service you received from your most recent counsellor or psychotherapist?**

- Very satisfied
- Satisfied
- Not satisfied
- Very unsatisfied
- Not sure
- Prefer not to say

If possible, could you expand on the quality of the service you received?

**6. Have you ever experienced any of the following types of professional abuse by a counsellor or psychotherapist?**

Abuse occurs when a professional takes advantage of their client or patient's trust, exploits their vulnerability, does not act in their best interests and fails to keep professional boundaries.

- Sexual
- Financial
- Psychological/emotional
- Physical/neglectful
- Discriminatory
- None
- Not sure
- Prefer not to say

If yes, please give details of this abuse if you are willing to do so.

***If you have not experienced professional abuse by a counsellor or psychotherapist, please go to Question 11.***

**Making a complaint**

**7. Did you ever make a complaint about a counsellor or psychotherapist regarding the professional abuse you experienced?**

- Yes
- No
- Not sure
- Prefer not to say

**8. If you wanted to make a complaint but didn't, why was this? Please tick all that apply.**

- I didn't know how to complain
- I was worried that I would not be believed
- I was concerned that the complaints process was not independent
- I found the complaints process confusing or difficult
- There was no one to complain to
- I had to pay in order to make a complaint
- Other, please specify below:

***If you did not make a complaint, please go to Question 11.***

**9. If you did make a complaint, were you satisfied with the complaints process?**

- Very satisfied
- Satisfied
- Not satisfied
- Very unsatisfied
- Not sure
- Prefer not to say

**10. If you were not satisfied, why was this? Please tick all that apply.**

- The complaints process was confusing/difficult
- The complaints process was not independent
- I felt I was discriminated against because of my mental health problem
- I had to pay to make the complaint
- I felt the judgement was unfair
- Other, please specify below:

If possible, please give further details about why you were unsatisfied with your complaint.

**Regulation**

**11. Until today, were you aware that, unlike doctors, nurses and psychologists, there is no statutory (i.e. state) regulation of counsellors and psychotherapists?**

*Statutory regulation* requires all practitioners to be on a state register, provide proof of qualifications and be subject to an independent regulator. It makes it illegal for those struck off for malpractice to continue to practise.

- Yes
- No
- Not sure
- Prefer not to say

**12. What do you think about this statement: Counsellors and psychotherapists should be statutorily regulated?**

- Strongly agree
- Agree
- Not sure
- Disagree
- Strongly disagree
- Prefer not to say

**13. If you needed to make a complaint about a counsellor or psychotherapist, would you prefer to do so through a professional body or an independent regulator?**

A *professional body* would be run by counsellors and psychotherapists from the same organisation as the professional you were complaining about.  
An *independent regulator* would not be run by people directly employed in the professions being regulated.

- A professional body
- An independent regulator
- Not sure
- Prefer not to say

If possible, please expand on the reasons for your answer.

**14. If you needed to make a complaint about a counsellor or psychotherapist, would you prefer to do so through a formal complaints process or through mediation?**

*Mediation* would involve you talking to the counsellor or psychotherapist you wanted to complain about with an impartial mediator (the mediator would be a counsellor or psychotherapist from the same professional body as the counsellor or psychotherapist you were complaining about).

- A formal complaints process
- Mediation
- Mixture of the two
- Not sure
- Prefer not to say

**15. What do you think makes a good complaints process? Tick all that apply.**

- The regulators are all from the same profession as the professionals they regulate.
- The regulators are not all from the same profession as the professionals they regulate.
- There is one formal complaints process.
- There are a number of different stages to the complaints process that depend on which professional body the counsellor or psychotherapist is a part of.
- The complaints process is based on a mediation approach.
- Other, please specify below.

**16. If you have further comments about the regulation of counsellors and psychotherapists, please add them below.**

**About you**

**This section is entirely optional.** Please give us whatever information you feel comfortable sharing.

**17. What is your gender?**

- Male [ ]
- Female [ ]
- Transgender [ ]

**18. What age group are you in?**

- 19 or under [ ]
- 20 to 29 [ ]
- 30 to 39 [ ]
- 40 to 49 [ ]
- 50 to 59 [ ]
- 60 to 69 [ ]
- 70 or over [ ]

**19. Where do you currently live?**

- England [ ]
- Wales [ ]
- Other [ ]

