

PRIOR PERMISSION

Service Category: Counselling

Any registered provider who wishes to be involved in the provision of a premium rate service ('PRS') that falls within the definition/description below, and fulfils any of the key conditions outlined below, must have prior permission from PhonepayPlus before the service can commence operation. Prior permission will only be granted subject to the application of certain conditions as set out below.

Permission granted under this category of service is specific to named services.

Definitions:

'One-off' counselling-type services

Calls to this type of service are usually made in order to seek advice in relation to a personal situation; for example, for marital, emotional, relationship and other personal problems. These services may refer callers to a body or organisation specialising in area most relevant to the caller's need.

An ongoing relationship with an individual counsellor is not central to services in this category. Calls are likely to be 'one-off' and not primarily 'therapeutic' in content, but may have an element of short-term counselling. Services of this nature may involve consumers who are vulnerable, either in terms of their characteristics or their circumstances. The [PhonepayPlus Code of Practice](#) ('the Code') highlights the need not to take unfair advantage of such consumers.

'Traditional', ongoing counselling services

Services in this category offer a programme of therapy over a given period of time with an individual counsellor. Calls may have a duration of up to one hour.

General conditions:

- (i) All provisions of the [PhonepayPlus Code of Practice](#) (as far as they are applicable) apply to the service.
- (ii) PhonepayPlus may impose such further conditions as it may deem necessary upon reasonable notice.
- (iii) This permission certificate may be immediately revoked by PhonepayPlus at any time if any condition is breached.
- (iv) PhonepayPlus may revoke this permission certificate after giving reasonable notice.

- (v) That all platforms and connections to a Network operator that provide access to the service(s), and any other relevant services provided, are of adequate technical quality-
- (vi) The Level 2 provider must register the applicable premium rate numbers ('PRNs') with PhonepayPlus before the service commences. Once registered, any change to the PRNs must be registered within two working days.
- (vii) If, for any reason, the service fails to commence within six months from the date of this permission certificate; or, having commenced, does not operate for any continuous period of six months – then this permission certificate (in either case) will immediately cease to be in force.

Category-Specific conditions:

'One-off' counselling-type services

- (i) Operators should hold a formal qualification (to at least a diploma level).
- (ii) Operators should be members of an appropriate professional body.
- (iii) Details of training, experience and membership of any appropriate professional bodies should be given in the promotional material.
- (iv) An appropriate structure of supervision should be demonstrated, including: supervision of the standard of the service at management level, oversight of operators, readily available supervision of operators (whether they are working in a call centre or in isolation) and regular group supervision.
- (v) Evidence will need to be provided upon request that all reasonable efforts to identify and deal with repeat and 'addicted' callers have been made.
- (vi) Calls should not exceed 20 minutes.

'Traditional', ongoing counselling services

- (i) A formal counselling qualification should be held (to at least a diploma level) and, in addition, the level of training will be considered.
- (ii) Operators should be members of an appropriate professional body.
- (iii) Details of training, experience and membership of any appropriate professional bodies should be given in the promotional material.
- (iv) Evidence of a supervisor, who should be a trained counsellor/supervisor (to at least a diploma level), should be provided.

- (v) Calls should not exceed one hour per session.
- (vi) Counselling should be carried out over a limited number of sessions with the agreement of the counsellor and the client, and with a review being carried out at the end of every four sessions.
- (vii) Arrangements should be in place that ensure that there is a non-premium rate means for a potential client to set up an agreement with a counsellor. A written agreement, to be entered into by the client and the counsellor, should be signed by both parties prior to the commencement of premium rate counselling sessions. This agreement should set out the cost of the calls, the length of the sessions and how many sessions could, or will, be held prior to review.
- (viii) Following the agreed number of sessions, a review should be carried out and any further agreements reached should be made in writing. In the event of a dispute, PhonepayPlus may generally ask to see such an agreement, while accepting that the interaction between counsellor and client is confidential.

Please note that, in addition to the conditions set out above, additional conditions may be imposed at the time that the permission is granted.

Who should apply:

The provider contracted to, or having arrangements with, a Network operator in respect of the provision of the service (the 'contracted provider') must apply for the prior permission. The prior permission application must include the following:

- Details of all associated providers involved in the delivery of the service who have a responsibility to be registered with PhonepayPlus;
- A statement listing the provider(s) (i.e. of those that are required to register) that fulfils each of the conditions. (N.B. This must be set out clearly in respect of each service delivery-chain that has associated providers);
- Written confirmation from each of the associated providers that they fulfil the conditions set out against their name in the statement, and that they acknowledge and understand that permission granted to them will be granted in respect of the conditions that they fulfil and that they will therefore be liable under the Code for any failure to meet those conditions.

How to apply:

In the first instance the contracted provider should email the Executive at compliance@phonepayplus.org.uk. The application must:

- Contain a description of the service;
- Include examples of promotional material for each service;
- Explain how the conditions outlined in this document will be fulfilled, providing the details, statement and confirmation required in the 'Who should apply' section above;
- Include evidence of qualifications (to at least a diploma level);

- Include evidence of membership with an appropriate industry body.

Please note that evidence should be supplied where appropriate or requested.

In the event of an investigation:

In the event of an investigation, PhonepayPlus will target the provider or providers responsible for the conditions of the prior permission certificate which have been breached and hold them liable under the Code. This may result in the withdrawal of permission from those providers and/or the imposition of sanctions against those providers, where a Tribunal finds that those breaches have occurred.

Upon request, providers will be required to provide evidence of contracts which establish their responsibility for fulfilment of the condition(s).