

# **Special Treatments Regulations**

## **Standard Licence Conditions**

**Regulations made by the London Borough of Redbridge under Section 10(1) of the London Local Authorities Act 1991 (Amended)**

**Date of Introduction November 2022**

## **London Local Authorities Act 1991, as amended by the London Local Authorities Act 2000 s27 and s28**

Regulations made by the London Borough of Redbridge under Section 10(1) of the London Local Authorities Act 1991, prescribing standard conditions applicable to all premises located in the London Borough of Redbridge providing special treatments.

### Definitions

**‘Approval of the Council’ or ‘Consent of the Council’** means the written approval or consent of the Council as Licensing Authority in writing.

**‘Approved’, ‘Accepted’ or ‘Permitted’** means approved, accepted or permitted by the Council in writing.

### Dispensation or Modification of Rules

1. These rules may be dispensed with or modified by the Council in any special case.
2. The Council may, in granting a licence or giving any written approval or consent under these rules, impose such additional terms, conditions, or restrictions as it shall specify in writing.
3. If the licensee wishes any licence terms, conditions or restrictions to be varied, an application must be made to the Council, and if the Council so requires, the application must be advertised.

### Guidance and Standards

4. 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.

[See A-Z of Treatments/Therapies](#)

5. 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.

6. 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. [See List of Bodies of Health Practitioners Granted Exemption here.](#)

## Health and Safety

7. While these standard conditions are applied to a licence for any special treatment, they do not in any way replace or reduce any of the underlying statutory duties of employers to comply with the requirements of the Health and Safety at Work etc. Act 1974 and any associated Regulations and Codes of Practice.
8. The requirements to manage health and safety are wide ranging in nature and may overlap, to some extent, with some of the conditions listed below. Employers and self-employed persons are required by the Management of the Health and Safety at Work Regulations 1999 to assess and manage the risks to their workers and any others (i.e. clients), who may be affected by their business so as to identify what measures are needed to avoid or control the risks.
9. The Cosmetic Products Enforcement Regulations 2013 – Ensure products are purchased from a regulated wholesaler and proof of purchase may be requested.

## Conditions Applicable to All Premises

### The Licence

10. The current licence or a clear copy of the current licence shall at all times be prominently exhibited at the premises in a position where it can easily be read by customers and protected against theft or vandalism so far as is reasonably practicable.
11. The licence cannot be transferred from one holder to another unless an application to transfer the licence is properly made in writing to the Council and the transfer application granted.
12. The licence is not portable and is only valid for the premises named on the licence.
13. The licence is only valid to provide such treatments as may be specified on the licence.

14. Licences are issued for not less than six months and for a maximum period of 18 months. The Council licence special treatments on an annual basis and this comes into force from 1 November to 31 October. Where licences are applied for within the period of this year, then a fee will be applied for that period between the start of the licence date and the end of the year point. The Council must be informed in writing within 7 days if the business is to cease.
15. No alterations shall be made to the licensed premises unless an application is made to the Council to vary the licence including a plan of the premises, and such variation is granted by the Council.
16. No changes may be made to the terms or conditions under which the licence is granted unless an application is made to the Council to vary the licence and such variation is granted by the Council.

### Responsibility of the Licence Holder/Authorised Person

17. Licence holders should use the 'Stronger together' toolkit for UK employers and labour providers which can be used to tackle modern slavery in businesses (Modern Slavery Act 2015). <https://www.stronger2gether.org/>. Victims of modern slavery can be referred to the local authority, the police or the Modern Slavery Helpline 08000 121 700 for support.
18. Licence holders shall ensure a 'Stop The Traffik' poster is on display in a prominent position where therapists and staff can see it. Download from <https://www.stopthetraffik.org/resources/spot-signs-posters-leaflets/>
19. Either the licence holder or another responsible person nominated by the licence holder shall be in charge of the premises at all times they are open for the provision of special treatments.
20. The licence holder shall be responsible for ensuring compliance with the conditions of the licence. Any authorised person in charge of the licensed premises in the licence holder's absence shall also be responsible for ensuring compliance with the licence conditions.
21. The licence holder shall ensure they hold employers liability insurance where applicable.
22. The licence holder shall obtain public liability/professional indemnity insurance to cover all special treatments carried out at the premises. A copy of the relevant insurance certificates shall be displayed prominently in the premises at all times and a copy sent to the Council annually. These details may be provided to third parties where reasonably requested.

