

Equality, diversity and inclusion within the counselling professions

Good Practice in Action 062
Commonly Asked Questions

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Context

This resource is one of a suite prepared by BACP to enable members to engage with the current BACP *Ethical Framework for the Counselling Professions* in respect of equality, diversity and inclusion (EDI).

Using Commonly Asked Questions resources

BACP members have a contractual commitment to work in accordance with the current *Ethical Framework for the Counselling Professions*. The Commonly Asked Questions resources are not contractually binding on members, but are intended to support practitioners by providing general information on principles and policy applicable at the time of publication, in the context of the core ethical principles, values and personal moral qualities of BACP.

Specific issues in practice will vary depending on clients, particular models of working, the context of the work and the kind of therapeutic intervention provided. As specific issues arising from work with clients are often complex, BACP always recommends discussion of practice dilemmas with a supervisor and/or consulting a suitably qualified and experienced legal or other relevant practitioner.

In this resource, the word 'therapist' is used to mean specifically counsellors and psychotherapists and 'therapy' to mean specifically counselling and psychotherapy.

The terms 'practitioner' and 'counselling related services' are used generically in a wider sense, to include the practice of counselling, psychotherapy, coaching and pastoral care.

1 Who is this resource for and what does it aim to do?

This is one of a series of resources for practitioners, supervisors, trainers, or researchers who want to know more about equality, diversity and inclusion (EDI).

This resource highlights questions BACP members have highlighted as commonly arising during their therapeutic work in respect of equality, diversity and inclusion.

The aim of this resource is to provide a basic introduction to some of the issues connected EDI. People using this resource are encouraged to see it as a springboard for their own further study. There are links to resources which can provide more in depth information or training opportunities.

It is always recommended that practitioners who have questions relating to EDI should consult a supervisor or other appropriate professional.

2 What is EDI and why is it important in therapy?

Equality, diversity and inclusion covers all aspects of relationships where differences can lead to barriers to access or disadvantage.

Some people might wonder whether EDI is just 'political correctness' and not something we should really worry about. This resource will help readers to have more understanding of the difficulties which can be faced by people accessing therapy and will suggest some ways to create a safe therapeutic environment for everyone, so that no one is prevented from receiving support because of their difference.

Certain characteristics are legally protected under the 2010 Equality Act (see below.) As practitioners, you will need to have enough knowledge of these legal requirements to make sure that you are working within the law.

3 What does the Equality Act say about how we should approach EDI as practitioners?

The Equality Act 2010 identifies nine protected characteristics. The EDI resources explore each of these characteristics, and how they might manifest themselves in therapeutic settings.

- sex and gender
- gender reassignment
- sexual orientation
- disability
- race
- religion and belief
- age
- marriage and civil partnership
- pregnancy and maternity.

Some of these protected characteristics, such as age, gender, or sexual orientation are relevant to all of us, in that we all have an age, a relationship with gender identity or a sexual orientation. In respect of these characteristics, whilst some identities or orientations are more often prone to marginalisation by society, the Equality Act 2010 does not apply to any particular identity or orientation within a protected characteristic over any other.

People with any of the protected characteristics are protected not only as employees, but also as service users. So, we cannot either directly or indirectly discriminate against someone on the grounds of any of the protected characteristics in respect of who we work with, or who we employ, and if the person has a disability, we may be required to make reasonable adjustments such that they can access services or work. See Good Practice in Action 080 Commonly Asked Questions on reasonable adjustment for more information about this.

Direct discrimination occurs when a person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others.

Indirect discrimination occurs when a person (A) discriminates against another (B) by applying to B a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of B's.

For these purposes, a provision, criterion or practice is discriminatory in relation to a relevant protected characteristic of B's if—

- 1.** A applies, or would apply, it to persons with whom B does not share the characteristic,
- b.** it puts, or would put, persons with whom B shares the characteristic at a particular disadvantage when compared with persons with whom B does not share it,
- c.** it puts, or would put, B at that disadvantage, and
- d.** A cannot show it to be a proportionate means of achieving a legitimate aim.

The Equality Act also prohibits:

- Harassment (i.e. engaging in unwanted conduct towards another person) because of that person's age, disability, gender reassignment, race, religion or belief, sex or sexual orientation; and
- Victimisation (i.e. subjecting someone to detriment because they
- bring proceedings
- give evidence or information in connection with such proceedings or
- do anything else

for the purpose of or in connection with the Equality Act)

It is important to remember that the law sets out the minimum standard of access and equality. We are committed by the *Ethical Framework* to respect our clients and:

We will take the law concerning equality, diversity and inclusion into careful consideration and strive for a higher standard than the legal minimum.
(Good Practice, Point 23)

It is also important to remember that it is not only the differences that are protected by law which can create disadvantage. Other factors like education, employment or socio-economic status, experiences like abuse, addiction or mental or physical health issues not covered by the law, can all cause barriers to access. As therapists, we need to be alert to anything which can affect the power balance with our clients, including any kind of difference which could cause privilege or disadvantage.

The following information aims to help you think about ways in which gender, sexual orientation and gender diversity can affect the therapeutic relationship and how we can become better practitioners by striving for higher standards of awareness and inclusion.

4 How can I start to be more inclusive as a practitioner?

More detail is included in each of the EDI resources, but a good starting place are the 'four As' of inclusive practice:

- **Awareness:** Be aware that we all have differences, but some of those differences can lead to barriers and oppression. Make sure that you are educated about the social and cultural aspects of different characteristics, including the discrimination and oppression that people are likely to have experienced. Do not wait for your client to educate you about their characteristic or difference. Inform yourself through CPD and individual learning, at the same time as being aware that each client's experience and perspective are unique.
- **Assumptions:** It is only by recognising that we all carry assumptions and prejudices that we can start to challenge them and be really inclusive. Whether or not we have protected characteristics ourselves, we are likely to have spent most of our lives in environments which foster prejudice towards anyone perceived as 'different'. In each of the following sections we will have a look at some damaging assumptions we might make without realising.
- **Allyship:** Taking on the role of an ally does not always mean actively campaigning on behalf of a group of people. It can just mean creating a safe and accepting space where they know they can be themselves and be heard and understood. For those who do not identify as having a particular characteristic, being an ally for an individual or community is a vital part of fostering inclusivity.
- **Ask:** Each person is a unique individual whose needs might be different from someone else who identifies as belonging to the same group. Even if you share the same characteristic, your experience of it might be quite different. While knowledge of their community is helpful, it is important to find out about their individual experience and needs.

About the author

Nikki Dhillon Keane is fluent in Sign Language and has worked as a therapist with the Deaf community for many years. She also works in private practice with hearing clients. She specialises in working with diverse spiritualities and cultures and has set up several projects working with different religious and cultural groups and with the Deaf community. She gives training to therapists and religious groups on disability and Deaf awareness, working with diversity, and working with survivors of abuse from different backgrounds. She is currently writing a book about supporting victims and survivors of domestic abuse in religious settings.

Further Resources:

BACP (2016) *Ethical Framework for the Counselling Professions*. Lutterworth: BACP.

BACP Good Practice in Action Resources: <https://www.bacp.co.uk/events-and-resources/ethics-and-standards/ethical-framework-for-the-counselling-professions/>

Citizens Advice: Protected Characteristics <https://www.citizensadvice.org.uk/law-and-courts/discrimination/protected-characteristics/>

Equality and Human Rights Commission: Protected Characteristic <https://www.equalityhumanrights.com/en/equality-act/protected-characteristics>

UK Government: Equality Act 2010 Guidance <https://www.gov.uk/guidance/equality-act-2010-guidance>