



STANDARD LICENCE CONDITIONS FOR PREMISES OFFERING SPECIAL TREATMENTS

Conditions for premises offering Special Treatments licenced by the London Borough of Hammersmith and Fulham under the London Local Authorities Act 1991 in force from 1 March 2020

INTRODUCTION

- a) These Standard Conditions are in force from 1 March 2020 and are applicable to all premises holding a Special Treatments licence. Their application does not in any way replace or reduce the underlying statutory duty of employers, employees, and self-employed persons to comply with the requirements of the Health and Safety at Work etc Act 1974 and any associated regulations and codes of practice which may be applicable to these premises or any other legislation which applies.
- b) The licence holder shall be aware of all the relevant provisions of the London Local Authorities Act 1991 Part II (as amended) and these Standard Conditions and demonstrate compliance at all times. Non compliance can lead to the licence being revoked or not renewed.
- c) The Standard Conditions may be dispensed with or modified by the Council in any special case. The Council may impose additional conditions as it shall specify in writing. If the licence holder wishes any of the terms of the licence to be varied an application must be made in writing to the Council.
- d) The council is committed to tackling modern slavery. It is important for the licence holder to recognise the indicators of modern slavery and to take appropriate action to prevent further exploitation if there is any suspicion someone is a victim. Engagement in any business activity seen to be connected to modern slavery or human exploitation can lead to the licence being revoked or not renewed.
- e) For reasons of safety, to provide an efficient business service and to facilitate communication with authorised officers the licence holder or nominated responsible person shall speak and write English to an acceptable standard in order to satisfactorily discuss all matters relating to the licence, treatments and aftercare advice with the Council and clients.

CONTENTS

PART I – Notes For Licence Holders

- 1) Definitions
- 2) Dispensation or modification of rules
- 3) Guidance and Standards
- 4) Enforcement
- 5) Modern Slavery
- 6) Equality
- 7) Authorised Officers
- 8) Prohibited Persons

PART 2 – Conditions Applicable To All Premises

- 1) The Licence
- 2) Conduct of the Premises

- 3) General Responsibilities of the Licence Holder
- 4) Age Related Treatments
- 5) Treatment Rooms
- 6) Electricity
- 7) Personal Hygiene
- 8) Cleaning
- 9) Refuse and waste
- 10) Client Records
- 11) Maintenance and Inspection of Systems and Equipment
- 12) Qualifications and Training
- 13) Local anaesthetics and medicines
- 14) Chemical usage
- 15) Aftercare
- 16) First Aid
- 17) Fire Safety

PART 3 - Conditions Applicable For Specific Treatments

- 1) Sauna
- 2) Heated Spa Baths
- 3) Ultra Violet Tanning Equipment
- 4) Tattooing
- 5) Permanent Make Up/Micropigmentation/ Microblading
- 6) Electrolysis
- 7) Body Piercing
- 8) Nail Treatments
- 9) Non-surgical cosmetic Laser/Intense Pulsed Light (IPL)/ High Intensity LED

APPENDIX A - Checklist Of Documentation To Be Kept At The Premises

STANDARD LICENCE CONDITIONS FOR PREMISES OFFERING SPECIAL TREATMENT PART 1 – Notes for Licence Holders

1) Definitions

In these conditions, unless the context otherwise requires the following expressions shall have the following meanings:

- **Act** means Part II of the London Local Authorities Act 1991 (as amended by London Local Authorities Act 2000 s27 and s28).
- **Approval of the Council or Consent of the Council** means the written approval or consent of the Council as Licensing Authority.
- **Approved, Accepted, or Permitted** means approved, accepted, or permitted by the Council in writing.
- **Authorised Officer** means an Officer appointed and approved in writing by the Council to apply the London Local Authorities Act 1991 (as amended) and may also be appointed under the Health & Safety at Work etc Act 1974.
- **Body fluids** is fluids such as blood, serum, saliva and other bodily fluids that may be contaminated with these substances that present a risk of infection transmission in the context of special treatments
- **Cleaning** is the removal of foreign materials from a surface
- **Client** means any person undergoing or intending to undergo special treatment
- **Clinical Waste** means any waste which consists wholly or in part of human or animal tissue, blood or other bodily fluids, excretions, drugs or pharmaceutical products, swabs or dressings, or syringes, needles or other sharp instruments, being waste which unless rendered safe may prove

hazardous to any person coming in to contact with it or any waste which may cause infection to any person coming in to contact with it.

- **Council** means the London Borough of Hammersmith and Fulham.
- **Disinfection** is the act of disinfection, using controlled techniques that reduce the number of microorganisms to a level safe for that particular application.
- **Establishment for Special Treatment** has the meaning set out in section 4 of the London Local Authorities Act 1991 (as amended).
- **High Intensity LED (HILED)** light emitting diodes delivering an output of over 500 milliwatt similar to that of a Class 4 Laser or Intense Pulse Light
- **Licence Holder** means a person who hold a Licence and is responsible for compliance with the standard conditions at all times.
- **Licence** means a special treatment licence granted under section 6 of the London Local Authorities Act 1991 Part 2 (as amended).
- **Premises** means any premises within the Council's area used, intended to be used or represented as being used as an establishment for Special Treatments and includes all installations, fittings etc.
- **Sharps** include any device used to puncture or lacerate the skin and include needles, and anything attached to them such as syringes; scalpels and scissors; lancets; broken glass items, such as ampoules or vials.
- **Special Treatment** means massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light, electric or other special treatment of a like kind or vapour, sauna or other baths, as defined in the Act
- **Sterilisation** means a validated process used to render the product or item free from viable microorganisms
- **Tattoo** is any procedure that penetrates the skin or mucous membrane for the purpose of insertion of tattoo ink to create a permanent or long-lasting design
- **Therapist** means the person carrying out the special treatment or supervising the special treatment

2) Dispensation or Modification of Rules

- a) These rules may be dispensed with or modified by the Council in any special case.
- b) The Council may, in granting a licence or giving any written approval or consent under these rules, impose such terms, conditions, or restrictions as it shall specify in writing.
- c) If the licence holder wishes any licence terms, conditions, or restrictions to be varied, an application must be made to the Council in writing. The Council may grant or refuse a variation application.