23. If the licence holder is convicted of any criminal offence, they shall notify the Council of this in writing as soon as reasonably practicable
24. Except with the written consent of the Council, the licensee shall not employ in the conduct of the establishment any person whose licence has been revoked, or to whom a licence has been refused on the grounds that such a person is unsuitable to hold a licence to carry on an establishment for massage or special treatment, or who is unsuitable to be employed on the grounds that misconduct in connection with the employment of such person in an establishment for massage or special treatment has not been proved to the satisfaction of the Council; and except with such consent, the licensee shall not allow any such person to be directly or indirectly interested in the business to be carried on at the establishment.
25. The current price list of all treatments offered at the premises shall be prominently displayed in a position where it can be viewed by customers prior to them agreeing to treatment.
26. Licence holders shall ensure they have appropriate planning consent in place to use the premises for special treatments. The Council shall consult the Planning Authority on any application for a Special Treatment Licence.
27. The opening and closing times of the licensed premises shall be prominently displayed at the entrance to the premises.
28. The licence holder shall notify the Council in writing within 28 days of any change in the address of the licence holder shown on the licence or change in any other particulars of the company. Nothing in this condition shall permit the licence to be transferred to one licence holder to another, which must be the subject of an application to transfer the licence.

## Qualifications and Training

29. 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.
30. Relevant training and qualification certificates or a clear copy shall be available at the premises for inspection at all reasonable times.
31. All persons providing special treatments must hold an accredited qualification that meets National Occupational Standards (The qualification must be at the equivalent level of the list of Ofqual regulated qualifications) in the treatments they carry out. These include those awarded by City & Guilds, VTCT, EDEXCEL, ITEC,

CIBTAC/CIDESO or an equivalent awarding body. All operatives will need to be qualified to Level 2 to 5 in a VRQ, S/NVQ or QCF relevant to the treatment they provide. Operatives offering lasers/IPL must be qualified to Level 4/5 in a relevant subject plus trained on the specific laser/IPL machine and Core of Knowledge safety training covering syllabus specified in MHRA bulletin DB2008(03)) which shall be undertaken every 5 years.

32. Most qualifications come with two certificates, one of which summarises the units studied. Both parts must be submitted to the Council for approval.
33. Where there are no recognised 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.
34. Where qualifications have been obtained outside the United Kingdom (UK), and/or are written in a language other than English and are not internationally recognised qualifications, the therapist must:
  - Obtain a translation of the certificate. This must be carried out by an independent, certified translator and be signed by them.
  - Obtain a comparability certificate. This shall state what the qualification is equivalent to in terms of UK qualifications. A comparability certificate can be obtained from an organisation called the National Academic Recognition Information Centre for the UK – UK ENIC:

UK ENIC  
Suffolk House  
68-70 Suffolk Road  
Cheltenham  
GL50 2ED  
UK  
+44 (0)330 912 0030  
<https://www.enic.org.uk/>

35. 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.

