



SPECIAL TREATMENT LICENSING POLICY

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1 Introduction

1.1. Hammersmith & Fulham Council has adopted the London Local Authorities Act 1991 ('the Act') to regulate special treatment businesses that offer:

- massage
- manicure
- pedicure
- facials
- nail extensions
- acupuncture
- tattooing
- body piercing
- cosmetic piercing
- electric light therapy
- special treatments such as sun beds, vapour, laser, sauna, or other baths.
- other special treatments of a like kind

2 Context

2.1. This policy sets out how the council uses its powers under the Act to:

- Grant licences to people who are fit and proper to hold them.
- Ensure only suitably qualified people, using safe equipment, provide special treatments.
- Ensure nuisance is not caused by the provision of special treatment.
- Ensure licensed premises are safe, structurally suitable.
- Ensure licensed premises are adequately clean, lit, heated, and ventilated.

2.2. Regulators' Code - The council recognises its responsibility to comply with the Regulators' Code as follows:

- *regulators should carry out their activities in a way that supports those they regulate to comply and grow* We will seek to impose the minimum burdens necessary to achieve the public protection standards referred to above.
- *regulators should provide simple and straightforward ways to engage with those they regulate and hear their views* We will seek to establish a stakeholder consultative panel as described in paragraph 4.1.
- *regulators should base their regulatory activities on risk* Our compliance and enforcement activities are based on risk and intelligence as described in paragraphs 9.4.
- *regulators should share information about compliance and risk* Information about Special Treatment Licence (STL) applicants and licence-holders will be shared internally with other council teams, as well as the police and fire service who are statutory consultees.

- *regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply* We will provide and continue to improve the information about special treatment licensing on our website and provide advice and information both during informal advisory visits to businesses on request and during compliance visits.
- *regulators should ensure that their approach to their regulatory activities is transparent.*
- This policy sets out how we approach our licensing of special treatments in the interests of transparency.

2.3. A copy of the Regulators Code 2014 can be found using the following link from the .GOV website: -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/913510/14-705-regulators-code.pdf

3. Hammersmith & Fulham’s Corporate Plan

3.1. The council’s Corporate Plan entitled “The Hammersmith & Fulham plan sets out the council’s vision of “Working together to make a difference for the vulnerable, communities, families and businesses” - link: - [About Hammersmith & Fulham Council | LBHF](#)

4. Engagement

4.1. Partnership working is an important element of any licensing regime, we will seek to actively engage businesses and individuals applying to hold a special treatment licence. We will work with responsible authorities and other stakeholders to ensure a balanced approach and effective delivery.

5. Arrangements for administering Special Treatment Licences

5.1. Officers have delegated authority to:

- grant licences in accordance with this policy
- refuse applications in accordance with the Act or in accordance with this policy
- take appropriate enforcement action in relation to unlicensed special treatments
- special treatments in breach of licence conditions
- decide whether to defend appeals arising out of the refusal or revocation of a licence
- refer applications to a Licensing Sub-committee when:
 - I. an application is outside the scope of this policy; or

- II. it is necessary to consider whether an applicant is a fit and suitable person to hold a licence; or
- III. the applicant has confirmed they wish the application to be determined by a Licensing Sub-committee.

6. “Other special treatments of a like kind”

- 6.1. The Act gives the council a discretionary power to licence new treatments that appear on the market but are not specifically mentioned in the Act itself. Aromatherapy for example is not listed but a special treatment licence is required as it is a form of massage.
- 6.2. The council is a member of the London Special Treatment Group (LSTG) of councils that aims to promote co-operation and consistency in administering STL licensing. One aspect of that role is evaluating whether new and novel treatments appear to fit the definition of “other special treatments of a like kind”.
- 6.3. Hammersmith & Fulham Council will licence new special treatments if they have been accepted as such by the LSTG and will seek the consensus view of the LSTG in the case of dispute whether a treatment ought to be licensed. If officers are unable to satisfactorily resolve the issue the question will be referred to the Council’s Licensing Committee.