3) Guidance and Standards

- a) The Council will refer, in the first instance, to the latest version of the 'A-Z of Treatments/Therapies' produced by the London Special Treatments Group when determining whether a particular treatment or therapy is classified as a Special Treatment or not. This list is not exhaustive and from the time of publication there may be additional treatments which are considered by this authority to become a licensable treatment.
- b) The Council will refer to the Ofqual Register of Regulated Qualifications when determining whether a particular qualification is regulated, and the awarding body is recognised.
- c) The Council will refer to the latest version of List of Bodies of Health Practitioners Granted Exemption by the London Special Treatments Group when considering whether a body of health practitioners meets the criteria set out in Part II 4 of the Act.
- d) The Council will refer to published guidance and standards when considering the standards of safety management systems, infection prevention and control, training and qualification expectations, equipment safety, supervision and premises management expected to be demonstrated at a special treatment premises.

4) Enforcement

a) Right of Entry and Inspection

Section 15 of the Act gives authorised officers the power to enter, inspect and examine at all reasonable times any premises which are or believed to be

- a. used, represented, or intended to be used as an establishment for special treatment without the requisite licence
- b. used in contravention of the terms, conditions, or restrictions on or subject to which a licence is granted and may do all things reasonably necessary for ascertaining whether an offence has been committed.

b) Offences and Penalties

- a. Any occupier or other person concerned in the conduct or management of premises who uses, represents as being so used or permits to be so used as an establishment for special treatment unless under a current licence shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- b. If there is use of any premises where a licence is in force in other than in accordance with the terms, conditions, or restrictions to which the licence is held then the licence holder or other person concerned in the conduct or management of the premises shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- c. Any person who intentionally obstructs any person acting in the exercise of powers under section 15 of the Act shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- d. The Council may refuse to grant, renew or transfer a licence on any of the grounds set out in section 8 of the Act.

5) Modern Slavery

- a) The Modern Slavery Act 2015 categorises offences of Slavery, Servitude and Forced or Compulsory Labour and Human Trafficking. These crimes include holding a person in a position of slavery, servitude, forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after. Under the Modern Slavery Act 2015, the maximum sentence for an offence is life imprisonment. A person involved in any part of exploitation, be that the movement, harbouring, or recruitment of an individual for the purpose of exploitation, can be prosecuted under the Modern Slavery Act 2015.
- b) Victims of modern slavery can be referred to the local authority, the police or the Modern Slavery Helpline 08000 121 700 for support.
- c) Licence holders shall ensure a 'Stop The Traffik' poster is on display in a prominent position where therapists and staff can see it. Download from <https://www.stopthetraffik.org/resources/spot-signs-posters-leaflets/> (accessed 3 January 2020)

6) Equality

The Equality Act 2010 affects everyone responsible for running a business or who might do something on its behalf, including staff. Licence holders should use the guidance provided by The Equality and Human Rights Commission which tells you how you can avoid all the different types of unlawful discrimination.

7) Authorised Officers

Authorised officers of the Council, Police officers and London Fire Brigade officers, on presentation of their written authorisations and proof of identity, shall be admitted at all reasonable times to all parts of the premises.

8) Prohibited Persons

- a) No person shall be involved in the conduct of the premises
 - i. whose licence has been revoked or
 - ii. to whom a licence has been refused or
 - iii. has been convicted of any sexual offences, immoral or indecency offencewithout prior written consent of the Council.
- b) Where consent of the Council is refused the licence holder will not employ the person within the premises.

PART 2 - Conditions applicable to all premises

1) The Licence

- a) The current licence or a clear copy shall always be prominently displayed at the premises in a position where it can easily be read by customers.
- b) The current Therapist Registration document issued by the Council for each therapist carrying out Special Treatments, or a clear copy, shall at all times be prominently displayed at the premises in a position where it can easily be read by customers.
- c) A copy of these Standard Conditions shall be kept at the premises at all times.
- d) The licence is personal to its holder. The licence cannot be transferred to any other person unless the procedure prescribed in the Act has been followed, and the Council has granted the application.
- e) The licence is only valid for the business named on the licence. The Council shall be notified in writing within 28 days of any change in the trade name, style or title of the business.
- f) The licence is only valid for the Special Treatments named on the licence. If any alteration is required an application for the variation of the licence shall be made to the council in writing following the prescribed procedure.
- g) Licences are granted for a maximum period of eighteen months to expire on 31st March, 31st July or 30th November as allocated by the Council.
- h) The licence shall be renewed before expiry if it is to continue. Licence application or renewal is not deemed to be valid unless a completed form and the correct fee have been received by the Council.
- i) The licence shall not be valid unless prior planning consent is obtained for the use of the premises as a Special Treatments establishment. In those case where planning consent is not necessary, written proof shall be supplied to the council.
- j) Where the business is to be operated from a residential premises, written proof of consent from the owner, landlord and freeholder (as applicable) shall be supplied to the council.

2) Conduct of the Premises

- a) The licence holder shall ensure that no part of the premises is used for soliciting, indecent behaviour, including sexual intercourse or providing sexual services or the offer of any sexual or other indecent service for reward or gain. The licence holder shall take all reasonable steps to exclude from the premises a customer or any other person who has committed such an act in the premises.
- b) The licence holder shall ensure that staff at the premises are always decently and appropriately attired.
- c) The licence holder shall ensure that all advertising of the business is conducted in an appropriate manner.
- d) Posters, flyers, advertisements, notices, websites and social media content issued or published by or on behalf of the licence holder shall bear the trade name or style or title specified on the licence and shall be kept to a professional standard.