## Staff

36. No person shall be permitted to carry out special treatments at the premises unless the Council has given its written approval.
37. No person shall be permitted to carry out special treatment at the premises unless they are eligible to work in the UK.
38. The licence holder shall ensure that a current copy of all persons approved by the Council to carry out special treatments is kept on the premises at all times and is made available for inspection by Police or authorised Council officers on request.
39. Each person shall only be permitted to carry out such special treatments as the Council permits in writing. All main qualification certificates to be displayed.
40. Each person responsible for carrying out special treatments shall wear a name badge clearly displaying the name that corresponds with their training certificate or qualification during the time they are providing special treatments at the premises. Where a therapist is exempt under section 4(b)(ii) of the London Local Authorities Act 1991, details of their current membership of the appropriate professional body shall be retained at the premises and made available to authorised Council officers on request.
41. The licence holder shall ensure that all persons carrying out special treatments are made aware of the conditions of the Special Treatments Licence before they commence providing special treatments.
42. The licence holder or nominated responsible person shall speak and write English to an acceptable standard to satisfactorily discuss all matters relating to the licence, treatments and aftercare advice with the Council and clients.
43. Staff shall not provide special treatments if under the effect of alcohol, drugs or prescription medicine that may affect their ability to operate machinery.
44. All staff providing special treatments shall be suitably attired whilst carrying out treatment to the satisfaction of the Council.
45. Staff shall not provide special treatments to persons of the opposite sex unless they hold a relevant qualification and have been given prior approval to do so in writing by the Council.

46. The licence holder shall notify the Council in writing within seven days of any therapist who no longer works at the premises or any new therapist the licence holder intends to work at the premises.
47. The licence holder shall ensure they apply to renew the licence before its expiry date. If the licence holder fails to do so, the licence will lapse and the premises shall no longer be licensed to provide special treatments.

## Conduct of Premises

48. Separate changing accommodation shall be provided for men and women.
49. Acts of indecency shall not be permitted to take place on the premises. Any person found committing any act of indecency on the premises shall be ejected from the premises and the Police informed of the incident immediately.
50. No immoral acts shall be permitted to take place on the premises, including the use of the premises by prostitutes for soliciting or performing sexual acts.
51. No person shall be provided with a special treatment if they are apparently under the effect of alcohol or other intoxicating substances.
52. No animals shall be permitted on the premises with the exception of guide dogs.
53. No display or publication of words or images of an erotic nature, or words or images suggesting an erotic element to any treatment offered at the premises shall be used in connection with the premises. This shall include the premises name, any signage or display at the premises, and any advertising materials.

## Age related treatments

54. 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.
55. Examples of acceptable ID include: photo card driving licences, passports or proof of age cards bearing the PASS hologram and other forms of ID which meet the criteria.
56. The licence holder shall ensure that all persons working in the premises are aware of any age-related restrictions.



57. Details of age verification checks should be written on the client record.
58. No treatment may be carried out on a child under 16 years of age unless a parent or legal guardian is present and a written letter of consent is obtained.

## Record Keeping

59. Unless specifically stated, documentation required by any condition shall be kept on the establishment for a period of three years from the date of the procedure and must be produced on request by an officer of the Council.
60. The following records shall be kept at the establishment.
  - In relation to all persons employed at the establishment, including those on a self-employed basis: photographic proof of identity; name and current private address; age; and qualifications including refresher training. These records shall be kept during the period of employment and for a minimum of three calendar years after the last day of employment at the establishment.
  - The name, address and date of birth of all persons receiving special treatments at the establishment, the type of treatment given, the name of the person giving the treatment and the date the treatment was given. This information must be in English. These records shall be kept for a minimum of three calendar years after the special treatment is given.
61. Every new customer shall be required to complete a record card giving their name, address, date of birth and any medical conditions and medications taken. For each treatment, any relevant health condition shall be discussed with the client prior to the treatment taking place and the client shall be made aware of any possible risks of the treatment. The client shall sign the record card to say they have been made aware of the risks involved.
62. Client record cards shall be retained on the premises for a minimum of three calendar years from the date of the client's last treatment and shall be made available to authorised Council officers on request. All records must be securely locked away.

## Admission of Authorised Officers

63. Police, the London Fire and Emergency Planning Authority and authorised officers of the Council (on production of their authorisation) shall be admitted at all reasonable times to all parts of the premises.

64. The Police and authorised officers of the Council's Licensing Team shall be permitted to inspect any record, report, log or other document required to be kept and produced by these conditions.

