

Any person (which includes a business registered with Companies House) who wishes to provide cosmetic treatments in Middlesbrough must register with Middlesbrough Council. This includes ear piercing and body piercing, tattooing and micro-pigmentation, electrolysis and acupuncture. The requirement to register applies to both the person and to the premises from which the treatments are to be carried out.

Good standards of hygiene and cleanliness are essential to protect people against health risks, particularly from blood borne viral infections such as HIV, Hepatitis B and Hepatitis C. Therefore, strict compliance with the hygiene standards laid down in local byelaws must be achieved. Businesses also have a duty to comply with the requirements of the Health and Safety at Work etc. Act 1974 and the regulations made under the Act.

Registration

The purpose of registration is to notify Middlesbrough Council that cosmetic treatments are to be offered in Middlesbrough. The Council can then carry out appropriate checks and visit premises to ensure the health and safety risks associated with the treatment can be effectively controlled.

Registration is a one-off process. If the business ceases to operate then its registration will automatically be cancelled. Registrations are not transferable and are only valid in the Middlesbrough Council area. A registered person is permitted to work in premises that have been registered by another person whilst that person remains the operator of the premises. This allows self-employed persons to work in other registered premises without the need to have their own registered premises. There are no exemptions to registration and therefore anyone that provides treatment at registered premises on one or more occasions must be registered.

Registration cannot be refused, however, failure to comply with the standards for hygiene and infection control may lead to enforcement action including prohibition of the treatment and legal action – particularly if there is a serious risk of personal injury. The hygiene standards apply to commercial premises, domestic premises and mobile units from which the business operates.

Registration is not approval or endorsement of the standards of hygiene or safety or of the quality of the treatment or service provided. A certificate of registration, which must be prominently displayed, is issued as confirmation of registration. A list of registered persons and premises in Middlesbrough is published on the Council website (www.middlesbrough.gov.uk (Registration of cosmetic treatments)).

Fees for registration

Fees are charged to cover the costs to the Council in administering registrations.

Treatment	Person	Premises
Ear Piercing	£60	No additional fee
Body Piercing	£60	£60
Tattooing / Micro-pigmentation	£60	£60
Electrolysis	£60	£60
Acupuncture	£60	£60
Amendment to Registration	single payment of £60	
Registration of an event	No fee	£60

Example: a person is required to pay £60 for their personal registration and £60 for each of the premises from which they carry out their business. This includes their home address if other commercial premises are not occupied for the purpose of the business. A person that provides treatments at the request of a client at the client's home address (in Middlesbrough) is not required to pay an additional premises registration fee. There is also no fee to register a premises used for treatment if the only treatment given is ear-piercing using a hygienic disposable cassette piercing instrument.

Application to register a person or premises for two or more treatments at the same time will be treated as one application and the single registration fees will be charged.

Employees of a registered person (business) who work for that business at its registered premises does not require a separate personal registration. However, if on any occasion an employee acts independently of the registered business then they will be considered to be self-employed and therefore a separate business - they will be required to have their own registration.

Once registered, any subsequent changes to a registration will attract a fee of £60. A change may be made, for example, to add a treatment to the registration - such as a tattooist wishing to add body piercing to their registration. The registration for both the person and the premises from which the treatment is to be provided must be amended. A visit to discuss the changes and associated hygiene standards will be made.

Any person wishing to hold an event (for example, a festival or conference) at which one of the regulated activities is to be provided is required to register the premises where the event is to be held. Individual registrations for persons offering a regulated treatment at that event will not be required with Middlesbrough Council; however, we may seek confirmation of registration with the local authority where they are registered.

Registration process

Registration can be made at www.middlesbrough.gov.uk or by application form submitted to the Community Protection Service, Middlesbrough Council, together with the relevant fee(s).

As part of the registration process an Environmental Health Officer will visit applicants to discuss the requirements of the local byelaws and the duties placed on the operator of the business under the Health and Safety at Work etc. Act 1974

Businesses that register but are unable to satisfy the health and safety requirements will be given notice of this and may be subject to enforcement action to restrict or prohibit the intended treatments or the operation of the premises. Routine visits will be made to premises following registration for checking infection control practices and hygiene/safety standards, or in response to a complaint.

Any person prosecuted for breaching the requirements of the Local Government (Miscellaneous Provisions) Act 1982 (as amended), the byelaws or the Health and Safety at Work etc. Act 1974 may upon conviction be subject to a fine, a term of imprisonment, or both, and their registration may be revoked.

