1. Introduction

These Standard conditions for the grant of all new and renewed special treatment licences are prescribed in regulations made under section 10(1) of the LONDON LOCAL AUTHORITIES ACT 1991 (as amended), effective from August 2015.

In these conditions, unless the context otherwise requires;

a) ‘Approval of the Council’ or ‘Consent of the Council’ means the approval or consent of the Council as licensing authority in writing.

b) ‘Council’ means the Wandsworth Borough Council as the appropriate licensing authority.

c) ‘Establishment for special treatment’ has the meaning set out in section 4 of the London Local Authorities Act 1991 (as amended).


e) ‘Officer’ means any person authorised in writing by the Council.

f) ‘Premises’ means any premises within the Council’s area licensed for special treatment and includes all installations, fittings and things in connection therein.


2. Applying for a derogation

The Regulations allow for the removal or variation of any standard conditions adopted by the Council. These rules may be dispensed with or modified by the Council in any special case.

Where in these rules there is any reference to the consent of the Council being required, such consent may be given on such terms and conditions and subject to such restrictions as may be so specified.

If the licence holder wishes any of the terms of the licence to be varied, an application must be made to the Council, and if the Council so require the application must be advertised.

Please keep this document safely. When you renew or vary your special treatment licence you will not be sent further copies of these conditions. If you should lose or mislay your copy of these standard conditions a further copy can be downloaded from the council’s website www.wandsworth.gov.uk or contact the council by telephone or e-mail.

It is your responsibility to read and comply with these conditions. If you do not believe that you can comply with any of the conditions, or that you need time to comply with the conditions, you should apply in writing for this to be formalised in your licence. An officer will then consider your representation and will advise you of the decision. If you are dissatisfied with the officer’s decision you should then follow the council’s complaint procedure which can be found on the Council’s website http://www.wandsworth.gov.uk/info/200310/about_the_council/34/making_a_complaint

Please be aware that non-compliance with any of these conditions is an offence liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Approved: 13 January 2015
3. Standard Conditions for Special Treatment establishments
These conditions apply to all premises granted a licence by the Council.

GENERAL

1. Trading Name and Address The establishment shall trade at the address specified in the licence, and in the name specified in the licence.
2. Display of Licence The licence (or a true copy of it) shall be displayed in a prominent position within the premises where it is clearly visible to clients. The conditions forming part of the licence need not be displayed.
3. Individual and Partnerships The licence holder shall notify, in writing, to the Head of Environmental Services any change in the name or private address of the licence holder, or any other particulars of the business.
4. Companies (within the meaning of the Companies Act) – The Council shall be notified in writing of any change in the registered companies address or acquisition.
5. Permitted Treatments No treatment shall be given under the licence, unless approved by the Council.
6. Scale of Fees The licence holder shall at all time exhibit in a conspicuous position a complete scale of fees for special treatments given at the premises.
7. Powers of Council Inspectors officers of the Council who are furnished with written authorisation which they will produce on request shall be admitted immediately at all reasonable times to all parts of the premises.
8. Insurance The licensee shall hold public liability insurance for the treatments they administer to the sum of at least £2 million which must include and name all the treatments that are provided at the premises. A copy of the certificate shall be retained at the premises for inspection by Council Officers.
9. Alterations No alterations (including temporary alterations) shall be made to the premises without the prior consent of the Council (not including repair and maintenance work).

PRACTITIONERS

10. Competence

- Licensed treatments shall only be provided by a special treatment practitioner or by a person undertaking training who is under the direct supervision of a special treatment practitioner. (A special treatment practitioner is a person who provides a special treatment to a client, often known as a therapist)
- The licence holder shall ensure that all practitioners are suitably qualified and trained, having regard to the Council’s Guidance on the Qualifications and Training of Special Treatment Practitioners, and are competent to administer the treatment(s) they are to give
- Newly qualified therapists must be supervised until the licence holder is satisfied that they are competent to practice. Trainees can only carry out licensed treatments under the supervision of a practitioner who has attained the relevant qualification and/or experience for that licensed treatment.
- Records shall be kept on the premises of every special treatment practitioner or trainee practitioner who provides licensed treatments on the premises (whether or not directly employed, self-employed or otherwise engaged) and shall include the following information:
  (a) Full name
(b) Home address  
(c) Date of birth  
(d) A photograph of the practitioner  
(e) Full list of treatments offered by that practitioner at the premises  
(f) Details of the qualification and/or training attained/completed and the awarding body, including copies of such qualifications. 
(f) For a trainee the records must also indicate the name(s) of the training supervisor and a list of treatments that person is supervising 

- The records described above shall be kept on the premises whilst the special treatment practitioner or trainee practitioner is employed and/or carrying out special treatments at the premises and for a period of 2 years from the date when the special treatment practitioner or trainee practitioner ceases employment and/or providing treatment at the premises.