7. “Mixed businesses”

- 7.1. We recognise that many licensed businesses may also provide treatments that are not licensable under the Act – for example, hairdressing or waxing. These businesses will still need to meet requirements under other legislation such as health and safety, fire safety, planning or environmental health. The council will provide advice and information about non-licensable activities where appropriate.

8. Exemptions

- 8.1. A licence is not needed if the treatments are given for the statutory reasons in the Act:
 - without gain or reward – all treatments provided for free or donation
 - without premises used – mobile service from a vehicle or in clients’ own homes
 - for treatments done by or under the supervision of medical practitioners, dentists, and professions supplementary to medicine in a hospital or nursing home,
 - for treatments done by or under the supervision of a person who is a member of a body of health practitioners approved for exemption by the council.
- 8.2. The council uses LSTG scheme to determine which bodies may be exempt from licensing. Any organisation that is not on the LSTG list may apply to the LSTG to be added.

9. Qualifications & Competence

- 9.1.1. Therapists carrying out licensable treatments must be able to demonstrate they have suitable knowledge and qualifications. The council publishes a list of qualifications in collaboration with the LSTG.
- 9.1.2. Hammersmith & Fulham Council will only accept nationally recognised qualifications, i.e., City and Guilds, NVQ or equivalent. Training should meet National Occupational Standards and the awarded qualification should be regulated. See www.ukstandards.org.uk and <https://register.ofqual.gov.uk/> for details.
- 9.1.4. If you have obtained an international qualification which is not generally recognised within the UK, you must complete two stages before you can be placed on a special treatments licence:
- a) If the certificate of qualification is in a language other than English, you must obtain a full translation of the certificate into English. This must be carried out by an independent licensed translator and must be endorsed as a true translation of the certificate.
 - b) Once the qualification certificate has been translated into English, you will need to obtain a comparability certificate. This will state what your qualification is equivalent to in terms of UK qualifications. A comparability certificate may be obtained from the National Academic Recognition Information Centre of the UK (UK ENIC). UK ENIC provides a service for individuals seeking information on comparability between international and UK academic qualifications. This service is intended to assist those with overseas qualification to progress towards further studies and employment in the UK. UK ENIC make a charge for this service.
- 9.1.5. Being licensed by the council does not guarantee the workmanship or competency of the practitioner, it merely shows that they are qualified to provide the treatments which have been approved.
- 9.1.6. Many beauty treatments are brand based and training is given by product specific manufacturers or suppliers. In this case we expect therapists to have nationally recognised qualifications in areas of beauty treatments as well as supplier/product training. Anatomy and physiology and contra-indications must be covered during the course.
- 9.1.7. A qualification is an indication that the individual possesses the necessary knowledge and skills appropriate for that special treatment. Competence refers to their ongoing ability to provide the special treatments to a reasonably accepted standard. Whether a therapist is competent is a matter for the licence-holder, providing they are able to observe any relevant licence conditions.

9.2. Trainee Therapists

- 9.2.1. The holder of the Special treatments licence is required to inform H&F that ANY trainee therapists who have not yet received a recognised qualification, will be registered with the Council which will allow them to work within licensed premises to ONLY carry out

manicure and pedicure treatments. It will be the responsibility of the Licence Holder to ensure trainees are always supervised and are competent to carry out these treatments.

9.2.2. Trainees should complete the therapist registration application form and indicate their current training programme and expected finish time. Evidence of training, for example would be a letter from the college.

9.2.3. Trainees will only be registered for a maximum period of one (1) year in the first instance. After successful completion of training the therapist may apply for full registration.

9.3. Therapist exemption registration

9.3.1. Therapists that are members of some professional bodies and certain health practitioners are exempted from being required to provide their accredited qualifications. An up to date 'Exempt bodies and health practitioners' list can be found on the councils' website at: - [Massage and special treatment | LBHF](#)

Please refer to this document to identify which approved association members are eligible for exemption for which treatments.