## Structure and Condition of Premises

65. All parts of the establishment shall be kept in a clean condition to the satisfaction of the Council.
66. All internal walls, doors, windows, partitions, floors and floor coverings and ceilings in any part of the establishment shall be kept clean and in such good repair as to enable them to be cleaned effectively.
67. Every treatment room shall be provided with suitable floor covering which shall be smooth, impervious and durable and maintained in a clean condition. Carpets shall not be used in treatment rooms.

## Sanitation

68. Adequate signed 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.
69. Adequate wash hand basin(s) with a supply of hot and cold running water or hot water at a suitably controlled temperature, liquid soap dispenser, disposable paper towels dispenser or hand dryer and pedal waste bin for the disposal of paper towels shall be provided in the sanitary accommodation. It is best practice to have a hands free (infra-red, knee operated, elbow operated or foot operated) mixer tap installed at the wash hand basin which is capable of delivering constant warm running water. A suitable splash back must be provided which is smooth, impervious and easy to clean.

## Treatment Rooms

70. Each treatment room shall be provided with adequate lighting both by natural and artificial means. Adequate emergency lighting shall also be provided to enable persons to escape in the event of an emergency where the normal lighting system fails.
71. Sufficient space must be provided in treatment rooms for the safe provision of a special treatment.

72. There shall be provided in or adjacent to every treatment room or treatment area (excluding those used solely for ultra-violet tanning), suitable wash hand basins which are conveniently located and easily accessible. The number of wash hand basins provided shall be sufficient for the nature of the treatments being carried out and the number of operators working in that area.
73. Suitable and sufficient means for heating and cooling shall be provided. Treatment rooms shall be heated to a suitable temperature for the special treatment to be given. Portable gas heating appliances shall not be used in the premises.
74. In areas where special treatments are carried out, suitable and sufficient screening shall be provided to maintain appropriate levels of privacy.
75. Suitable and sufficient ventilation shall be provided throughout the premises.
76. Doors to any room or area in the establishment used for the giving of a special treatment shall not be locked during the period that the client is therein. However, any room that contains a single ultra-violet tanning bed or tanning booth in the establishment may be locked from the inside provided it is capable of being immediately and easily unlocked and opened from both sides by staff.
77. All furniture, fittings, operating benches, couches, seats and work surfaces in any area within the establishment where a special treatment is given shall be impervious, smooth, kept clean and in such good repair as to enable them to be cleaned and disinfected adequately.
78. All operating benches, couches and seats used by any person being given a special treatment shall be covered by a disposable paper sheet or suitable alternative covering which shall be changed for each person being given a special treatment.

## Cleaning/Sterilisation of Instruments, Materials and Equipment

See Guidance Notes **GN-2** on Decontamination and Guidance Notes **GN-5** on Sterilisation.

79. Prior to use, any gown, wrap or other protective clothing, any paper or other covering, and any towel, cloth or other such article shall be:
  - clean, in good repair and where necessary, sterile;
  - not have been previously used in connection with any other person given a special treatment, unless it consists of a material which can be and has been adequately cleaned, and where necessary, sterilised.

80. Any equipment used in the giving of a treatment shall be clean and so far, as is appropriate, sterilised or disinfected. Any sterilised equipment shall remain sterile until used.
81. Adequate equipment and facilities for the purpose of cleaning, disinfection and sterilisation of equipment shall be provided and stored safely. Safety data sheets for all products to be made available.
82. For sterilisation purposes, a suitable deep sink with an adequate supply of clean hot and cold running water supplied via mixer taps, shall be readily available on the premises at all times located in a separate 'dirty' area away from the 'clean' area for the decontamination of instruments and equipment. Where a sink for a sole purpose of washing the work equipment is not provided, the licence holder must demonstrate and prove how effective the cleaning of equipment is carried out.
83. Adequate storage for any gown, wrap or other protective clothing, any paper or other covering, any towel, cloth, any needle, metal instrument or other items or articles which are to be used, shall be provided, so that they are kept clean and protected as far as possible from the risk of contamination.