- e) No mentions or suggestions of a sexual or erotic nature, wording or visual, is permitted on any posters, flyers, advertisements, notices, websites and social media content issued or published by or on behalf of the licence holder.
- f) Special Treatments not mentioned on the licence shall not be advertised or offered.
- g) The licence holder shall ensure that any reference to individual therapists does not mention the physical or other inappropriate attributes of therapists in any posters, flyers, advertisements, notices, websites and social media content issued or published by or on behalf of the licence holder.
- h) The licence holder shall not permit the door of any room or place in the establishment to be locked when the client is there for special treatment. However, where a special treatment is the use of sunbeds or tanning booths such booths or cubicles may be locked from the inside provided that other staff have the means of opening the door to enter in the event of an emergency. Also, where a cosmetic laser or IPL treatment is being performed the room may be locked from the inside during operation of the equipment to prevent unauthorised access providing that other staff have the means of opening the door to enter in the event of an emergency.
- i) The licence holder will take action to ensure that there is no modern slavery and/or human trafficking in the business or supply chains; work with the Police and officers from the local authority to prevent modern slavery and human trafficking offences being committed; and provide relevant information at the premises to ensure victims can access support.
- j) If the licence holder is notified in writing that the council objects to any items under these 'Conduct' rules then the items must be removed from circulation, the premises, outside the premises or websites and publications.

3) General responsibilities of the Licence Holder

- a) The licence holder or a responsible person nominated by the licence holder shall be in charge of and present at the premises during the whole time it is open to the public. A written record of this nomination shall be kept at the premises for inspection by any authorised officer.
- b) The licence holder or nominated responsible person shall speak and write in English to an acceptable standard in order to satisfactorily discuss all matters relating to the licence, treatments and aftercare advice with the Council and clients.
- c) The licence holder shall take all reasonable precautions for the safety of all persons using the premises and ensure compliance at all times with the relevant provisions of the Health and Safety at Work etc Act 1974, and other associated legislation.
- d) The licence holder shall be accountable for all activities in the premises at all times.
- e) The licence holder shall take out public liability insurance. The current certificate(s) or clear copy shall at all times be prominently displayed at the premises in a position where it can easily be read by customers.
- f) The licence holder shall take out employer's liability (where applicable). The current certificate(s) or clear copy shall at all times be prominently displayed at the premises in a position where it can easily be read by customers.
- g) The licence holder shall ensure professional indemnity insurance is in place for all treatments offered at the premises.
- h) The licence holder shall ensure that all therapists carrying out Special Treatments are suitably trained and qualified and evidence of such shall be submitted to the Council for approval.
- i) No other persons other than those holding a valid Therapist Registration are permitted to carry out Special Treatments.
- j) Guest therapists, part-time or temporarily employed therapists shall not carry out treatments on clients unless they have been previously notified to and approved by the Council and hold a valid Therapist Registration document.
- k) A clear colour copy of a passport or other official documentation for each therapist, to prove entitlement to work in the UK, shall be kept onsite ready for inspection by an authorised officer.
- l) The licence holder shall ensure that no nuisance arises from the business activities including but not limited to odour nuisance or noise.

- m) The licence holder shall be familiar with all the conditions contained in this document and take responsibility for any breaches of said conditions.
- n) The licence holder shall ensure that the nominated responsible person and all persons carrying out Special Treatments in the licenced premises are familiar with all the conditions contained in this document.
- o) The licence holder shall ensure that all relevant documents as required by licence condition or legislation for the business are available for inspection. (See Appendix A for list)
- p) The licence holder shall notify the Council in writing of any change in the licence holder's private address, principle place of business or company registered office within 7 days of the change.

4) Age related treatments

- a) Where legal or advisory age restrictions are in place for certain treatments the premises must have a policy that requires people who appear to be under the restricted age to be asked to produce identification showing their photograph, date of birth and a holographic mark. Examples of acceptable ID include: photo card driving licences, passports or proof of age cards bearing the PASS hologram and other forms of government issued ID.
- b) The licence holder shall ensure that all persons working in the premises are aware of any age-related restrictions.
- c) Details of age verification checks should be written on the client record.
- d) No treatment may be carried out on a child less than 16 years of age unless a parent or legal guardian is present, and a written letter of consent is obtained.

5) Treatment Rooms

Each special treatment room or area shall be

- a. maintained in a clean and structurally sound condition
- b. be adequately lighted
- c. be adequately ventilated
- d. be heated to a suitable temperature for the special treatment to be given
- e. be provided with suitable screening to maintain privacy where more than one person is being treated

6) Electricity

- a) The licence holder shall ensure that all portable electrical appliances used within the licenced premises are maintained in a safe working condition at all times and inspected at least once a year and a certificate of that inspection kept at the premises for inspection at all reasonable times.
- b) The licence holder shall ensure that the entire fixed electrical installation (including the escape lighting) is maintained in a safe working condition at all times and inspected by a competent electrical engineer in accordance with the Electricity at Work Regulations 1989 at least once every five years and a certificate of that inspection shall be available at the premises for inspection at all reasonable times.

7) Personal Hygiene

- a) Therapists shall ensure their hands are kept clean at all times and washed immediately before and after carrying out any treatment and at other times as dictated by infection prevention and control practices.
- b) A wash hand basin with a supply of hot and cold running water or hot water at a suitably controlled temperature, liquid soap dispenser, disposable paper towels dispenser and bin for the disposal of paper towels shall be provided in each treatment room.
- c) Adequate sanitary accommodation shall be maintained in clean and efficient order, suitably lit and ventilated, lockable and available in the premises for free use by staff and clients.

- d) Adequate wash hand basin(s) with a supply of hot and cold running water or hot water at a suitably controlled temperature, liquid soap dispenser, disposable paper towels dispenser and bin for the disposal of paper towels shall be provided in the sanitary accommodation.
- e) Therapists shall ensure that any open boil, sore, cut, broken skin or other open wounds are effectively covered by a waterproof impermeable dressing. If such cuts are on the hands gloves shall be worn over the dressings.
- f) Therapists shall not carry out any treatments whilst afflicted by any known or suspected ailment or being a carrier of disease likely to be transmitted during treatment.
- g) Therapists shall ensure they and clients do not smoke, drink or eat during the course of a treatment as dictated by infection prevention and control practices.
- h) Disposable gloves shall be latex free.