9.3.2. If you are exempt from needing to provide your qualifications as a therapist with Hammersmith & Fulham, you must complete a therapist exemption application.

9.3.3. A new exemption form will need to be submitted to the licensing authority every time their membership to the exempt body has expired.

10. A New Special Treatments Premises Licence

10.1. Who can apply?

10.1.1. Any person (an individual, partnership or limited company) may apply for a licence. The applicant or licence-holder must be and remain the person responsible for managing the special treatments. Licensed premises cannot be sub-let or placed in any form of management arrangement unless a new licence application has been made and granted.

10.2. Pre-application consultation

10.2.1. Applicants must by law send copies of their applications to the police, planning authority and fire service, and the council will take into account their comments. No new licence can be issued for at least 28 days unless the police, planning authority and fire service have made their observations earlier.

10.3. Pre-application checks

10.3.1. Individual applicants (including all members of a partnership) must provide evidence of their identity and of their right to work in the UK as part of their application. The

council will carry out checks with Companies House for corporate applications. The council will also check that appropriate planning permission is in place for the premises.

10.3.2. The council will take into account convictions or cautions that are not considered “spent” under the Rehabilitation of Offenders Act 1974, and enforcement notices or other action taken by the council against the applicant.

10.3.2. The council requires the documents below to be provided before a new licence can be granted. These should ideally be available at the time of the application. Applications will be refused, and the authorisation fee returned if valid documents are not provided within two weeks of making the application (unless an extension is agreed with the case officer).

10.3.3. The following documents are required:

- (a) a scale-plan of the premises, showing the locations where licensable treatments will be provided, washbasins, toilets, treatment rooms, entrances, and fire exits
- (b) evidence of consent to use the premises as a special treatment business (e.g., landlords’ consent, lease, planning permission)
- (c) a current Basic Disclosure Certificate from the Disclosure and Barring Service issued within the last 3 months for any individual applicant, partner or person having day to day management of the premises (if required)
- (d) a current public liability/professional liability insurance certificate to cover risks to a minimum £2 million.

10.3.4. The council will normally arrange an inspection of the premises within the consultation period of 21 days of receiving the valid application. The inspection will be to check that the premises are safe, and suitable, to be used for special treatments. Premises will be expected to be compliant with minimum workplace health and safety standards such as the Workplace (Health, Safety and Welfare) Regulations 1992 and the Electricity at Work Regulations 1989.

10.3.5. The initial inspection will also assess the applicant’s compliance with the relevant licence conditions (see paragraph 11(1)). Officers will expect the applicant to have systems in place to ensure that all conditions can be met should a licence be issued.

10.3.6. Any remedial action will be confirmed in writing. Applicants will be given an agreed period of time to make any changes that may be necessary. The application will be refused if the changes are not made within the agreed time.

10.4. Planning permission

As the council is also the local planning authority it will only issue licences to premises that have appropriate planning permission in place. Applicants are advised to ensure the correct planning permission is in place before submitting an application. Applications will be rejected, and the authorisation fee returned if the correct planning permission has not been granted.

10.5. Refusal to grant a premises licence

10.5.1. A licence may be refused on the grounds set out in section 8 of the Act:

- (a) the premises are not structurally suitable for the purpose;
- (b) there is a likelihood of nuisance being caused by reason of the conduct, management or situation of the premises or the character of the relevant locality or the use to which any premises in the vicinity are put;
- (c) the persons concerned or intended to be concerned in the conduct or management of the premises used for special treatment could be reasonably regarded as not being fit and proper persons to hold such a licence;
- (d) the persons giving the special treatment are not suitably qualified;
- (e) the premises have been or are being improperly conducted;
- (f) the premises are not provided with satisfactory means of lighting, sanitation and ventilation;
- (g) the means of heating the premises are not safe;
- (h) proper precautions against fire on the premises are not being taken;
- (i) the safety of equipment used in the special treatment or as to the manner in which the treatment is to be given is not satisfactory;
- (k) the safety of the special treatment to be given is not satisfactory;
- (l) satisfactory means of escape in case of fire and suitable means for fighting fire are not provided on the premises;
- (m) the applicant has, within the period of five years immediately preceding the application to the council, been convicted of an offence under Part II of the Act;

or

- (n) the applicant has failed to comply with the requirements of section 7(4) or 7(6) of the Act concerning the correct method of making an application.

