



Psychotherapy & Counselling
Federation of Australia

**BY-LAWS
OF THE
PSYCHOTHERAPY AND COUNSELLING
FEDERATION OF AUSTRALIA
INCORPORATED**

July 2018

Definitions

The following definitions are reproduced from the PACFA Constitution as an aid to interpretation of these By-laws.

- “Branch” means a Division of PACFA Members which may be established in relation to Members in a particular geographic area.
- “College” means a Division of PACFA Members which may be established in relation to Members from a particular therapy modality or other shared professional interest.
- “Division” means a PACFA Branch or PACFA College and includes Sub-divisions of PACFA Colleges.
- “Eligible Member” means a natural person eligible to one vote each on the Member Congress by virtue of being:
- (a) an Individual Member of PACFA who meets the PACFA Training Standards;
 - (b) MA Member who meets the PACFA Training Standards and who is entitled to vote by virtue of being a member of a Member Association;
 - (c) a Board Member; or
 - (d) a Chair of a Standing Committee.
- “Interest Group” means an informal group of Members of PACFA, MA members, and other interested professionals, who come together to explore aspects of practice and to provide networking and support opportunities.
- “Per Capita Fee” means a fee based on the number of Members of a Member Association that meet the PACFA Training Standards.
- “Membership Fee” means the annual membership fee payable by Members.
- “Sub-Division” means a sub-set of a College which operates autonomously from the parent College.
- “Training Standards” means the training standards approved by the Board from time to time.

1. Bridging Membership or Registration

1.1 When a Member Association ceases to be a Member of PACFA, current Members of that association on the PACFA Register (Registrants) may request bridging membership of PACFA or bridging registration. Such a request will be approved where the Registrant is taking steps to apply for membership of PACFA as an Individual Member or membership with another PACFA Member Association. Bridging membership or registration will continue for six months. Bridging Registrants must notify PACFA within 14 days of becoming a member of another Member Association. The bridging membership or registration may be extended at the discretion of the Board.

1.2 Where a Registrant has been granted Bridging Registration, they may transfer to individual PACFA membership in the appropriate PACFA membership category. To transfer to PACFA membership, Registrants are required to complete the prescribed Transfer Application Form and

pay the relevant transfer fee and annual membership fee. Membership fees are pro-rata for a six-month period if applying to transfer between January and June.

2. PACFA Membership Categories

2.1 Individual membership categories:

- (a) Clinical member – includes practitioners and Educators not in clinical practice;
- (b) Provisional member – includes practitioners and Educators not in clinical practice;
- (c) Academic member – For practitioners and Educators who belong to the Australian College of Counselling and Psychotherapy Educators and who principally identify as counselling or psychotherapy educators and /or researchers or who are leaders in the counselling or psychotherapy education sector;
- (d) Student member;
- (e) Affiliate member; and
- (f) Life member;

2.2 Organisational membership categories:

- (a) Member Association; and
- (b) Affiliated Organisation.

2.3 The Australian College of Counselling and Psychotherapy Educators shall have membership categories for its members.

- (a) Academic member – For applicants who meet the requirements for Academic membership of the College. They may be Academic, Clinical or Provisional Members of PACFA. There are two training pathways: those who meet the PACFA Training Standards and those who meet the College's alternate training pathway for researchers and leaders in the counselling and psychotherapy education field.
- (b) Associate Academic member – For applicants who meet the requirements for Associate Academic membership of the College. They may be Academic, Clinical or Provisional Members of PACFA.

3. Membership Applications

3.1 Organisations wishing to join PACFA as Member Associations must apply for membership in writing using the prescribed form, must supply such supporting documentation as PACFA may request, and must pay the prescribed application fee to PACFA.

3.2 All Member Associations either applying for membership of PACFA or for the purposes of retaining membership of PACFA must have at least twenty (20) members. Existing Member Associations of PACFA who do not meet this requirement will have five years from 6 February 2012, after receipt of a letter from the Secretary, to meet the membership requirement. If, after five years, the Member Association cannot meet the Membership requirement of 20 members they will cease to be a member of PACFA until this requirement can be met. Exceptions may be allowed at the discretion of the Board for small Member Associations that can demonstrate continuing engagement with PACFA and rigorous standards which align with PACFA's standards.

