

Coroner ME Hassell
Senior Coroner
Inner North London
St Pancras Coroner's Court
Camley Street
London
N1C 4PP

7 March 2025

Dear Coroner Hassell,

Thank you for sending the Prevention of Future Deaths Report. We would like to express our sincere condolences to the family and friends of Mr Holloway.

The Association takes any concerns raised about the standards of practice for our members extremely seriously.

This letter aims to respond transparently and in good faith to the concerns you have raised.

1. Mr Holloway's BACP accredited psychotherapist did not make any notes of her consultations with him, because he had asked her not to. She gave evidence that she is not bound by law or ethics to keep any notes.

All BACP members must adhere to BACP's Ethical Framework.

Paragraph 15 makes explicit reference to the need to keep accurate records.

Working to professional standards.

15. We will keep accurate records that:

- are adequate, relevant and limited to what is necessary for the type of service being provided
- comply with the applicable data protection requirements - see www.ico.org.uk

The client has the right to request that session notes are not kept (GDPR), and it is up to the individual practitioner to determine if they are willing to work with a client who has explicitly requested that session notes are not recorded.

Paragraph 31 covers BACP's requirement to contract and communicate the agreed terms clearly and transparently.

Building an appropriate relationship. 31. We will give careful consideration to how we reach agreement with clients and will contract with them about the terms on which our services will be provided. Attention will be given to:

- a. reaching an agreement or contract that takes account of each client's expressed needs and choices so far as possible.*
- b. communicating terms and conditions of the agreement or contract in ways easily understood by the client and appropriate to their context.*
- c. stating clearly how a client's confidentiality and privacy will be protected and any circumstances in which confidential or private information will be communicated to others.*
- d. providing the client with a record or easy access to a record of what has been agreed.*
- e. keeping a record of what has been agreed and of any changes or clarifications when they occur.*
- f. being watchful for any potential contractual incompatibilities between agreements with our clients and any other contractual agreements applicable to the work being undertaken and proactively strive to avoid these wherever possible or promptly alert the people with the power or responsibility to resolve these contradictions.*

Where BACP receives a complaint that a member is not practicing in line with the Ethical Framework, BACP will conduct a thorough assessment under its robust Professional Conduct Procedure. Any member of the public may make a complaint about a member's conduct to BACP.

In addition to BACP's comprehensive Ethical Framework and Professional Conduct procedure, BACP also provides all its members with access to a range of Good Practice in Action (GPiA) resources. Our GPiA resources are based on current research and evidence and reviewed by member-led focus groups and experts in the field. We provide four guidance documents that relate to the keeping of records:

- **Confidentiality and record keeping within the counselling professions GPiA 065**
- **What do we mean by records and record keeping within the counselling professions? GPiA 066**
- **Record keeping within organisational settings in the counselling professions GPiA 068**
- **Practical aspects of record keeping within the counselling professions GPiA 067**

2. Can it be right that suicidality is completely omitted from BCAP accredited psychotherapy training?

BACP accredited courses, must meet all the course requirements set by BACP. These requirements ensure that all students on accredited courses must be trained in evidenced-based risk assessment strategies and must be taught to negotiate an appropriate therapeutic contract which may include referral.

These requirements mean that all students are taught how to refer to suitable referral agencies, such as mental health crisis teams, emergency services when required, and that students are taught how to cover the circumstances whereby they may need to take that action as part of the contracting phase.

B4.7 Formal course time must be given to:

- i. Training in assessment procedures consistent with the rationale and British Association for Counselling and Psychotherapy www.bacp.co.uk philosophy of the course. This must include the important elements of a risk assessment strategy informed by evidence-based practice and relevant research.*
- ii. Teaching the students to conceptualise the nature of the clients' issues and to negotiate an appropriate therapeutic contract, which may include referral.*

This is also underpinned by the requirements set out in BACP's Ethical Framework, which all courses must cover with students.

B4.6 The course must ensure that students are formally introduced to the Ethical Framework before starting client work. The course must demonstrate that it assists its students to develop as ethical, accountable and reflective practitioners.

3. ...can it be right that contacting the police in such a situation is not taught as part of psychotherapy planning.

According to the BACP Accreditation of Training Courses, all students enrolled in BACP-accredited courses must be trained in making informed decisions about breaching confidentiality when necessary. This includes understanding when it is appropriate to refer clients, particularly in situations requiring emergency intervention.

Furthermore, the BACP Ethical Framework for the Counselling Professions emphasises the ethical responsibility of practitioners to prioritise client safety, including making referrals and contacting emergency services when there is a significant risk of harm.

Counsellors and psychotherapists on accredited courses are taught to take such decisions based on their assessment of what intervention is needed. Balancing this alongside the need to maintain client confidentiality (unless there are justifications for breaching confidentiality). A course would not teach students to contact police solely based on an assessment undertaken by a third party, which we are given to understand was the situation in this case.

4. *Should there be a mechanism of ensuring that a psychotherapist who is unable to deal with suicidality does not practise with clients who may experience this?*

An individual who does not pass the accredited course or the equivalent certificate of proficiency is not eligible for Registration with BACP.

Given the robust training and assessment requirements in place, it should be expected that all members on the BACP Register are trained to support clients who express suicidal ideation, in safety planning and how to apply the balance of confidentiality against client safety.

5. Mr Holloway was seen and fully assessed by Northwest London clinicians when he was taken to hospital by police following an episode of self-harm on 30 June 2024. Police attendance had been prompted by Mr Holloway's brother, calling from abroad.

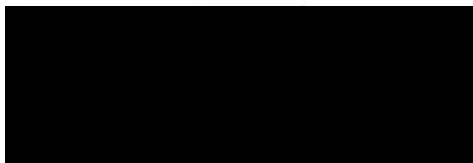
Mr Holloway's brother was particularly disappointed that it seemed as if Mr Holloway's care was not joined up between the different agencies.

BACP acknowledges the disappointment expressed by Mr Holloway's brother.

As the psychotherapist contracted was a private practitioner there is currently no ability for them to be included in any integrated care planning that may have been available. Mr Holloway was under no obligation to inform his GP or any other care provider that he was seeking private psychotherapy. Consequently, it may have been that other agencies were unaware of this. BACP has no knowledge as to whether Mr Holloway did share this information or not.

I hope that this letter provides the necessary clarification but if you have any further questions, please do not hesitate to contact me.

Yours sincerely

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Director of Professional Standards, Policy and Research