10.5.2. Under the Regulatory Reform (Fire Safety) Order 2005 (SI 2005/1541), the paragraphs relating to fire safety may no longer be enforced by the council.

10.6. Referral to Licensing Sub-Committee

10.6.1. Applications will be referred to a Licensing Sub-Committee where officers are minded to refuse a licence application or believe the applicant is not a fit and suitable person to hold a licence.

10.6.2. A Licensing sub-committee will be convened at the end of the 28-day consultation period. The applicant will be given at least five (5) working days' notice of the hearing, which may be held in public. Applicants will be entitled to present documents and bring witnesses to support their application either before the hearing or at the hearing itself.

10.7. Fees

10.7.1. The Council sets fees for special treatment licences each year in line with the Supreme Court case, *The City of Westminster Council v Hemming & others* 2015. The full judgment: - <http://www.bailii.org/eu/cases/EUECJ/2016/C31615.html>

10.7.2. A non-refundable application fee is payable at the time of the application (part A). A further issuing and enforcement fee is payable (Part B) this must be paid before a licence will be physically issued to the applicant.

10.7.2. Licences may be surrendered at any time. A Pro rata fee will be refunded for a surrendered licence.

10.7.3. Special treatment licence fees link: - [Massage and special treatment | LBHF](#)

11. Maintaining a licence

11.1. Licence conditions

11.1.1. Licences are subject to:

- (a) standard conditions that apply to every business or a specific type of business
- (b) special conditions that may apply to specific businesses, to control specific risks.

The standard conditions are set out at appendix 1.

11.1.2. Officers will only impose conditions relating to specific risks to further the objectives in paragraph 2.1 if they are not controlled under other legislation. Officers will advise applicants in writing when it is intended to impose a special condition and invite any comments about the proposal. Licence holders will be given information about their right to appeal to the magistrates' court against any decision to impose conditions on a licence.

11.1.3. Licence conditions will not limit the operating hours of a business. This is a matter for the local planning authority.

11.2. Changes to special treatments

11.2.1. Only those treatments listed on the licence may be provided. There is no need to apply to remove an existing treatment from a licence, and deletions can be made free of charge when the licence is renewed.

11.2.2. Applications to add new or additional treatments may be made at any time. No new treatment may be offered or provided until the licence has been amended. Applications

to vary the licence must be made on the council's form with at least 14 days' notice, accompanied with the appropriate supporting documents and fee.

11.2.3. Where necessary the council will inspect the premises.

11.2.4. Applications to add new or additional treatments made less than 28 days before the expiry date of a licence will be processed as part of the renewal of that licence.

11.3. Variations to premises and/or licences

11.3.1. The council must be notified if there is a substantial variation to the premises, such as the addition or demolition of existing rooms, spaces, or walls. There is no need to notify the council about minor modifications, redecorations, or refurbishments.

11.3.2. A scale plan showing the proposed variation must be submitted to the council at least 14 days before the start of the proposed works, together with the variation fee. The council may require proof that planning and building control approval has been obtained before varying the licence.

11.3.3. Applications may also be made to vary the terms, conditions, or restrictions to which a licence is subject. Applications must be made on the council's form at least 14 days before the intended variation is to take effect, together with the variation fee.

11.4. Changes in ownership

11.4.1. Licences may be transferred (upon application) from one person to another, normally either:

- (a) transferring the whole business from one owner to another;
- (b) transferring the business from one owner to another but keeping the same manager in charge; or
- (c) changing the manager in charge.