8) Cleaning

- a) All treatment area floor, wall and furniture surfaces must be made of a suitable smooth and impervious material and kept in good repair to enable them to be effectively cleaned.
- b) In addition to the wash hand basin, a deep sink with hot and cold running water shall be provided exclusively for cleaning used equipment. This shall be fitted in an area away from the clean operating area either as a separate room or dedicated part of the treatment room.
- c) The premises shall be maintained in a clean and tidy condition.
- d) All equipment shall be maintained in good repair and order and proper cleanliness and hygiene shall be maintained.
- e) Working surfaces shall be cleaned and disinfected after each client.
- f) Surfaces which may be in direct or indirect contact with body fluids shall be cleaned and disinfected immediately with an appropriate disinfectant.
- g) Separate facilities shall be provided for dishwashing where necessary.

9) Refuse and waste

- a) Any waste produced in connection with the business, including clinical waste, must be collected in a sufficient number of suitable covered, leak proof containers and handled and disposed of to ensure full compliance with all relevant legislation.
- b) Evidence of trade waste contract(s), waste carrier licence and/or waste transfer notes shall be available at the premises for inspection at all reasonable times.
- c) All swabs, cloths, dressings, coverings, gloves or anything that is or could be contaminated with blood, bodily secretions or other bodily fluids shall be disposed of in a suitable container and disposed of as clinical waste to comply with relevant legislation.
- d) Needles and sharps shall be disposed of in a dedicated clinical waste sharps container and disposed of as clinical waste. The containers shall comply with relevant Standards. A waste transfer note shall be available on site for each container collected.
- e) Any 'clinical' waste bags and sharps boxes shall be suitably marked and whilst awaiting collection shall be stored in a secure area.

10) Client Records

- a) Written client records including client name, address, date of birth, date and type of treatment given, medical history (where relevant), details of any accident or adverse effects and therapist name shall be kept for all special treatments with the exception of saunas, spa pools and steam rooms.
- b) A consultation shall be carried out with all potential clients for all special treatments to explain the treatment, identify any contraindications, explain possible adverse effects and agree the proposed treatment with the client.
- c) Client records shall be kept securely for a minimum of twelve months and available at the premises for inspection at all reasonable times.
- d) All client records shall be in English unless previously agreed in writing by the Council.

11) Maintenance and Inspection of Systems and Equipment

- a) All systems and equipment provided in the premises, such as but not limited to electricity installation, electrical equipment, gas installation and equipment, fire safety equipment, local exhaust ventilation and air conditioning systems, sterilisers and autoclave equipment, sunbeds, lasers and IPL devices, saunas and steam rooms, spa pools, and any other equipment used to provide Special Treatments shall be serviced and maintained regularly by competent persons in accordance with the manufacturer and supplier recommendations.
- b) Records of maintenance and inspection of systems and equipment shall be available at the premises at all times for inspection and submitted to the Council on request.

12) Qualifications and Training

- a) All persons carrying out Special Treatments shall hold a nationally regulated qualification or complete training of an equivalent standard to the satisfaction of the Council which meets National Occupational Standards in the treatments they carry out. Where there are no regulated qualifications for a particular Special Treatment or where a therapist is relying on experience and training the Council will have regard to evidence of relevant training, apprenticeship and/or references to past work.
- b) All persons carrying out Special Treatments shall be trained in the use of all equipment and products associated with the delivery of those Special Treatments to the satisfaction of the Council.
- c) Relevant training and qualification certificates or a clear copy shall be submitted to the Council on application for Therapist Registration.
- d) Relevant training and qualification certificates or a clear copy shall be available at the premises for inspection at all reasonable times, and for a period of one year from the date that therapist ceases providing Special Treatments at the premises.
- e) Trainee/apprentice therapists shall be named on the Therapist Registration document as such and may only carry out treatments under the direct supervision of a named, suitably experienced registered therapist. A written record of treatments given under supervision shall be kept.

13) Topical anaesthetic and medicines

- a) No Prescription Only Medicines are to be administered by any therapists, other than by medically qualified and registered practitioners.
- b) Medicines and topical anaesthetics are not to be obtained or used, other than in accordance with regulatory requirements and official guidelines.

14) Chemical Usage

- a) Control of Substances Hazardous to Health Regulations 2002 (As amended) (COSHH) risk assessments for any chemicals used at the premises shall be carried out. Substances including but not limited to chemicals in beauty and cleaning products, blood and other bodily fluids and nail dust which fall under the above Regulations shall be assessed in accordance with the requirements of those Regulations and all the necessary precautions taken to prevent, as far as reasonably practicable, exposure; and to ensure safe use and storage.
- b) The safety data sheets for all products used in connection with the business shall be available at the premises at all times.
- c) All substances and products held on the premises and used in the Special Treatments must be held in suitable containers that are properly labelled.

15) Aftercare

- a) Each client shall be provided with verbal and written aftercare advice for each treatment they receive and confirmation of this shall be recorded on their client record card. This must include information on actions to take if any adverse conditions occur.

16) First Aid

- a) A suitably and sufficiently stocked first aid box shall be available in the premises.
- b) At least one person shall be present in the premises at all times who is qualified in basic first aid techniques to a suitable level.

17) Fire Safety

- a) The licence holder shall comply with the requirements of legislation and the Council and London Fire Brigade including carrying out a fire risk assessment and provision of proper means of escape and suitable and sufficient firefighting equipment.
- b) The licence holder shall ensure means of escape are maintained and kept free from obstruction at all times.
- c) The licence holder shall ensure that the fire detection and firefighting equipment and systems are serviced and maintained regularly by competent persons in accordance with the manufacturer and supplier recommendations.