Standards of Hygiene and Infection Control for Acupuncture, Tattooing, Semi-permanent skin-colouring, Cosmetic piercing and Electrolysis

1. All internal surfaces (walls, floors, doors, windows, ceilings and partitions) must be kept clean and in such good repair as to enable them to be effectively cleaned.
2. Furniture and other fittings must be easy to clean, kept clean and kept in good repair.
3. Waste materials arising from treatment must be handled and disposed of safely. Waste can only be disposed of by a licensed waste carrier or at a licensed waste disposal site. The handling and disposal of waste must be carried out according to the category of waste (general or hazardous (clinical)).
4. Needles used in treatment must as far as is practicable be single-use and disposable. If they are not disposable they must be sterilized for each treatment. Needles must be stored safely after treatment and disposed of safely (used needles must be treated as hazardous waste).
5. Any table, seat or couch used by a client in the treatment area, which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment, must have a smooth and impervious surface, which must be disinfected immediately after use and also at the end of each working day.
6. Any table, couch, or other item of furniture used in treatment must be covered by a disposable paper sheet which is changed for each client
7. Eating, drinking or smoking is not permitted in the treatment area. A notice informing clients of this should be prominently displayed. (Smoking in enclosed workplaces is also prohibited under the Health Act 2006).
8. Treatments must only be given in a treatment area that is used solely for giving treatment. This standard does not apply if the only treatment to be given is ear-piercing or nose-piercing using a hygienic piercing instrument.
9. Except for premises where the only treatment to be given is ear-piercing or nose-piercing using a hygienic piercing instrument, floors must have a smooth, impervious surface. (Carpets and similar floor coverings are not suitable as they can not be effectively cleaned and disinfected).
10. Any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment must be clean and in good repair and, so far as is appropriate, sterile. Such items must not have been previously used in connection with another client unless the item is made of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.
11. Any needle, instrument or equipment used in treatment or for handling any such needle, instrument or equipment, and any part of a hygienic piercing instrument that touches a client, must be sterile.

12. Any jewellery used for cosmetic piercing by means of a hygienic piercing instrument must be sterile.
13. Any dye used for tattooing or semi-permanent skin-colouring must be sterile and inert and any container used to hold dye for tattooing or semi-permanent skin-colouring must be either disposed of at the end of each treatment or cleaned and sterilized before re-use.
14. Adequate facilities and equipment must be provided for cleansing and sterilization, unless only pre-sterilized items are used.
15. There must be sufficient and safe gas points and electrical socket outlets.
16. An adequate and constant supply of clean hot and cold water must be available on the premises.
17. Clean and suitable storage, which enables contamination of articles, needles, instruments and equipment mentioned to be avoided, as far as possible, must be provided.
18. Any person who provides a treatment (operator) must keep their hands clean and their nails clean and short. Any open lesion on an exposed part of their body must be effectively covered by an impermeable dressing. Disposable examination gloves that have not previously been used with another client must be worn – except if the treatment given is acupuncture – A person who provides acupuncture is not obliged to wear disposable examination gloves unless the client is bleeding or has an open lesion on an exposed part of his body; the client is known to be infected with a blood-borne virus; the operator has an open lesion on his hand; or the operator is handling items that may be contaminated with blood or other body fluids.
19. Any person who provides treatment (operator) must wear a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with another client. They shall not smoke or consume food or drink in the treatment area.
20. Suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent must be available.
21. Suitable and sufficient sanitary accommodation for the sole use by operators must be provided. If the only treatment provided is by use of a hygienic piercing instrument and either a hand hygienic gel or liquid cleaner is provided, the washing facilities used need not be for the sole use of the operator.
22. Any person who visits people at their request to give them treatment must observe the standards in paragraphs 18 and 19.

Health screening

Health screening clients enables the treatment provider to make an informed decision on whether or not to perform the treatment. This is important for both the client and the treatment provider. Some clients may have a known medical problem that places them at greater risk of complications should they have the treatment. This could include anything from an allergy to latex (immune response) to diabetes (reduced skin healing ability) and congenital or other heart problems (increased risk of heart complications from any kind of blood infection).

The health risks to the treatment provider may include blood-borne viruses such as HIV or Hepatitis B and C.

Before providing a treatment the client should be asked to complete a health screening questionnaire and sign a consent form. Clients with certain medical concerns may need to seek advice from their GP before consenting to treatment.

Age restriction

It is illegal to tattoo a person under the age of 18 (Tattooing of Minors Act 1969) regardless of whether they have parental consent. The only exception to this is when the tattoo is performed for medical reasons and by a duly qualified medical practitioner or a person working under their direction. Unless there is reasonable cause to believe a person is 18 years of age or older, proof of age should always be sought.

There is no legal minimum age for body piercing, however, informed parental consent for anyone under 16 years of age should always be sought. Some treatment providers choose not to provide a piercing to anyone under 16 years of age and will only provide a piercing to anyone between the ages of 16 and 18 years of age with parental consent. Piercing intimate areas should not be performed on anyone under 16 years of age.

The Prohibition of Female Circumcision Act 1985 prohibits mutilation or circumcision of female genitalia. It states that mutilation, cutting, piercing or surgically modifying genitalia for non-medical reasons is illegal.