11.4.2. Applications must be submitted on the council's form at least 28 days before the intended transfer is intended to take place, together with the transfer fee. Officers will use this policy to consider applications in the same way as for the grant of new licences.

11.5. Changes in therapists

11.5.1. There are different routes to changing a therapist on a licence depending on the type of change needed and to add an additional treatment to a licence.

- (a) Updating the licence with a new therapist already registered with Hammersmith & Fulham Council:

Each therapist will also be issued with paper registration. If a therapist wishes to start working for a different premises licence holder, they should present their paper registration to the licence-holder.

- (b) **Adding an additional treatment to the licence**

The licence-holder must submit a variation form together with the appropriate fee. Amended licences will usually be issued within 10 working days, unless there is a need to carry out additional research into a new or unusual form of treatment. In that case the licence holder may also be required to supply further information to allow the council to reach a decision. Amended licences will expire on the same date as the original licence.

11.6. Length of licence

11.6.1. It is the council's policy under section 6(4) of the Act to grant licences to new applicants for a period of 12 months to ensure the licence-holder is able to properly comply with the conditions and restrictions of the licence. It is the council's policy to renew licences after that time for the maximum period of 12 months.

11.7. Renewing licences

11.7.1. It is the council's policy that licence-holders are responsible for renewing their licences. The council shall provide the licence holder with a reminder highlighting that the licence is about to expire.

11.7.2. Applications to renew a licence must be submitted before the current licence expires. The existing licence will continue in force until the new licence is granted unless a decision is made to refuse to renew the licence. Applications will be rejected if they are not properly completed (other than minor clerical errors), do not contain all of the required information, or are not accompanied with the correct fee. Applications received after a current licence expires will be treated as a new application with the current new fee to be paid and no licensable special treatments may be offered or carried out until a new licence has been granted.

11.8. Refusal to renew a licence

11.8.1. We may refuse to renew a licence for the reasons set out in paragraph 10.6 of this policy, and follow the procedures set out above.

11.8.2. Clear written reasons why a licence has been refused will be provided to an applicant, together with information about their right to appeal to the magistrates' court.

11.9. Intelligence-led enforcement

The council will proactively search for and investigate premises where it is alleged unlicensed special treatments may be carried out and/or any breach of the Standard Conditions of Licence, within the resources available to it.

The council will proactively visit premises where it is believed special treatments may be offered and follow up information provided to it from the public and others. The Council will use the National Intelligence Model (NIM) in determining whether to investigate complaints.

11.9.2. Where unlicensed activities or therapists have been found, a graduated response will usually be used which may result in those responsible:

- (a) being given advice and information about applying for a licence. This may depend on the length of time and nature that the special treatments have been offered, and the level of knowledge on the part of those responsible for offering it;
- (b) a formal written warning where, for example the breach has been minor, occurred over a short period of time and officers are confident corrective action will be quickly taken by the licence-holder;
- (c) a formal simple caution, where the offender has admitted their guilt;
- (d) prosecution, where the criteria in the council's Public Health enforcement policy (available separately) has been met. This may for example be where the offence has occurred over a significant period, where previous advice or warnings have been ignored, where unqualified therapists are providing treatment, or where harm has been caused to another person due to the special treatment- H&F Environmental Health & Regulatory Services Enforcement policy 2024: - [Environmental Health and Public Protection Enforcement Policy 2024](#)

11.9.3. Enforcement action may also lead to the refusal of future licence applications and, if the licence-holder is convicted of an offence under the Act, to revocation of the licence.

