

# Acupuncture, electrolysis, tattooing, semi-permanent skin colouring and cosmetic/ear piercing registration



## Product Safety Alert

The European Commission has issued a product safety alert in respect of 60ml bottles of "Eternal Ink" Light Red tattoo ink with a manufacturing date of the 07/14. The Product contains nickel. To see the full alert as issued go to report ([https://www.newcastle.gov.uk/sites/default/files/wwwfileroot/business/trading-standards/tattoo\\_ink\\_alert\\_2017.pdf](https://www.newcastle.gov.uk/sites/default/files/wwwfileroot/business/trading-standards/tattoo_ink_alert_2017.pdf)) (pdf 143 kb)

Please also see <http://www.threepointstretch.co.uk/industry-news/black-hit-hard-in-mass-ink-recall>

The Local Government (Miscellaneous Provisions) Act 1982 Part VIII requires types of activities to be registered with Hartlepool Borough Council.

- Acupuncture
- Tattooing
- Semi-permanent skin colouring
- Cosmetic piercing (any form of skin piercing, including ear-piercing)
- Electrolysis

The Act requires both the "person" carrying on the practice or business subject to registration and the premises in which that registerable practice or business is undertaken, to register with the Authority. There are no powers to refuse registration, but the activity is controlled through compliance with byelaws in each case. The registration is a one off process but will be subject to regulation under Health and Safety legislation.

If you employ any person you must have Employees Liability Insurance. You are strongly advised to take out Public Liability AND treatment insurance to cover risks from the premises and from any treatment carried out.

Any change of premises or applicant must be notified to the local authority and for amendments, fees may be charged.

Please note applications for registration will only be accepted if they are on the current application forms available from Hartlepool Borough Council's Licensing Team or on the Hartlepool Borough Council website. Registration forms with incorrect prices will not be accepted and will delay your application. The current fees are £175.00 for registration of a premises and £95.00 for a personal registration.

If you wish to apply by post or by appointment with an officer please download, print and complete the appropriate form(s) below. The completed application form(s) together with the fee and passport photograph (if applicable) can be returned to the address at the bottom of this page and given to the inspecting officer. Cheques should be made payable to Hartlepool Borough Council.

## How much will it cost?

For registration fees please see our 'Fees & Charges'

Other costs may be applicable in relation to officer hourly rates and any additional administrative charges.

## What information do I need before I apply?

The applicant must ensure that the procedures, equipment and facilities used are safe, hygienic, prevent the spread of disease and comply fully with the general duty of care required by the Health and Safety at Work etc Act 1974. For further information on good practice in relation to health and safety and procedures for electrolysis, piercing, tattooing and micro-pigmentation please refer to the CIEH tattooing and body piercing toolkit. In addition to the aforementioned, Calderdale District Council has devised guidance sheets which are really useful.

Please be aware that it is illegal to conduct cosmetic and ear piercing, tattooing, semi-permanent skin colour, acupuncture or electrolysis unless the registration has been formally approved.

Registration requires the applicant to submit the following:

- A completed application form(s) for either a “person” or a “premises” (or both if necessary);
- The appropriate fee; and
- “Premises” application – a floor plan of the premises (including treatment room & wash hand basin)
- “Personal” application - A passport style photo of the person applying to conduct the registerable activity (the person in the photograph must not be wearing any hats, glasses or other obstructions to the face and be taken against a blank background).

Persons registered prior to the 1 March 2017 can surrender their original certificate of registration and submit an application for the appropriate treatment together with a passport photo (or arrange to have their photograph taken at the Civic Centre) at no additional cost; provided that a like for like application is made e.g. the new application does not request additional treatments. It is suggested that should this situation be relevant to the treatments that you conduct, you contact the Authority to discuss this directly with an officer before applying for a new photo registration certificate. During routine visits to registered premises, if the old style certification is identified the inspecting officer will advise the premises and persons conducting the treatments accordingly.

Once an application has been made, the fee has been paid and an appropriate passport photo submitted (if required) an officer will undertake an inspection of the premises. If an application is made for a person to work in a premises already registered that person may have to attend an informal interview to discuss the means of controlling the risk of infection. This interview will take place at the premises where the registerable activity is to be undertaken. If the officer considers the applicant’s procedures and the premises to be suitable, then the registration will be approved

The officer will also check compliance with the following byelaw requirements as well as ensuring the general health and safety requirements are being met. The officer will be pleased to offer any advice or guidance if you are unsure as how to meet these obligations.

### Hartlepool byelaw requirements:

1. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

- a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
- b. The treatment area is used solely for giving treatments;
- c. The floor of the treatment area is provided with a smooth impervious surface;
- d. All waste material and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leak proof, or use a leak-proof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;

- e. All needles used in treatment are placed after use in separate covered and leak- proof re-useable boxes, or disposable needle boxes designed for the purpose. Where re-useable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
- f. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
- g. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 2b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down with a suitable disinfectant between the treatment of different clients, and thoroughly cleaned at the end of each working day;
- h. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
- i. A notice or notices reading “No Smoking” are prominently displayed within the treatment area;

2. For the purpose of securing the cleaning and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment –

- a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –
  - i. Is clean and in good repair, and, so far as is appropriate, is sterile;
  - ii. Has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;
- b. An operator shall ensure that-
  - i. Any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
  - ii. All dyes used for tattooing are bacteriologically clean and inert;
  - iii. The containers used to hold the dyes for each customer are either disposed of at the end of each session of treatments, or are sterilised before re-use ;
- c. A proprietor shall provide –
  - i. Adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
  - ii. Sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
  - iii. An adequate constant supply of clean hot and cold water readily available at all times on the premises;
  - iv. Adequate storage for all items mentioned in byelaw 3a and 3b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination;

### 3. For the purpose of securing the cleanliness of operators –

- a. An operator whilst giving treatment shall ensure that –
  - i. His hands and nails are clean, and nails kept short;
  - ii. He is wearing clean and washable clothing, or alternatively a disposable covering that has not previously been used in connection with any other client;
  - iii. He keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
  - iv. He does not smoke or consume food or drink;
- b. A proprietor shall provide –
  - i. Suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
  - ii. Suitable and sufficient sanitary accommodation for operators.

### General

- It is an offence to tattoo any person under the age of 18 years (the Tattooing of Minors Act 1969) regardless of parental consent. This is enforced by the Police.
- There is no definite age given with respect to cosmetic piercing. The Authority strongly recommends that if a person under the age of 18 years is to receive body piercing this is with the written permission from or is performed in the presence of, the person's parent or guardian.
- Nipple and genital piercing is prohibited on minors, regardless of parental consent
- The health of the client and suitability of the treatment should be discussed prior to its administration of any treatment and should be documented. Any concern over the clients medical capability in receiving treatment should be checked prior to administration with competent medical professional
- Suitable written information should be provided to the client with regard to aftercare of the piercing, tattoo or specified treatment in order to avoid infection

### Further Information

As indicated above registered premises must also comply with the requirements of the Health and Safety at work etc. Act 1974 and the regulations made under this legislation. Appointed officers from the Authority will also regulate this legislation and can be approached for advice. Further information available on the Health and Safety Executive (HSE) website (<http://www.hse.gov.uk/> )

### Will Tacit Consent apply?

No. It is in the public interest that the authority must process your application before it can be granted. If you have not heard from the local authority within a reasonable period, please contact it using the contact details below;

Tel: 01429 523354

Email: [licensing@hartlepool.gov.uk](mailto:licensing@hartlepool.gov.uk)

Website: [www.hartlepool.gov.uk/licensing](http://www.hartlepool.gov.uk/licensing)