## Refuse, Waste Materials and Sharps

84. 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.
85. Soft waste from body-piercing or tattooing practice can normally be assumed to present no risk of infection. However, as waste contaminated with non-infectious body fluids is capable of causing offence, it would be classed as 'offensive' waste.
86. Items such as used gloves, aprons, swabs, small dressings cotton wool, paper roll, and plastic protective covers (used to cover machine, cord, soap bottles, etc.), ink caps and leftover ink in caps contaminated with bodily fluid arising from special treatments is considered as offensive waste where it is generated in quantity (one bag of 7kg or more in any one collection period).
87. Offensive waste must be placed into a yellow and black striped bag (tiger bag) for disposal, compliant with BS EN ISO 7765:2004 and BS EN ISO 6383:2004. Where offensive waste is generated in small quantities (under 7kg per collection) such items can be placed in general waste bags for commercial waste.

88. 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.
89. 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.
90. Any clinical waste bags and sharps boxes shall be suitably marked and whilst awaiting collection shall be stored in a secure area.
91. A needle stick injury procedure shall be in place at the premises and all operatives shall be aware of it. A copy of the procedure shall be retained at the premises and made available to authorised council officers on request. All injuries to be recorded in the premises accident book. See guidance notes GN-4 Sharps Injuries.

## Blood/Bodily Fluids Spillage

92. Where there is a risk of blood spillages occurring, there must be a written procedure for dealing with blood spillages.
93. All staff must be made aware of and trained in this procedure. The procedure must be available on the premises at all times and be made available for inspection by an Authorised Officer.
94. A suitable spillage kit must be available in the treatment room for cleaning up blood or other bodily fluids where there is a risk of blood spillages. The kit must be in date.

## Personal Hygiene

95. Where any person gives a special treatment at an establishment:
  - their hands shall be washed regularly to maintain a high level of personal hygiene; see [Guidance Note GN1](#)
  - they shall wear clean clothing;
  - they shall keep any open boil, sore, cut or open wound on an exposed part of their body effectively covered by an impermeable dressing; and,
  - they shall not smoke, vape, or consume food or drink, whilst giving a special treatment.
  - Gloves shall be latex free. Practitioners must wear single use, disposable, non-sterile gloves, such as vinyl or nitrile gloves.

## Washing Facilities

96. In establishments which give body treatments involving the application of heat by saunas, solariums, steam baths or Turkish baths, ultra-violet (UV) treatments, body massage and steam treatments, shower facilities shall be provided for persons receiving the treatments.
97. Notices shall be prominently displayed in the premises advising customers undergoing such treatments to shower before receiving the treatment.

## Noise and Vibration

98. The licensee shall ensure that no noise shall emanate from the licensed premises or vibration be transmitted through the structure of the licensed premises which gives rise to a nuisance to occupiers of premises in the vicinity of the licensed premises.

## Maintenance and Inspection of Systems and Equipment

99. All systems and equipment provided in the premises, such as but not limited to electricity installation, electrical equipment (PAT), (under the Electricity at Work Regulations 1989. This should be carried out in accordance with the current British Standard 7671). Gas installation/safety and equipment, local exhaust ventilation, air conditioning systems and any other equipment used to provide Special Treatments shall be serviced and maintained regularly and as specified by competent persons in accordance with the manufacturer and supplier recommendations.
100. Records of maintenance and inspection shall be available at the premises at all times for inspection and submitted to the Council on request.

## Topical Anaesthetic and Medicines - See [Guidance Notes GN3](#)

101. No prescription only medicines (POM's) may be administered by therapists. All injectable anaesthetics are POM's and may not therefore be administered by therapists.
102. Cream/spray based prescription products such as Lignocaine-based and gel can be legally used as a topical anaesthetic where a detailed consultation assessing contraindications has been carried out, but such products can only be applied by the client and not by the therapist or person carrying out the special treatment.