12. Cross-regulatory compliance/information-sharing

12.1. The council will share information relating to special treatment licence applications and businesses for the purposes of preventing and detecting crime:

- (a) internally with other council departments
- (b) externally with the police, fire service, other local authorities, and regulatory bodies
- (c) such as HM Revenue & Customs
- (d) other organisations when required to by law in accordance with the provisions of the Data Protection Act 2018 -

12.2. The council is also responsible for enforcing other legislation that applies to special treatment businesses, such as the Health and Safety at Work etc Act 1974, the Environmental Protection Act 1990, or the Health Act 2006. The council may use its powers where appropriate to enforce those provisions in conjunction with or separately to its powers to licence special treatments. It may, where appropriate, take account of the failure to comply with other legislation when it makes a licensing decision, for example by taking account of a failure to comply with the 1974 Act when deciding whether work equipment has been properly maintained or not.

13. Revocation of licences

- 13.1. We may decide to revoke a licence if the holder has been convicted of an offence under the Act. This decision will be taken by the Head of Environmental Health, Environment.
- 13.2. Licence-holders will be given 21 days in which to make written representations as to why their licence ought not to be revoked. If a decision is made to revoke the licence, clear written reasons will be provided together with details of the right to appeal against that decision to the magistrates' court.

14. Complaint's procedure

- 14.1. Applicants and others may use the council's customer complaints procedure where we have not provided an adequate service. The complaints procedure may not be used in relation to the decision to grant, refuse or revoke a licence or to impose additional conditions on a licence. In such circumstances the appropriate route of appeal is to the magistrates' court. H&F complaints procedure: - [Formal corporate complaints | LBHF](#)

15. Monitoring and review

- 15.1. We will regularly report to the Director of Public Protection on the operation of this policy, including statistical information on the number of licences applied for, granted, refused, varied, inspections and enforcement action taken.
- 15.2. The council welcomes comments and suggestions about improvements to this policy, which can be emailed to mst@lbhf.gov.uk

Appendix 1 – Special treatment Conditions

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 10th February 2025

INTRODUCTION

- a) These Standard Conditions are in force from 10th February 2025 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.
- f) The Council work with other stakeholders such as Licensing Police, the Police Modern Slavery Child Exploitation Taskforce and the Council's Victims Programme Coordinator to ensure that the premises are being conducted in an appropriate manner. Where intel is brought to our attention, we may commission external companies to assist us in gathering evidence for enforcement action.

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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. Their website can be viewed here: <https://modernslaveryhelpline.org>
- 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 [MST Standard Conditions frequently asked questions | London Borough of Hammersmith & Fulham](#)
- d) Businesses who have an annual turnover of £36m or more must have a modern slavery statement.

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 offence without 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 twelve (12) months. 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.
- h) 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.
- i) 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 included 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, with the appropriate fee paid at the time of the application.
- 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 cover/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. No training and trials regardless of the length of time on Clients.
- 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) Therapist registrations to be displayed clearly showing the related photograph of the named therapist.
- m) The licence holder shall ensure that no nuisance arises from the business activities including but not limited to odour nuisance or noise.
- n) The licence holder shall be familiar with all the conditions contained in this document and take responsibility for any breaches of said conditions.
- o) 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.
- p) 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)
- q) The licence holder shall notify the Council in writing of any change in the licence holder's private address, principal place of business or company registered office within 7 days of the change.
- r) The Women's and Girls network informative poster with sexual violence hotline details to be displayed in a prominent position.

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) 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 hand's gloves shall be worn over the dressings.
- e) 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.
- f) 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.
- g) 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) Digital and/or 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.

18) Tariff

- a) Tariff - All licensable treatments provided at the premises shall be clearly listed in a priced tariff. This tariff shall also clearly show the cost of any additional services provided at the premises together with VAT thereon if applicable. A copy of the tariff shall be supplied on request to an authorised officer of H&F Council.
- b) Display of tariff – There shall be prominently and legibly displayed a comprehensive tariff of charges and placed in such a position that it can easily and conveniently be read by persons before entering or immediately upon entering the premises.