11. **Personal Hygiene**

Every practitioner shall maintain a high degree of personal cleanliness and shall wear suitable, clean and where appropriate protective, clothing.

12. **Clothing**

The licence holder shall ensure that all persons present in any part of the establishment are decently and properly clothed at all times, except for those persons receiving treatment.

13. **Infectious Diseases**

No person known or suspected to be suffering from, or to be a carrier of a disease likely to be transmitted through the administration of a treatment shall be permitted to undertake such treatments.

14. **Unsuitable Person**

The licence holder shall not employ at the premises any person who he has been notified in writing that the Council considers unsuitable to be employed in such premises or to provide specified treatments.

15. **Exemptions**

Section 4(b)(ii) of the London Local Authorities Act 1991 allows for the exemption of a therapist who is a bona fide member of a body of health practitioners. The current list of exempt bodies is available for viewing on the Council’s website. Where a therapist is exempt under the Act, then current details of their membership of the relevant body shall be kept at the premises, and made available to Council Officers for verification.

**PREMISES**

16. **Cleanliness and Condition of Premises**

The premises must be kept clean and maintained in good repair and condition.

17. **Cleaning and Maintenance**

All articles, fittings and equipment used or within the treatment area shall be readily cleansable, kept clean and maintained in an effective working order.

18. **Documented Cleaning Schedule**

A cleaning schedule specifying the object/area to be cleaned and the method of cleaning shall be produced by the licence holder and a copy retained at the premises. This cleaning schedule must include frequency of cleaning and type of detergent/disinfectant to be used. Daily cleaning procedure must include surfaces that are touched regularly such as light switches, door-knobs, cupboard handles etc. The procedure shall include the procedure that must be followed in the event of any blood spillage. A copy of the cleaning schedule must be made available to Council Officers on request.

19. **Changing Facilities**

Adequate changing facilities for clients must be provided where necessary.

20. **Wash Hand Basins**

For the cleaning of hands must be provided with hot and cold (or appropriately mixed) running water, materials for cleaning hands and for hygienic drying. The number and location of washbasins available in the treatment area and designated for cleaning hands must not be altered without the written consent of the council. Where necessary the provisions for
decontamination of equipment must be separate from the hand-washing facility. Water supplies to wash hand basins shall be fed from a mains supply and the waste shall be discharged to a suitable drainage facility.

21. **Ventilation** There shall be suitable and sufficient means of natural or mechanical ventilation.

22. **Privacy** Where it is intended that more than one person shall be treated in a room, suitable screening shall be provided to maintain privacy where necessary.

23. **Door Locks** All treatment rooms that are provided with locks and are used for self-administered treatments shall be provided with door locks, capable of being opened from the outside by the licence holder (or his representative) in the case of an emergency. Additional fixed locks or dead-locks are not permitted.

24. **Animals** are prohibited and must not be allowed in the treatment rooms/area.

### WASTE

25. **Waste** material shall be placed in a suitably covered leak-proof receptacle which shall be emptied at least once a day and kept clean. Used needles, hypodermic syringes and other sharps must be placed into a suitable sharps container approved to BS 7320:1990, immediately after use. The licence holder shall ensure that all waste is disposed of safely and correctly by means of a commercial waste collection contract.

26. **Controlled Waste** Where controlled waste is produced the licence holder shall ensure that suitable systems of handling, storage and disposal are implemented at the premises.

### EQUIPMENT

27. **Autoclaves, Pressure Systems and Other Equipment** Where necessary a suitable autoclave shall be provided. Suitable and effective arrangements shall be made to ensure that the autoclave and any other pressure systems and other equipment are properly maintained. Where the manufacturer or supplier has provided maintenance instructions for all or part of the system, these will form the basis of the maintenance programme. If they are not comprehensive enough to cover the on-site operating conditions, they should be supplemented as appropriate.

Any equipment operating under pressure shall be inspected for safety by a competent person.