3.3 Individuals wishing to join PACFA as an Individual Member must apply for membership in writing using the prescribed form, and must supply such supporting documentation as PACFA may request, and must pay the prescribed application fee to the Association.

3.4 Organisations wishing to join PACFA as Affiliated Organisations must apply for membership in writing using the prescribed form and must pay the prescribed application fee to PACFA

4. Membership Fees

4.1 Members will pay the Membership Fees, application fees, Levies or other fees set by the Board in the PACFA Fee Schedule which will be published on the PACFA website.

4.2 Membership fees payable by Individual Members and Affiliated Organisations and per capita fees paid by Member Associations may be increased annually at least in line with the Consumer Price Index (“CPI”) as at 31 December in the previous year or as determined by the Board.

4.3 The Per Capita fees payable by Member Association are calculated as follows:

4.3.1 A per capita fee is payable every Financial Year for each member of the Member Association who meets the PACFA Training Standards as at 31 March in the previous Financial Year.

4.3.2 The total Per Capita Fees payable is the annual amount of the Per Capita Fee multiplied by the number of members of the Member Association who meet the requirements detailed in clause 4.3.1 of the By-laws. The Per Capita fees are capped at of 225 Member Association members for whom a Per Capita Fee is payable.

4.3.3 Per Capita Fees are indexed on 1 July each year based on the CPI as at 31 December in the previous year.

4.4 Each Member Association must promptly provide the Board with all information about that Member Association and its members as reasonably requested by the Board for the purposes of the Board calculating or reviewing the Per Capita Fees.

5. Registration

5.1 There will be two registration categories:

- (a) Clinical;
- (b) Provisional; and

5.2 Registrants who meet the requirements for additional registrations over and above the registration categories in clause 5.1 will have their additional registrations display on the PACFA Register. There are three types of additional registrations:

5.2.1 Mental Health Practitioner;

5.2.2 Accredited Supervisor; and

5.2.3 Specialist registration by a PACFA College, as approved by the Council, provided that registration is restricted to those College members who meet the entrance requirements for

Clinical membership of the College or such other senior practising membership categories as defined by the College.

6. Establishment of PACFA Divisions

6.1 A Member Association or a group of at least 20 Individual Members may apply to Council on the prescribed form to form a College or a College Sub-division.

6.2 The criteria for establishing a College or a College Sub-division are as follows:

6.2.1 The College's or College Sub-division's admission standards are equal to or higher than PACFA's Training Standards.

6.2.2 There is an evidence-base to support the College's or College Sub-division's modality or other area of shared professional interest.

6.2.3 Members of the College or College Sub-division are in good standing with the profession and have established links within PACFA.

6.2.4 The Convenor of a College or College Sub-division Leadership Group must be a member from the highest level of membership of the College or College Sub-division. Members of the Leadership Group may be from any membership category of the College or College Sub-division as long as the majority is from the practicing categories.

6.2.5 The application explains how the College's or College Sub-division's membership numbers are sufficient to be viable and effective as a College or College Sub-division and identifies opportunities for membership growth.

6.2.6 The College's or College Sub-division's purpose and activities align with PACFA's constitutional objectives and the College or College Sub-division is not established as an alumni association for a single training program.

6.2.7 The College or College Sub-division has an annual plan of activities.

6.2.8 There are resources available to support the new College's or College Sub-division's planned activities.

6.3 The Leadership Group of a Branch or a group of at least 20 members of a Branch in a particular State or Territory may apply to Council on the prescribed form to establish an additional Branch for that state or territory.

6.4 The criteria for establishing a Branch are as follows:

6.4.1 The application explains how there are sufficient Individual Members in the State or Territory for it to be viable for more than one Branch to operate in that state or territory.

6.4.2 There is a Leadership Group of members who will be responsible for the running of the new Branch.

6.4.3 The Branch's purpose and activities align with PACFA's constitutional objects and the Branch is not established as an alumni association for a single training program. The New Branch has an annual plan of activities.

6.4.4 There are sufficient resources available to support the new Branch's planned activities.

6.4.5 All PACFA members living in that State or Territory are accepted as eligible to join the Branch.

6.5 Leadership Groups of PACFA Divisions (Branches and Colleges)

6.5.1 Each Division or Sub-division shall have a Leadership Group consisting of at least four and a maximum of eight members from amongst the members of the Division or Sub-division.