19) Display of trading details

- a) Sole trader & partnership - Where a sole trader or partnership carries on a business under a name that is not that of the proprietor or partners their details must be fully disclosed to customers and suppliers it to make it clear who they are doing business with the following information which is required to be disclosed:
<https://www.businesscompanion.info/en/quick-guides/miscellaneous/company-and-business-names>
- b) Full name of the proprietor or all of the partners, an address at which the business can be contacted and have legal documents formally served on it, This information must be displayed in a prominent position in all business premises where customers and suppliers have access to it.
- c) Limited companies - Displaying company information - active companies must display their full registered company name at their registered office and all other locations at which they carry on business except those used primarily for living accommodation.

20) Alterations

- (a) No alterations (including temporary alterations) shall be made to the premises, without the consent of the Council. This condition shall not require notice to be given in respect of routine maintenance works.
- (b) Where the works necessitate the premises being closed for a period of time, the premises shall not re-open for the purpose of the licence without the consent of H&F Council

21) No Smoking” Notices –

A “No Smoking” sign must be prominently displayed within the premises

22) Overcrowding - shall not be allowed in any part of premises

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/infrared sauna must be cleaned and disinfected regularly following relevant guidance and in accordance with manufacturer's 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 logbook must be available for recording regular interval tests to include pH, chlorine or bromine levels, water clarity, temperature, number of bathers. The logbook should state acceptable limits for all tests and record action taken in the event of an unsatisfactory result. The logbook 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) Ultraviolet Tanning Equipment

- a) Ultraviolet (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 Ultraviolet 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.
- 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. It is recommended that the Chartered Institute of Environmental Health Officers toolkit is read by each therapist: - <https://www.cieh.org/media/2004/tattooing-and-body-piercing-guidance-toolkit-july-2013.pdf>

5) Permanent make up/ Micropigmentation /Microblading/ Micro-needling

- 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.
- m) The therapist to be trained to NVQ level IV or equivalent

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 (this includes single use nail files)
- d) Food and drink must not be consumed in the treatment area.
- e) Products containing Methyl Methacrylate (MMA) shall not be used.
- f) 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.
- g) Electric files/drills shall only be used by therapists who have had specific training in their use.
- h) 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.
- i) Separate wash hand basin for washing of dirty equipment and one for washing of hands and labelled as such.
- j) Bins should have closable lids in the nail area
- k) Ensure all surfaces are cleaned with detergent and disinfected between each client including nail tables, pedicure bowls etc

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 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 - 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 NVQ level IV or equivalent 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 NVQ Level 3 or equivalent 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 or digital, shall be completed every time the laser/IPL is operated including the following information:
 - the name of the person treated
 - a second means of identification (such as date of birth)
 - the date and time of treatment
 - the name and signature of the laser/IPL operator
 - the nature of the laser/IPL/HILED treatment given
 - the treatment parameters

- any accidents or adverse effects
- m) 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.
 - n) 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.
 - o) 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
 - p) The door to the controlled area shall be fitted with a suitable locking device which can be opened from the outside in an emergency.
 - q) 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 device in a manner approved by the Laser Protection Advisor.
 - r) 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 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.
 - s) Specific documentation shall be in place for each laser or IPL equipment and treatment
 - t) Mechanical ventilation in the room should be circulate fresh air from the outside
 - u) The machine should have plume ventilation
 - v) A conformity certificate to be provided for the laser machine
 - w) Ensure that a Laser Protection Advisor carries out the writing of Local Rules and comply with our standard conditions. This is to ensure that best practices in laser safety are established and maintained.
 - x) The Laser Protection Advisor must be approved by [LPA certificate Holders](#) or Members/LPAs – [The Association of Laser Safety Professionals \(ALSP\)](#)

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, therapist registration(s) issued by the Council and insurance(s)
- b) Therapist qualifications and training certificates for the treatments they carry out and first aid
- c) Licence Standard Conditions
- d) Written nomination of a responsible person to be in charge of and present at the premises
- e) 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 Ultraviolet 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 Nail Treatments

- a) Client Cards written and/or digital

9 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 manufacturers and supplier's instructions
- f) Records of laser/IPL equipment maintenance and examination by competent engineer
- g) Written treatments register