PART 3 – Additional conditions for specific treatments

1) Sauna/ Steam room/ Infrared Sauna

- a) A thermometer shall be provided indicating the temperature inside the sauna/steam room and the temperature created by the infrared sauna.
- b) There must be a non-verbal alarm system in the vicinity linked to a manned reception area for summoning help when users are left unattended. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it. Emergency devices shall be fitted within easy reach of a person using the equipment. Operation verification test records shall be available at the premises for inspection at all reasonable times.
- c) Regular maintenance shall be carried out by a competent engineer in accordance with manufacturer and supplier recommendations. Records of all maintenance visits shall be available at the premises at all reasonable times.
- d) A clock or timer shall be visible to users, from inside the sauna/steam room/infrared sauna.
- e) The temperature control device shall not be accessible to users of the sauna/steam room/infrared sauna.
- f) Hot coals in the sauna shall be protected by a guard rail or barrier.
- g) Shower facilities shall be provided close to the sauna/steam room/infrared sauna.
- h) A supply of fresh drinking water shall be available close to the sauna/ steam room/ infrared sauna free of charge.
- i) There shall be at least one registered therapist that has been approved by the Council on duty at all times, who has had as a minimum specific manufacturer/supplier training for the equipment.
- j) The clients must wear bathing costume/shorts.
- k) Safety guidelines on the use of the sauna/ steam room/ infrared sauna shall be clearly displayed nearby. These guidelines shall include the following:
 - All jewellery to be removed
 - Drink plenty of water before use
 - No eating or drinking in the sauna/ steam room/ infrared sauna
 - Avoid use if suffering from high blood pressure or heart problems
 - Do not eat immediately before use
 - Maximum time of use 20 minutes
 - Seek doctor's permission to use if pregnant
 - Do not use if under 16 years of age
 - Do not enter if suffering with swollen joints

- Do not enter if suffering with a fever
 - Seek doctor's permission to use if taking medication
 - People with silicone implants should avoid use of infrared sauna
 - Drink plenty of water after use
- l) The sauna/steam room/infra red sauna must be cleaned and disinfected regularly following relevant guidance and in accordance with manufacturers instructions and with cleaning products specified by the manufacturer.

2) Heated Spa Baths

- a) The spa must be managed and maintained to avoid the risk of Legionella. Regard must be had to the Health and Safety Executive Approved Code of Practice and Guidance L8.
- b) Microbiological test reports must be held and available at the premises accordance with ACOP L8.
- c) The licence holder must have a written procedure that must be followed in the event of an unsatisfactory microbiological result or any other health concerns associated with the pool.
- d) The licence holder shall have a written procedure detailing the steps to be taken to ensure that the maximum bather load is not exceeded.
- e) A log book must be available for recording regular interval tests to include pH, chlorine or bromine levels, water clarity, temperature, number of bathers. The log-book should state acceptable limits for all tests and record action taken in the event of an unsatisfactory result. The log-book must be held at the premises and be available for inspection at all reasonable times
- f) The spa pool must be operated and maintained in accordance with manufacturer's instructions and the HSE Control of Legionella and other infectious agents in spa-pool systems. Records shall be available at the premises for inspection at all reasonable times.
- g) There must be a non-verbal alarm system in the vicinity linked to a manned reception area for summoning help when users are left unattended. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it. Emergency devices shall be fitted within easy reach of a person using the equipment. Operation verification test records shall be available at the premises for inspection at all reasonable times.
- h) Shower facilities shall be provided close to the spa and clients advised to shower before entering the spa.
- i) There shall be at least one registered therapist that has been approved by the Council on duty at all times, who has had as a minimum specific manufacturer/supplier training for the equipment.
- j) A supply of fresh drinking water shall be available close to the spa free of charge.
- k) Safety guidelines on the use of the spa shall be clearly displayed nearby each spa. These guidelines shall include the following:
- Do not use the spa under 16 years of age
 - Maximum time in the spa is 15 minutes
 - Do not use the spa if you are pregnant
 - Do not use the spa if under the influence of drugs, alcohol or medication
 - Seek doctor's permission to use if suffering from obesity or with a medical history of heart disease, low or high blood pressure, circulatory system problems
 - Seek doctor's permission to use if using medications
 - Do not use the spa if you have any sores or open wounds
 - Take care when entering and exiting the spa. Wet surfaces may be slippery

3) Ultra Violet Tanning Equipment

- a) Ultra Violet (UV) tanning equipment must be operated and maintained in accordance with manufacturer's instructions and HSE guidelines. A record of maintenance and servicing and

copies of the electrical engineer's report must be kept on the premises for inspection at all reasonable times.

- b) The HSE poster 'UV tanning equipment' shall be displayed in or near each tanning cubicle where it can be easily read by clients.
- c) No persons under the age of 18 shall be offered the use of a UV tanning equipment, permitted to use UV tanning equipment, or allowed to be present in a Restricted Zone in accordance with the Sunbeds (Regulation) Act 2010.
- d) The maximum permissible output for all UV equipment is 0.3w/m² and manufacturer's instructions must be followed. UV tubes shall be replaced at intervals recommended by the manufacturer, together with the UV transmitting plastic sheet if fitted.
- e) Replacement tubes shall be identical or compatible with those supplied by the manufacturer.
- f) All tubes in a bed or cabinet must be replaced at the same time.
- g) Tanning times must be suitably adjusted by a competent person when new tubes have been installed.
- h) Licence holders must provide product information for any tanning accelerators or other products they sell. Tanning accelerators and other products must comply with the current cosmetic product safety regulations.
- i) There shall be at least one registered therapist that has been approved by the Council to carry out UV tanning treatments on duty at all times, who has had as a minimum specific manufacturer/ supplier training for the equipment used at the premises. This person must carry out the initial client consultation, complete records and supervise all tanning transactions to ensure that these terms and conditions are adhered to. Any person who performs this role shall be a registered therapist.
- j) Suitable tanning advice must be given to all clients relative to their skin type. The length of time that a client uses the tanning equipment shall be controlled by the management and based on an assessment by a trained therapist to include factors such as the client's type of skin and power output of the UV tanning equipment.
- k) There must be a non-verbal alarm system in the vicinity linked to a manned reception area for summoning help when users are left unattended. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it. Operation verification test records shall be available at the premises for inspection at all reasonable times. Emergency devices shall be fitted within easy reach of a person using the equipment. These devices when operated shall switch off the Ultra Violet lamps and audibly summon assistance (in the case of the lay down beds it must also raise the upper canopy, or panel unit).
- l) All clients shall be provided with suitable protective eye equipment which meets relevant British and European Standards free of charge and instructed in their use. All goggles must be disinfected between clients or single use disposable goggles provided.
- m) Arrangements shall be made to ensure that the surface of the tanning equipment is cleaned and disinfected after each use in accordance with manufacturer's instructions using cleaning products specified by the manufacturer.