6.5.2 Each Leadership Group will have a Convenor, a Deputy-Convenor and ordinary members.

6.5.3 To be eligible to serve on a Leadership Group, it is a requirement to:

- (a) be of good standing in the counselling and psychotherapy profession;
- (b) be an Eligible Member with voting rights, as defined in the PACFA Constitution, and be a member of the PACFA Division concerned.
- (c) have no conflicts of interest that would prevent them from impartially fulfilling the their Leadership Group role;

6.5.4 There are specific requirements to serve as the Convenor of a Leadership Group:

- (a) To be eligible to serve as the Convenor of a Leadership Group of a Branch, it is a requirement to be an individual PACFA member.
- (b) To be eligible to serve as the Convenor of the Leadership Group of the College of Psychotherapy, it is a requirement to be either an individual PACFA member or a member of a PACFA Member Association that has reached formal agreement with PACFA to participate in the College.
- (c) To be eligible to serve as the Convenor of a Leadership Group of any other PACFA College or College Sub-Division, it is a requirement to be an individual PACFA member or a member of a PACFA Member Association.

6.5.5 The composition of the Leadership Group for the Australian College of Counselling and Psychotherapy Educators must be made up of a majority of members from a membership category that requires members to meet the PACFA Training Standards.

6.5.6 The Leadership Group may initially be appointed by the PACFA Board at the time of establishment of the Division or Sub-division, after which members of the Leadership Group will be elected for a term of two years by the members of the Division or Sub-division.

6.5.7 Elections for Leadership Groups will take place every two years in August.

6.5.8 Elections will be conducted in the same manner in which Board Members are elected pursuant to clause 24 of the PACFA Constitution, with all changes as required for the procedures to apply to the election of the Leadership Group by members of the Division or Sub-division.

6.5.9 Elections for the Leadership Groups of Divisions and Sub-divisions will take place using electronic voting.

6.5.10 The Secretary of the Association will, at least twenty-one (21) days before the date fixed for holding elections for the Leadership Group of a Division or Sub-Division, send an

email notice to each Eligible Member, as defined in the PACFA Constitution, who is eligible to vote in the election. The notice will be sent to the address appearing in the Register of Members and will provide details of the electronic voting process for the election.

- (a) Only Eligible Members who belong to a particular Division or Sub-division are eligible to vote at elections for the Leadership Group of that Division or Sub-Division and to nominate to be a member of the Leadership Group. Nominees must be of good standing within the counselling and psychotherapy profession.
- (b) A quorum for Eligible Members participating in the election will be 10 Eligible Members of the Division or Sub-division. Where the Division or Sub-division has less than forty members, the quorum will be six members.
- (c) Where there is only one candidate for a position on the Leadership Group, that candidate will be elected unopposed.
- (d) When voting for the Leadership Group of Division or Sub-Division, members are to consider:
 - Whether they meet the eligibility criteria in clause 6.5.3 above;
 - the capacity of the nominee to be a member of the Leadership Group, taking into account their leadership skills and experience, their seniority in the counselling and psychotherapy profession and their availability to undertake the role;
 - whether there is sufficient representation of the diversity of psychotherapy and counselling; and
 - whether there is appropriate geographic representation (if applicable).
- (e) The PACFA Secretary will conduct the ballot using an electronic voting system. Each Eligible Member will cast their vote using the electronic voting system and the PACFA Office staff member acting as scrutineer will count the votes and certify the result in writing to the PACFA Secretary. The results of Leadership Group elections will be announced either via email to the members of the Division or Sub-division, or during a Member Meeting as appropriate.
- (f) In any case in which an equal number of votes is cast, there will be a re-vote until a clear result is achieved.

6.5.11 In the event of a casual vacancy on the Leadership Group of a Division or Sub-Division, the Leadership Group or the PACFA Board may identify a suitable Eligible Member who meets the criteria for Leadership Group membership to be a member of the Leadership Group, which appointment must be approved by the PACFA Board. Prospective Leadership members are required to submit a CV for the Board to consider their suitability. The person so appointed may continue as a Member of the Leadership Group until the next election takes place for the Leadership Group for the Division or Sub-Division.