28. **Decontamination** Documented procedures for the decontamination, disinfecting and sterilisation of equipment shall be provided at the premises and must be made available to Council Officers on request.

29. **Needle Stick Injuries** Where equipment likely to cause needle stick or other puncture/cut injuries is in use, the licence holder shall provide all therapists with a written needle stick injury procedure. The procedure shall state what action to take in the event of a needle-stick injury occurring. All needle stick injuries shall be recorded and details of the incidents kept at the premises for at least 2 years.

### CLIENTS

30. **Client's Records** Before any treatment is administered to another person, the person giving the treatment or another competent person, shall interview the person to be treated and record the following details. The interview shall be
conducted in a language that is understood by the person to be treated. Where this is not possible, no treatment shall be given. If records are written in a language other than English, then the licence holder shall provide a written translation into English, of each record within 2 days of the record being taken:

(a) the full name and address of the person to be treated
(b) the treatment to be given
(c) the dates on which the treatment is given
(d) the name of the person giving the treatment
(e) the client’s relevant medical history, including any contra-indications to the treatments to be given
(f) the client’s consent to receive the treatment (see “informed consent” below).
(g) every treatment (and repeat treatments, or continuation treatments) shall be recorded.

31. **Proof of Age/Identity** The licence holder must ensure that an age verification policy is adopted in respect of the premises such that anyone who appears to be under the age of 25 is asked to provide proof of their age. The steps that have been taken to verify the age and identity of these clients must be recorded, either by inserting the relevant information on the treatment record form, or by photocopying the relevant documentary evidence provided by the client. Acceptable identification must bear a photograph, date of birth and either a holographic mark or an ultraviolet feature and includes:

- a photo-card driving licence which includes the name and address,
- a passport
- an age verification card with hologram or ultra-violet strip.

32. **Informed Consent** before any treatments are given to another person, the person giving the treatment or another competent person, shall inform the person receiving the treatment of any possible complications and/or side effects of the treatment, and ensure that they fully understand these. The items discussed shall be recorded along with the clients’ details. The person receiving the treatment shall sign the record to show that they understand what they have been told and consent to the treatment.

33. **Aftercare Advice** Aftercare advice shall be given in respect of all treatments. This shall be in written form in the case of nail extensions, tattooing, cosmetic piercing and ear and nose piercing and shall include information on what to look out for regarding possible complications.

34. **Complaints Procedure** The licensee shall provide a written procedure to deal with complaints from customers. All complaints shall be recorded along with details of the following:

i. what action was taken to resolve the complaint; and.
ii. any changes made in response to the complaint

35. **All Records** concerning special treatments, age verification and complaints shall be kept at the premises for at least two years.

36. **Alcohol and Drugs** No person shall give or receive a treatment whilst under the influence of alcohol or non-prescribed drugs.
4. Treatment Specific Conditions

These conditions shall only apply where consent for such a treatment has been granted by the Council.

(a) Cosmetic Piercing & Tattooing

1. Definitions
   (i) **Tattooing** shall include micro-pigmentation (semi-permanent make up) and any treatment that involves breaking the skin and placing pigments, dyes or other coloured substances under the outer layer of the skin to provide a cosmetic enhancement of the skin. It does not include "henna tattoos" or other dyes, pigments or coloured substances where these are placed directly on the skin and no skin is broken, whether they are permanent or not.

   (ii) **Cosmetic Piercing.** This shall include any form of treatment where the client's skin is broken and any article is inserted into the skin with the intention of leaving the article in the skin after the treatment. This does not include:
   - Injection of substances by hypodermic needle carried out by a medical practitioner or other persons.
   - Piercing of the ear lobe only, by means of a proprietary “ear piercing gun”
   - Nose piercing as defined below
   - Any minor surgical procedures such as scarring, beading, or any other treatment involving cutting or breaking the skin for the purposes of cosmetic modification, apart from piercing as defined above. These types of treatments will not be licensed.
   - Branding or any other form of burning the skin:- these types of treatments will not be licensed.

   (iii) **Nose Piercing.** This shall mean piercing of the nasal cavity walls only, and no other part of the nose.

   (iv) **Ear piercing gun** This shall mean any device or instrument designed specifically for piercing ears, whether disposable or not.