4) Tattooing

- a) A consultation with the client shall take place prior to the treatment, this shall include medical history. Every client shall read and sign a consent form prior to treatment.
- b) No tattoo shall be carried out on a client under the age of 18 years in accordance with the Tattooing of Minors Act 1969.
- c) Records of the Hepatitis B status of all tattooists shall be kept at the premises. It is recommended that each tattooist is vaccinated against Hepatitis B.
- d) All walls, floors, seating, and surfaces in the tattoo area shall be made of impervious washable material.
- e) Single use paper towel or impervious barrier film shall be placed on the couches, equipment liable to contamination and working surfaces in the treatment room.

STANDARD LICENCE CONDITIONS FOR PREMISES OFFERING SPECIAL TREATMENTS in force from 1 March 2020

- f) All tattooists shall wear disposable gloves.
- g) The licence holder shall document, maintain and update a procedures manual to ensure that good practice is used in the premises. The contents of the manual should include, but is not limited to:
 - hand hygiene;
 - the use of personal protective equipment;
 - the management of exposure to body fluids;
 - the cleaning and disinfection of tattoo premises (including all equipment and surfaces);
 - waste management;
 - aftercare procedures.
- h) Where the business carries out sterilisation, documented procedures shall be available for:
 - the validation of the sterilisation process;
 - the method of inspection of packing and seals, copies of steriliser maintenance details and verification records;
 - the storage facilities and practices for sterile packs.
- i) A body fluid spillage kit which is in date shall be available in the treatment room. All tattooists should be instructed in the correct procedure for dealing with body fluid spillage.
- j) All equipment which is to be used shall be kept in sterile packets or closed containers before use.
- k) Swabs, pigment caps, stencils, razors, wooden spatulas, pens and other equipment not to be sterilised are single use only and shall be properly disposed of as special waste after use.
- l) The licence holder and all therapists registered to carry out tattooing shall adhere to the requirements and recommendations of national standards and guidance relevant to tattooing.

5) Permanent make up/ Micropigmentation /Microblading

- a) A consultation with the client shall take place prior to the treatment, this shall include medical history, and a patch test shall be carried out. Every client shall read and sign a consent form prior to treatment.
- b) No semi-permanent make up/ micropigmentation shall be carried out on a client under the age of 18 years in accordance with the Tattooing of Minors Act 1969.
- c) Records of the Hepatitis B status of all therapists shall be kept at the premises. It is recommended that each therapist is vaccinated against Hepatitis B.
- d) All walls, floors, seating, and surfaces in the semi-permanent make up/ micropigmentation/ microblading area shall be made of impervious washable material.
- e) Single use paper towel or impervious barrier film shall be placed on the couches, equipment liable to contamination and working surfaces in the treatment room.
- f) All therapists shall wear disposable gloves.
- g) The licence holder shall document, maintain and update a procedures manual to ensure that good practice is used in the premises. The contents of the manual should include, but is not limited to:
 - hand hygiene;
 - the use of personal protective equipment;
 - the management of exposure to body fluids;
 - the cleaning and disinfection of tattoo premises (including all equipment and surfaces);
 - waste management;
 - aftercare procedures.
- h) Where the business carries out sterilisation, documented procedures shall be available for:
 - the validation of the sterilisation process;
 - the method of inspection of packing and seals, copies of steriliser maintenance details and verification records;
 - the storage facilities and practices for sterile packs.
- i) A body fluid spillage kit which is in date shall be available in the treatment room. All therapists should be instructed in the correct procedure for dealing with body fluid spillage.

- j) All equipment which is to be used shall be kept in sterile packets or closed containers before use.
- k) Swabs, pigment caps, stencils, razors, wooden spatulas, pens and other equipment not to be sterilised are single use only and shall be properly disposed of as special waste after use.
- l) The licence holder and all therapists registered to carry out tattooing shall adhere to the requirements and recommendations of national standards and guidance relevant to tattooing, which by definition includes permanent make-up and micropigmentation as procedures that penetrate the skin or mucous membrane for the purpose of insertion of ink to create a permanent or long-lasting design.

6) Electrolysis

- a) A consultation with the client shall take place prior to the treatment, this shall include medical history, and a patch test shall be carried out. Every client shall read and sign a consent form prior to treatment.
- b) Anyone under the age of 18 must be accompanied by a parent or guardian. The parent/guardian must sign a consent form at the time of the treatment.
- c) Records of the Hepatitis B status of all piercers shall be kept at the premises. It is recommended that each electrolysis therapist is vaccinated against Hepatitis B.
- d) All walls, floors, seating, and surfaces in the electrolysis area shall be made of impervious washable material.
- e) Single use paper towel or impervious barrier film shall be placed on the couches, equipment liable to contamination and working surfaces in the treatment room.
- f) All therapists shall wear disposable gloves.
- g) The licence holder shall document, maintain and update a procedures manual to ensure that good practice is used in the premises. The contents of the manual should include, but is not limited to:
 - hand hygiene
 - the use of personal protective equipment
 - the management of exposure to body fluids
 - the cleaning and disinfection of tattoo premises (including all equipment and surfaces)
 - waste management
 - aftercare procedures
- h) Where the business carries out sterilisation, documents shall be available for:
 - the validation of the sterilisation process
 - the method of inspection of packing and seals
 - steriliser maintenance details and verification records
 - the storage facilities and practices for sterile packs.
- i) All equipment which is to be used shall be kept in sterile packets or closed containers before use.
- j) Individual pre-wrapped sterilised needles shall be used and disposed of properly in a sharps box after each client.

