

Counsellors and Psychotherapists (Regulation) Bill

CONTENTS

- 1 Regulation of mental health practitioners
- 2 Gay to straight conversion therapy: prohibition
- 3 Code of conduct for registered counsellors and psychotherapists
- 4 Complaints and disciplinary procedures
- 5 Short title and commencement

A
B I L L

TO

Provide that the Health and Care Professions Council be the regulatory body for counsellors and psychotherapists; to prohibit gay to straight conversion therapy; to make consequential provision for the protection of children and adults; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Regulation of mental health practitioners

- (1) Section 60 of the Health Act 1999 (Regulation of health professions, social workers, other care workers etc) is amended as follows.
- (2) After section 60(2)(ca) the following paragraph is inserted—
 - “(cb) the professions regulated by the Counsellors and Psychotherapists (Regulation) Act 2014,”.

5

2 Gay to straight conversion therapy: prohibition

- (1) It shall be an offence for any person to practise, or to offer to practise, gay to straight conversion therapy.
- (2) For the purposes of this Act, “gay to straight conversion therapy” is any form of therapy the object of which is to change a person’s sexual orientation from homosexual to heterosexual.
- (3) A person found guilty of an offence under this section shall be liable to a fine not exceeding level 5 on the standard scale.

10

3 Code of conduct for registered counsellors and psychotherapists

15

- (1) Counsellors and psychotherapists (“registered persons”) shall be registered by the Health and Care Professions Council (“the Council”).
- (2) Accordingly, Schedule 3 of the Health and Social Work Professions Order 2001 shall be amended as follows—

- (a) In paragraph 1 at the end of the definition of “relevant professions” is inserted, ”, counsellors and psychotherapists”.
- (3) The Council shall prepare and publish a code of conduct (“the code”) for registered persons.
- (4) The code must include— 5
- (a) a prohibition on registered persons offering to practice, or practising, gay to straight conversion therapy;
- (b) a prohibition on registered persons grooming any person for unlawful or inappropriate sexual activity, including where such activity amounts to an abuse of a position of trust on the part of the registered person; 10
- (c) a prohibition on a registered person engaging in sexual activity with a patient or client.
- (5) Agreement to abide by the code shall be a condition of admission to the register maintained by the Council under the Health and Social Work Professions Order 2001 (“the register”). 15
- 4 Complaints and disciplinary procedures**
- (1) Where a patient or client complains to the Council that a registered person has breached the code, the Council must investigate that complaint.
- (2) A registered person found by the Council to have breached the code shall be subject to disciplinary action by the Council, including temporary or permanent removal from the register. A breach of those provisions of the code relating to activities set out in section 3(3) of this Act shall result in permanent removal from the register. 20
- 5 Short title and commencement** 25
- (1) This Act may be cited as the Counsellors and Psychotherapists (Regulation) Act 2015.
- (2) This Act comes into force at the end of the period of 6 months beginning with the day on which it is passed.

Counsellors and Psychotherapists (Regulation) Bill

A

B I L L

To provide that the Health and Care Professions Council be the regulatory body for counsellors and psychotherapists; to prohibit gay to straight conversion therapy; to make consequential provision for the protection of children and adults; and for connected purposes.

*Presented by Geraint Davies,
supported by
Dr Julian Lewis, Jonathan Edwards, Mrs Siân C
James, Jessica Morden, Chris Evans, Mr Mark
Williams and Jim Shannon.*

*Ordered, by The House of Commons,
to be Printed, 16 July 2014.*

© Parliamentary copyright House of Commons 2014

*This publication may be reproduced under the terms of the Open Parliament Licence, which is published at
www.parliament.uk/site-information/copyright.*

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by
The Stationery Office Limited
£x.xx

Bill 78

(xxxxxx)

55/4

xxxbarxxx