6.6 Leadership Groups of Divisions are responsible for:

6.6.1 Planning continuing professional development activities;

6.6.2 Preparing an annual plan of activities using the standard template;

6.6.3 Preparing an annual budget for the planned activities and liaising with the PACFA Office in relation to the budget allocation;

6.6.4 Accountability for budget expenditure;

6.6.5 Leadership groups of Divisions may also, within the parameters set by the Board:

- (a) Sponsor and foster research;
- (b) Promote the work and professional identity of members who meet the College's admission standards;
- (c) Produce newsletters, website resources and other member communications;
- (d) Provide opportunities for networking and peer support;
- (e) Produce journals and other professional resources.

6.6.6 Leadership Groups of Colleges and College Sub-divisions are responsible for developing and maintaining practice standards and guidelines over and above those established by the Association.

7. Establishment of PACFA Interest Groups

7.1 A group of at least 10 Individual Members may apply to the Board on the prescribed form to establish an Interest Group.

7.2 The criteria for establishing an Interest Group are as follows:

7.2.1 There is an evidence-base to support the Interest Group's modality or other area of shared professional interest.

7.2.2 Members of the Leadership Group of the Interest Group are in good standing with the profession and have established links within PACFA.

7.2.3 The Interest Group's purpose and activities align with PACFA's constitutional objectives.

7.2.4 The Interest Group has an annual plan of activities.

7.2.5 Minimal PACFA resources are required to support the new Interest Group's planned activities.

7.3 Leadership Groups of Interest Groups

7.3.1 Each PACFA Interest Group shall have a Leadership Group consisting of at least three Individual Members. Leadership Groups for Interest Groups may determine their own membership, subject to the approval of the PACFA Board.

7.3.2 Leadership Groups of Interest Group are responsible for planning and implementing the activities of the Interest Groups, such as networking, professional development and resource development.

8. Appointment of PACFA Council Delegates

8.1 Each member of the Council who is a Delegate of a Member Association or Division or Sub-division must be formally nominated as a Delegate of a current Member Association, Division or Sub-division using the form set out in Appendix 1 to the Constitution, as varied from time to time.

9. PACFA Committees

9.1 Nomination to PACFA Committees

9.1.1 The election of Chairs of PACFA Committees is subject to clause 31.4 of the PACFA Constitution. Accordingly, these By-Laws do not apply to the positions of Research Committee Chair and Professional Practice Committee Chair.

9.1.2 Each Standing Committee established by the PACFA Council or the PACFA Board will have an elected Chair who serves for a term of two years. Committee Chairs may serve for a maximum of four terms.

9.1.3 Elections for Chairs of PACFA Standing Committees will take place in the context of a PACFA Council Meeting.

9.1.4 Elections for Chairs of PACFA Standing Committees will be conducted in the same manner in which Board Members are elected pursuant to clause 24 of the PACFA Constitution, with all changes as required for the procedures to apply for the election of Chairs of PACFA Standing Committees.

9.1.5 Committee Members will normally be co-opted to a Committee following the process set out in clause 31.5 of the Constitution to ensure that suitable Committee members join the Committee.

9.1.5 Subject to clause 9.1.6, Only Eligible Members who are PACFA Clinical Members, or who have an equivalent membership with a PACFA Member Association, are eligible to nominate to be a Chair or Member of a PACFA Standing Committee. Nominees must be of good standing within the counselling and psychotherapy profession.

9.1.6 With the approval of the Board, Committees may co-opt external members who are not Individual Members of PACFA or MA Members where the specialist expertise of external committee members is required. There should be no more than two external committee members and there should always be a majority of Committee members who are Individual Members or MA Members. The exception to this requirement is the Education Program Accreditation Committee (EPAC) which may have more than two external members, as long as they still have a majority of members who are Individual Members of PACFA or MA Members.

9.2 The following Standing Committees have been established by the Council:

9.2.1 Research Committee;

9.2.2 Professional Practice Committee;

9.2.3 Professional Standards Committee;

9.2.4 Education Program Accreditation Committee;

9.2.5 Ethics Committee; and

9.2.6 Professional Development Committee.

9.3 The following ad hoc Committee has been established by the Board:

9.3.1 Conference Committee.