

UK SBA Position statement on accreditation and protection of title.

Position Statement: Accreditation and Protection of Title.

Introduction

1.1 The UK SBA was set up on 27th April 2012 *The key purpose of the Society is to act in the public interest to keep the public safe and to enable proper and public accountability for the behaviour analysts who work to relieve the needs of children, young people and adults suffering disadvantage or disability because of behavioural difficulties*. ABA professionals involved in the competency framework group which preceded the UK SBA had already done some exploratory work and identified three possible options for achieving the regulation of practice in this field, with the aim of demonstrating the integrity and professionalism of Behaviour analysts in the UK and the protection and public benefit that would bring to those who use the services of behaviour analysts

1.2 The three options were;

1. Privy Council Chartership
2. HCPC statutory protection of title
3. Professional Standards Authority 'assured register' status

1.3 This position statement outlines the actions the UK SBA has taken, and is taking, to deliver this key strategic aim and our rationale for progressing a voluntary register with a view to applying to the Professional Standards Authority for assured register status

Privy Council Chartership

2.1 A Royal Charter, granted by the Privy Council, was once considered the only means of obtaining professional title. The UK SBA and its predecessor realised the grant of new Charters is comparatively rare and reserved for eminent professional bodies or charities that have a solid record of achievement and are financially sound.

2.2 A Royal Charter would allow the UK SBA to refer to itself as "Chartered", A professional body may apply for a Royal Charter if they represent a field of activity which is unique and not covered by other professional bodies, if it is in the public interest and at least 75% of the corporate members are qualified to first degree level standard.

2.3 Criteria for Chartership is

(a) The institution concerned should comprise members of a unique profession, and should have as members most of the eligible field for membership, without significant overlap with other bodies.

(b) Corporate members of the institution should be qualified to at least first degree level in a relevant discipline;

(c) The institution should be financially sound and able to demonstrate a track record of achievement over a number of years;

(d) Incorporation by Charter is a form of Government regulation as future amendments to the Charter and by-laws of the body require Privy Council (i.e. Government) approval. There therefore needs to be a convincing case that it would be in the public interest to regulate the body in this way;

(e) The institution is normally expected to be of substantial size (5,000 members or more).

UK SBA Position statement on accreditation and protection of title.

2.4 The UK SBA would have to publically petition for a Charter. The Privy Council encourages institutions to take soundings among other bodies who may have an interest in order to minimise the risk of a counter-petition which can then scupper the chances of success as the Privy Council is unlikely to consider an application which may be controversial.

2.5 It is the view of the UK SBA that the organisation does not yet have the sophistication and resources or sufficient practitioners to go down this route.

HCPC Statutory Protection of Title

3.1 The Health Care Professions Council (HCPC) was the preferred route for registration for the competency group that set up the UK-SBA.

3.2 The HCPC regulates 15 professions. The Health Professions Order 2001 gives the HCPC discretionary powers to make recommendations to the Secretary of State for Health and to Scottish Ministers for the regulation of additional groups. However, with the publication of the Health and Social Care Bill 2011, and with it the Professional Standards Authority's new responsibility for voluntary regulation (see below) the HCPC is no longer considering applications.

3.3 The current Government's policy on extending regulation to new groups is that statutory regulation will only be considered in 'exceptional circumstances' where there is a 'compelling case' and where voluntary registers, such as those maintained by professional bodies and other organisations, are not considered sufficient to manage the risk involved.

3.4 Unless we can demonstrate a compelling case for statutory protection of title that cannot be satisfied by Professional Standards Authority 'assured register' status it is unlikely we can achieve statutory protection of title under the terms of present Government. However, this may change and there could be an argument for creating an audit trail ready to make an application should policy change.

Professional Standards Authority "assured" register

4.1 The Health and Social Care Bill 2011 established the Professional Standards Authority (PSA - formerly the Council for Healthcare Regulatory Excellence, CHRE) with new responsibility to accredit Voluntary Registers in the Health & Social Care sector. The Professional Standards Authority has launched a scheme to quality assure voluntary registers. The scheme is designed to appeal to voluntary registers that otherwise would wish to achieve HCPC protection of title, but are unable to at present. Application for 'assured register' is now open.

4.2 Becoming a Professional Standards Authority accredited voluntary register will not give statutory protection to the title 'behaviour analyst'. This channel is clearly much more about 'customer focus' and public choice/confidence in the ability of voluntary registers to self-govern in the public interest. It is however a first step which will ensure Behaviour Analysts do get recognition as a profession that is regulated, has status, and provides recognition in terms of the PSA kite mark, which puts us on a par with other health and social care professionals.

UK SBA Position statement on accreditation and protection of title.

In this context “voluntary” means that the profession is “volunteering” to police itself. It does not mean that members of the SBA can additionally “volunteer” to be on the register.

Conclusion

Having looked at the options, the UK SBA has registered an interest with the Professional Standards Authority and indicated that it wishes at some point to register for “assured register” status.

The UKSBA believes that the benefits of this are

- It is the only current route open
- The organisation can meet the criteria for this type of regulation
- Assured register status provides public protection and gives the profession some status in the UK
- Assured register status means registrants can display a PSA quality kite mark
- It would provide an effective audit trail for a later application under 1 or 2 above
- As it involves self-policing it can be easily set up
- It does not require significant numbers of practitioners
- It is affordable and possible to achieve
- It can be changed incrementally as the UK SBA grows and develops
- It allows the UK SBA to address aspects of UK requirements that the BACB registration alone does not meet or address
- It is embedded in the UK health and social care system and will give UK practitioners additional mainstream approval.
- By setting minimum standards it should improve practice and offer consumers additional protection

In order to progress an application the UK SBA has to set up a voluntary register of practitioners who agree to self-regulation. In order to achieve assured status the register must meet a series of standards and has to show that it operates effectively.

We hope that all behaviour analysts in the UK will support this move and join the register when it is launched. We will provide additional information on what a voluntary register is, how it will work and what it will mean for practitioners and users of services in the coming weeks.

Mecca Chiesa
President
Released on