103. Spray forms of topical anaesthetics e.g. Xylocaine are not licensed for use on the tongue and are therefore prohibited.

## Aftercare Advice

104. Each client shall be provided with aftercare advice for the treatment they receive and confirmation of this shall be recorded on their client record card. In the case of tattooing, piercing, micropigmentation, electrolysis, ILS and laser treatments, this aftercare advice shall be provided in writing.

## First Aid

105. A First Aid box shall be available on the premises in accordance with the First Aid at Work Regulations 2010 and shall be kept fully stocked with items that are not out of expiry date.
106. All registered therapists working at the licensed premises shall be trained in basic First Aid techniques in accordance with the First Aid at Work Regulations 2010.

## Fire Fighting Equipment

Regulatory Reform (Fire Safety) Order 2005

107. 106. All licensed premises are required to carry out a fire risk assessment to identify the general fire precautions measures needed to prevent fires and keep people safe, including the provision of means of escape, emergency lighting, fire detection, fire-fighting equipment in readily accessible locations etc. The risk assessment must be recorded and reviewed regularly. The licence holder shall ensure that means of escape are maintained and kept free from obstruction at all times, and that fire-fighting equipment is maintained. This is enforced by the Fire Authority.
108. All firefighting equipment shall be serviced in accordance with the manufacturer's instructions and as specified by competent persons. Records of all servicing shall be retained on the premises for at least two calendar years and made available to authorised Council officers upon request.

## Control of Substances Hazardous to Health Regs 2002 (as amended) (COSHH)

109. Substances which fall under the above Regulations such as Barbicide, bleach, nail monomers and so forth shall be assessed in accordance with the requirements of those Regulations and all the necessary precautions taken to ensure their safe use and storage.

## Accident Book

110. The licence holder shall ensure an accident book is kept at the premises and details of any accidents at the premises shall be recorded in the book as soon as reasonably practicable. This shall include the name of the person involved, the date and time of the accident, what happened, whether any injuries were sustained and what action was taken as a result.

**N.B.** Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 RIDDOR puts duties on employers, the self-employed and people in control of work premises (the Responsible Person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses). <https://www.hse.gov.uk/riddor/report.htm>

## Complaints Procedure

110. The licensee shall provide a written procedure to deal with complaints from customers. All complaints shall be recorded along with details of the following:
- what action was taken to resolve the complaint
  - any changes made in response to the complaint
  - a copy of the complaints procedure shall be kept at the premise at all times. A copy of all complaints and the above details shall be kept at the premises for a period of at least two years



**In addition to the above standard licence conditions all applicants shall abide by the relevant codes of practice laid down by London Borough of Redbridge Council for each treatment they offer:**

- Code of Practice - 1A [Artificial Nail Treatments](#)
- Code of Practice - 1B [Manicure and Pedicure Treatments](#)
- Code of Practice – 2 [UV Light Treatments](#)
- Code of Practice – 3 [Saunas and Steam Rooms](#)
- Code of Practice - 4 [Spa Pools](#)
- Code of Practice – 5 [Acupuncture](#)
- Code of Practice - 6 [Cosmetic Piercing](#)
- Code of Practice - 7 [Body Piercing](#)
- Code of Practice - 8 [Tattooing](#)
- Code of Practice - 9 [Massage](#)
- Code of Practice – 10 [Foot Healthcare](#)
- Code of Practice – 11 [Electrolysis](#)
- Code of Practice – 12 [Facials](#)
- Code of Practice – 13 [Laser and Intense Light Systems](#)
- Guidance Notes **GN-1** on [Hand Washing](#)
- Guidance Notes **GN-2** on [Decontamination](#)
- Guidance Notes **GN-3** on [the Use of Anaesthetics](#)
- Guidance Notes **GN-4** on [Sharps Injuries](#)
- Guidance Notes **GN-5** on [Sterilisation](#)