2. Additional Competencies. In addition to condition 10 above, cosmetic piercers and tattooists must be able to demonstrate a thorough knowledge of sterile procedures and an understanding of the routes of disease transmission and how to prevent cross contamination. They must also be conversant with all contraindications of illness that will effect tattooing/piercing or may have been caused by tattooing/piercing and procedures to deal with emergency bleeding.

3. **Ear Piercing Gun** An ear piercing gun shall only be used for carrying out a piercing to the lobe of the ear. For piercing any other area of the ear, only pre-sterilised, hollow needles shall be used.

4. **Informed consent** In addition to condition 31 above, a sign stating that tattooing is permanent and stating the potential side effects and disadvantages of tattooing shall be clearly displayed in a position where clients can see it as soon as they enter the premises. These issues shall also be fully explained to the client before any tattooing takes place and shall form part of the ‘informed consent’ form.

5. **Cosmetic Piercing** shall not be administered to any person under the age of 16 years, with the exception of:
a) Piercing of the ear-lobe only using a proprietary ear piercing gun.
b) Nose piercing (as defined above).
In both these cases, piercing shall only be allowed by parental consent. A parent must be present at the time of piercing and must sign the “informed consent” form.

(b) Sauna, Steam Rooms, Spa Pools and Ultra Violet (UV) light facilities

1. Definitions
   (i) Remotely operated facilities – a facility is remotely operated when the therapist is out of audible range of the treatment rooms and would therefore be unable to hear a call for help from a person using the equipment (for example: sports centres or other larger premises that offer a range of different services, where the treatment areas are not directly supervised by a therapist).

   (ii) Tanning accelerants and or amplifiers – these are defined as any cream, lotion or other substance which increases (or purports to increase) the amount of UV light reaching or absorbed by the skin. This does not include substances which increase (or purport to increase) the production of melanin in the skin, but which do not increase UV exposure.

2. Additional Competencies – UV light facilities
   In addition to condition 10 above all therapists shall have knowledge of how to calculate skin types, what skin types mean in relation to tanning, recommendations regarding who should and should not use UV tanning facilities (and the reasons why), maximum recommended exposure times (as set by manufacturers and government), the risks involved in using UV light treatments and the reasons for using eye protection.

3. Remotely Operated Facilities
   Where any treatments are operated remotely (see definitions), the facilities shall include a means for the person receiving the treatment to summon assistance from a member of staff. The alert mechanism must be clearly marked and visible from the treatment position, and it must enable the person receiving the treatment to summon assistance from the treatment position. The person receiving the treatment shall be made aware of the alert mechanism and how to use it. The warning generated by the alert mechanism shall be positioned in such a position as to always be visible and/or audible to a member of staff. The licensee shall produce a written policy detailing the action to be taken in the event of an alert mechanism being used. This policy shall be communicated clearly to all members of staff.

4. Management Procedure
   Where treatments are operated remotely, the licensee shall provide a procedure whereby all treatment rooms are checked every 20 minutes. Where treatments are timed (such as UV light treatments), the licensee shall provide a procedure to ensure that the person receiving the treatment has finished it safely.

5. Control of usage – UV light facilities. A therapist or other person competent in the use of the equipment shall control the exposure time in all UV light facilities. The method of controlling the exposure time shall be such that it cannot be overridden by the person using the equipment. Where a token system is used measures must be taken to prevent someone from collecting several tokens and using them together to increase session length.
6. **Information for persons using UV light facilities** The first time a person uses the facilities they shall be given clear written information regarding the matters listed below. This information must be given by a practitioner, and they must also explain the information verbally and make reasonable efforts to ensure that the person receiving the treatment understands the information:

- How to calculate their skin type and what the skin types mean in relation to tanning. Persons who are skin type 1 must be advised that they are unlikely to tan and are recommended not to use UV light treatments.
- The risks involved with exposure to UV radiation (skin cancer, premature ageing etc.).
- Health and Safety Executive (HSE) recommendations on the maximum number of sessions per year.
- The reasons for wearing eye protection against UV light.

7. **Record Keeping – UV light facilities**
   (i) The licensee shall implement a system to record that the above information has been given to people using the facilities for the first time. It is recommended that this is done by way of a pro-forma that contains all the information with a space for the person to sign to say that the information has been explained to them and that they understand it.
   (ii) There shall be a system for keeping a record of how many sessions a person has had. When a person reaches the maximum recommended amount (currently 20) they shall be informed of this and advised that they have reached the recommended limit for exposure. This information shall be recorded on the person's record card, and signed by the person receiving the treatments.
   (iii) The above mentioned records shall be kept at the premises for at least 2 years.