Enforcement of these laws is carried out by Police Authorities.

Aftercare

Correct aftercare for certain treatments is essential to prevent infection or other skin or medical problems. A leaflet that advises the client on aftercare should always be provided and its contents discussed with the client before and after treatment. An important part of the informed consent process is for the client to understand what they will have to do themselves to prevent infection or other problem that may occur following treatment.

Cleaning, disinfection and sterilisation

To ensure a high standard of cleanliness, prevent risk of infection and make treatments safe, it is essential that cleaning, disinfection and sterilisation practices are effective.

Cleaning is a process that removes visible soiling. A surface that looks clean may still be contaminated with harmful micro-organisms. To properly clean a surface you need to use a detergent (soap) in with hot or warm water.

Once a surface is clean it needs to be **disinfected** if there is a risk of contamination or infection. Any item or surface that has or may have become contaminated must be disinfected using a suitable chemical disinfectant or hot water (85°C+). Disinfection reduces the number of harmful microorganisms to a safe level but it does not kill them all. If there is any visible dirt, blood or other soiling on a surface that is to be disinfected then the effectiveness of the disinfectant may be significantly reduced.

Sterilisation is a process that kills all micro-organisms. There are several methods that can be used in sterilisation, depending on what is to be sterilised. Steam and autoclaving are the most effective methods for utensils and equipment. However, they are not suitable or appropriate for all surfaces. Chemical sterilisation (sterilants) is effective when cleaning work surfaces but it should be treated the same as a disinfectant as it may not be able to kill all microorganisms.

The chemicals used to clean surfaces and equipment must be appropriate for the type and level of cleaning needed. Always check that the chemicals you use are suitable for your purposes. Many off-the-shelf products may not be as effective as they need to be in your premises and are more suited to domestic use.

How chemicals solutions are made up and how they are used will determine how effective they are. Always follow the manufacturer's instructions and never use containers or other cleaning materials that are not designed for use with such chemicals.

If using autoclaves they must be suitable for the type of equipment being sterilised. All surfaces of an instrument used in treatment (external and internal) must be sterilised. Therefore sterilising instruments requires the use of a vacuum sealed autoclave. Further details on equipment selection is provided in the guides referenced on the following page.

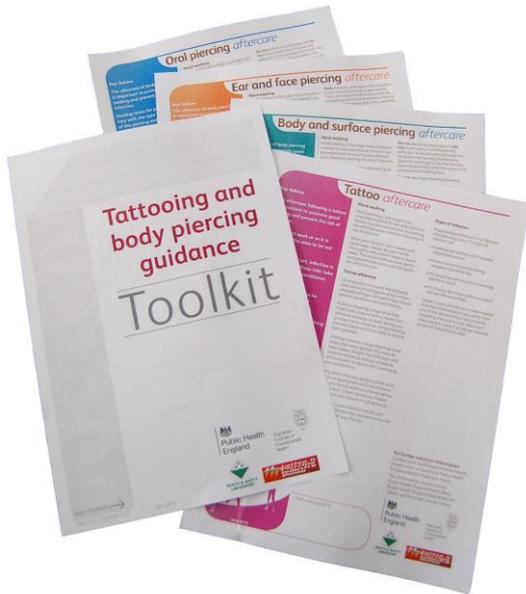
Skin cleaning

Any person providing treatment must ensure their hands are thoroughly cleaned in hot/warm soapy water and hygienically dried using a single use material such as paper towel. Multiple use material towels are not considered to be hygienic.

Before treatments are given, the client's skin should be cleaned using an appropriate method. Alcohol sprays or wipes that contain 60-80% alcohol can be used on skin. Thorough washing and hygienic drying of the skin should be carried out before using the alcohol spray/wipe. Chemicals such as Chlorhexidene (eg Hibisol or Hibiscrub) can also be used to prepare skin for treatment and provide the necessary level of disinfection.

Basic hand sanitisers, anti-septics and other similar chemicals that are not specifically designed to disinfect skin must not be used.

Supporting guidance



A guidance toolkit to tattooing and body piercing, produced for Local Authorities and practitioners / businesses is available to download at www.middlesbrough.gov.uk

Using the toolkit helps to ensure the health and safety of clients and operators and that tattooing and skin piercing practitioners will be operating in compliance with legal requirements.

Other sources of guidance include:

Health and Safety Executive (www.hse.gov.uk)

www.hse.gov.uk/biosafety/blood-borne-viruses/tattooing-ear-body-piercing.htm

<http://www.hse.gov.uk/biosafety/blood-borne-viruses/workplace-transmission.htm>

Tattoo & Piercing Industry Union (www.tpiu.org.uk)

NHS Choices (www.nhs.uk)

<http://www.nhs.uk/Conditions/Acupuncture/Pages/Introduction.aspx>

<http://www.nhs.uk/conditions/body-piercing/pages/definition.aspx>