7) Body Piercing

- a) A consultation with the client shall take place prior to the treatment, this shall include medical history. Every client shall read and sign a consent form prior to treatment.
- b) Clients must be over the age of 18 for all types of body piercing other than ear, nose, labret, eyebrow, or navel.
- c) No body piercing shall be administered to any person under the age of 16 except for ear and nose piercing.
- d) Persons aged between 16 and 18 must provide identification which includes a photograph and date of birth as detailed in condition Part 2 (4).
- e) Anyone under the age of 16 must be accompanied by a parent or guardian.

- f) The parent/guardian must sign a consent form at the time of the piercing.
- g) Piercing of the nipples or genitalia for both sexes under the age of 16 is prohibited. Under the Sexual Offences Act 1956 girls and boys under the age of 16 cannot give legal consent to intimate sexual contact under any circumstances therefore this can be regarded as an assault offence.
- h) Records of the Hepatitis B status of all piercers shall be kept at the premises. It is recommended that each piercer is vaccinated against Hepatitis B.
- i) All walls, floors, seating, and surfaces in the piercing area shall be made of impervious washable material.
- j) Single use paper towel or impervious barrier film shall be placed on the couches, equipment liable to contamination and working surfaces in the treatment room.
- k) All piercers shall wear disposable gloves.
- l) Swabs, razors, pens and all other equipment not to be sterilised are single use only and shall be properly disposed of as special waste after use.
- m) A body fluid spillage kit which is in date shall be available in the treatment room. All therapists should be instructed in the correct procedure for dealing with body fluid spillage.
- n) The licence holder shall document, maintain and update a procedures manual to ensure that good practice is used in the premises. The contents of the manual should include, but is not limited to:
 - hand hygiene
 - the use of personal protective equipment
 - the management of exposure to body fluids
 - the cleaning and disinfection of tattoo premises (including all equipment and surfaces)
 - waste management
 - aftercare procedures.
- o) Where the business carries out sterilisation, documented procedures shall be available for:
 - the validation of the sterilisation process
 - the method of inspection of packing and seals, copies of steriliser maintenance details and
 - verification records
 - the storage facilities and practices for sterile packs.
- p) All equipment which is to be used shall be kept in sterile packets or closed containers before use.
- q) Jewellery fitted with a stud shall not be used in nose piercing.
- r) Any jewellery which contains more than 0.05% nickel shall not be used, as this may cause an allergic reaction.

8) Nail Treatments

- a) The condition of the client's nails should be examined prior to any treatment and if there is any presence or suspicion of any infection etc they should be referred for medical treatment.
- b) The use of electric drills/files on a client's natural nail is prohibited.
- c) All non-porous equipment shall be thoroughly cleaned and disinfected between use on each client. Any equipment that cannot be sterilised or disinfected is considered to be single use and must be disposed of after each client.
- d) Food and drink must not be consumed in the treatment area.
- e) Products containing Methyl Methacrylate (MMA) shall not be used.
- f) The use of electric drills/files on a client's natural nail is prohibited.
- g) Electric drills/files shall only be used on the surface of the artificial nail and must not be used to blend the artificial nail to the natural nail.
- h) Electric files/drills shall only be used by therapists who have had specific training in their use.
- i) Where nail extensions are carried out suitable air filtering and extraction must be provided to remove dust and chemicals from the air and preferably fitted at work top level.

9) Non-Surgical Lasers / Intense Pulsed Light (IPL) / High Intensity LED (HILED)

- a) Laser/IPL/HILED equipment must be operated and maintained in accordance with manufacturer's instructions. A record of maintenance and servicing and copies of the electrical engineer's report must be kept on the premises for inspection at all reasonable times.
- b) Laser/IPL/HILED equipment must be operated and managed with reference to current version of the "Essential Standards Regarding Class 3B and Class 4 Lasers and Intense Light Sources in Non-surgical Applications" (British Medical Laser Association) and "Lasers, intense light source systems and LEDs - guidance for safe use in medical, surgical, dental and aesthetic practices" (Medicines and Healthcare Products Regulatory Agency) and in accordance with The Control of Artificial Optical Radiation at Work Regulations 2010.
- c) The licence holder shall use a treatment protocol with evidence that it was created by an Expert
- d) Registered Healthcare Professional (ERHP) and that the ERHP provides ongoing support and advice
- e) The Licence holder shall employ the services of a certificated Laser Protection Advisor (LPA) to produce the Local Rules document and provide ongoing support and advice when appropriate. There should be evidence of this support on the premises.
- f) Both the Treatment Protocol and Local Rules shall be signed and dated by both the EHRP/LPA and licence holder and be available at the premises at all times. The Local Rules should be read and signed by the all the registered therapists who are competent to use the Laser/IPL.
- g) The Local Rules document shall be reviewed annually and updated if there are any changes made to the equipment in use, changes in procedure or treatment room. The date of review shall be on the local rules document and signed by the licence holder, and by the LPA if any changes have taken place.
- h) A suitably qualified member of staff on the premises shall be identified as the Laser/IPL Protection Supervisor (LPS) who will have overall responsibility for equipment use.
- i) All authorised users of laser/IPL (and the LPS if they are not a user) shall attend a laser/IPL Core of Knowledge laser safety course and records of such training shall be kept on site. The core of knowledge training should be given by someone the inspecting officer deems suitable to supply this training (such as a certificated LPA). This training shall be repeated periodically, at intervals not exceeding 5 years.
- j) Certificates and records of training shall be kept on site. All authorised users of laser/IPL/HILED shall
 - i. hold qualifications at Level 4 for using laser, IPL and High Intensity LED for photo rejuvenation treatments and hair removal/reduction (excluding periorbital rim) treatments and at Level 5 for using laser for tattoo removal/fading (excluding periorbital rim) and
 - ii. hold Level 3 Beauty Therapy (General including electrical epilation) and
 - iii. have attended site specific, equipment specific and treatment specific operator training and
 - iv. undertake ongoing Continued Professional Development relevant to the treatments carried out.
- k) The Laser Protection Supervisor shall ensure that the key to any laser/IPL device is kept in a secure location when not in use and that only authorised users have access to the key. The operating key must not be left unattended with the laser/IPL/HILED equipment.
- l) A written contemporaneous treatment register, which shall be a hard-bound book, shall be completed every time the laser/IPL is operated including the following information:
 - m) the name of the person treated
 - n) a second means of identification (such as date of birth)
 - o) the date and time of treatment
 - p) the name and signature of the laser/IPL/HILED operator
 - q) the nature of the laser/IPL/HILED treatment given
 - r) the treatment parameters
 - s) any accidents or adverse effects
- t) The area around any Class 3B laser, Class 4 lasers IPL and HILED device shall be controlled to protect other persons while treatment is in progress. The controlled area shall be clearly defined