6. **Eye Protection** All persons who use UV light equipment shall be provided with eye protection against UV light. Any eye protection equipment provided shall comply with the British Standard that is issued on the subject of UV light eye protection.

7. **Tanning Accelerants and/or Amplifiers** The therapists must not recommend any form of tanning accelerant or amplifying creams or lotions.

8. **Emergency Cut Off** All UV light facilities shall include an emergency cut off switch that turns off the power to the equipment. The switch shall be clearly marked and must be in a position where it can be operated by the persons receiving the treatment. The customer shall be advised of the position and use of the cut off.

9. **A Copy of the Poster** “UV tanning equipment” (INDG209 rev2) or latest revised version shall be displayed in a position where the customer can easily read it. The customer shall be advised of the poster and asked to read it before treatments are commenced for the first time. This poster can be obtained at [http://www.hse.gov.uk/pubns/misc869.pdf](http://www.hse.gov.uk/pubns/misc869.pdf)
1. **Definitions**
   
   Nail Treatments are defined as any of the following: Manicure, Pedicure, Nail Extensions or artificial nails of any kind, or any other treatments involving cutting, or abrading of the nails, nail cuticle, or the skin around the nails of either the hand or the feet. Nail extension treatments shall include any treatment that involves extending the length of the natural nail with any materials, and repair and/or upkeep of nail extensions.

2. **Nail Drills**
   
   The uses of nail drills on a person's own natural nail is prohibited. Nail drills shall only be used to file away an artificial nail surface. Nail drills shall not be used to file the area where a natural nail is joined to an artificial nail. Where nail drills are used, only persons who have received specific training in their use and who are competent in their use shall use them.

3. **Cleaning**

   (i) **Equipment**
   
   Between each treatment, all equipment that is used in treatments shall be scrub-cleaned with detergent and water, dried using clean disposable paper towels and disinfected. Any equipment that cannot be cleaned in this way shall be single use disposable. Any equipment that has been contaminated with body fluids (e.g. blood/serum) shall either be sterilised or disposed of safely after use.

   (ii) **Surfaces**
   
   All surfaces used during treatments shall be cleaned with a suitable disinfectant between each client.

4. **Ventilation**

   Where nail extension treatments are carried out, suitable air filtering and extraction must be provided at desk-top level to remove dust and chemicals from the air. Air extraction must be in a downwards direction, away from the area where the treatments are carried out. Suitable dust and chemical filters must be in place within the filter system. These shall be changed at suitable intervals as recommended by the manufacturer. All air filtering/extraction equipment shall be maintained in good working order in accordance with manufacturer's instructions.

(d) **Intense Pulsed Light & Laser Treatments**

1. **Definition**

   Laser, for the purposes of these conditions, is defined as a laser classified as 3b and/or 4, intense pulsed Light (IPL) and other Intense Light (ILS) used for non-surgical treatments such as hair removal, skin rejuvenation, tattoo removal, cellulite treatment.

2. **Local Rules and Treatment Protocols**

   must be provided for each premises and these will become the conditions for that particular premises. Any breach of these local rules and treatment protocols will be treated as breach of these standard conditions and non-compliance with any of these conditions is an offence liable on summary conviction to a fine not exceeding level 4 on the standard scale.
5. Advice and Guidance.

Further advice and guidance which does not form part of these conditions is available as signposted below:-

- Health & Safety at Work Act and associated regulations including: risk assessments, control of substances hazardous to health the Health and Safety Executive [www.hse.gov.uk](http://www.hse.gov.uk)
- Infection control, management of waste (including needles and contaminated waste), decontamination, exposure to blood and body fluids, before and aftercare, disinfection, autoclaves, steam sterilization, product quality and training from the Chartered Institute of Environmental Health including the “Tattooing and Body Piercing Guidance Toolkit” [www.cieh.org](http://www.cieh.org)
- Beauty treatments including advice and information on training, skills, business development and industry codes of practice [www.habia.org](http://www.habia.org)
- Medicines and medical devices from the Medicines and Healthcare Products Regulatory Agency [www.mhra.gov.uk](http://www.mhra.gov.uk)
- Massage and special treatment licences; how to make an application and laser application guidance on local rules and treatment protocols [www.wandsworth.gov.uk](http://www.wandsworth.gov.uk)