'Controlled Area' for the duration the room is occupied for the purpose of laser/IPL/High Intensity LED treatment.

- u) A suitable safety warning sign or light entry system which complies with current British Standards shall be in place on the door of the controlled area for the duration the room is occupied for the purpose of laser/IPL treatment.
- v) All laser/IPL/HILED devices shall comply with current British Standards and shall display labels identifying them, their wavelength or range of wavelengths and the maximum output power of the radiation emitted. The labels shall be clearly visible on the front or side of the machine
- w) The door to the controlled area shall be fitted with a suitable locking device which can be opened from the outside in an emergency.
- x) All windows must be covered with opaque blinds and jewellery shall not be worn by therapist or client. All walls, fixtures and fittings shall have non-reflective surfaces and be of matt or eggshell finish. Any windows, mirrors and other reflective surfaces in the controlled area shall be suitably covered at times of operation of the laser/IPL/HILED device in a manner approved by the Laser Protection Advisor.
- y) Effective protective eyewear shall be worn by everyone within the controlled area whenever there is a risk of exposure to hazardous levels of laser radiation, IPL light or HILED as advised by the LPA. All protective eyewear shall comply with current British Standards and be marked with the wavelength range and protection offered in accordance with LPA advice and detailed in the local rules document. Protective eyewear shall be in a clean, serviceable condition. Complete eye blocks shall be worn by clients undergoing facial treatments.
- z) Specific documentation shall be in place for each laser or IPL equipment and treatment.

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APPENDIX A

Checklist of documents required to be available at the Licenced Premises at ALL times

These records must be available for inspection by an authorised Council officer at all reasonable times. Records may be paper or electronic (except where display to public is required).

1 The Licence

- a) Display the current licence
- b) Therapist qualifications and training certificates for the treatments they carry out and first aid
- c) Display Therapist Registration documents issued by the Council
- d) Licence Standard Conditions
- e) Written nomination of a responsible person to be in charge of and present at the premises
- f) Display 'Stop the Traffik' modern slavery awareness poster

2 General Responsibilities

- a) Display a copy of the employer's liability (where applicable), public liability and professional indemnity certificates
- b) Clear colour copy of passport or other official documentation to prove entitlement to work in the UK
- c) Age verification policy
- d) Valid documentation confirming the safety of portable electrical appliances (PAT test).
- e) Valid documentation confirming the safety of the fixed wiring throughout the premises
- f) Valid waste transfer documents
- g) Current contract with waste management company
- h) Written client records
- i) Written aftercare advice
- j) Safety data sheets for all products used
- k) Risk assessments for each special treatment
- l) Control of Substances Hazardous to Health Regulations (COSHH) risk assessment
- m) Fire safety risk assessment

3 Maintenance and Inspection records of all Systems and Equipment used in the premises

- a) Fire safety equipment
- b) Gas installation (where applicable)
- c) Electrical installation
- d) Electrical equipment
- e) Heating and ventilation systems
- f) Local exhaust ventilation equipment
- g) Equipment emergency alarm, call or stop buttons (where applicable)
- h) Equipment used to deliver special treatment

4 Sauna/ Steam Room/ Infra-Red Sauna

- a) Records of alarm system maintenance and testing
- b) Records of sauna/ steam room/ infra-red sauna unit maintenance by competent engineer
- c) Display guidelines for safe use

5 Heated Spa Baths

- a) Records of water treatments to control Legionella bacteria
- b) Records of spa pool maintenance by competent engineers
- c) Records of spa pool operation
- d) Records of alarm system maintenance and testing
- e) Microbiological water testing
- f) Display guidelines for safe use

6 Ultra Violet Tanning Equipment

- a) Records of tanning equipment maintenance and testing by competent engineer
- b) Records of UV tube replacement
- c) Records of alarm system maintenance and testing
- d) Display HSE poster 'UV Tanning Equipment'
- e) Product information for tanning accelerator or other products sold

7 Treatments which pierce the skin including tattoo, permanent make up, microblading, micropigmentation, electrolysis and cosmetic piercing

- a) Records of the Hepatitis B status of each therapist
- b) Written procedure manual to detail hygienic practice

8 Non-surgical cosmetic lasers / Intense Pulsed Light / High energy LED

- a) Treatment Protocol document
- b) Local Rules Document
- c) Laser Protection Advisor certification
- d) Risk assessment
- e) Copies of manufacturer's and supplier's instructions
- f) Records of laser/IPL equipment maintenance and examination by competent engineer
- g) Written treatments register