

Registration of Special Treatments Policy

Enter title of relevant Cabinet Member

Date: 5 July 2018
Contact Officer: Susan Bamford
Tel Number: 01543 308170
Email: Susan.bamford@lichfielddc.gov.uk
Key Decision? YES NO (delete as appropriate)
Local Ward Members n/a



REGULATORY AND LICENSING COMMITTEE

1. Executive Summary

- 1.1 This report seeks approval from committee members for consultation to begin on a proposed special treatments policy, included as Appendix A.
- 1.2 Special treatments are required by law to be registered with the council as they can potentially cause harm to the recipient of the treatment, the provider of the treatment and any staff employed at the premises used for providing that treatment.

2. Recommendations

- 2.1 It is recommended that Members approve for consultation the new special treatments policy.

3. Background

- 3.1 It is a criminal offence for any person within the District of Lichfield to carry on the Business of, or in some instances the practice of, a special treatment without being registered with Lichfield District Council.
- 3.2 The following practices, procedures and services are classed as a special treatment and require registration:
 - Acupuncture
 - Cosmetic Skin Piercing
 - Tattooing
 - Semi-permanent skin colouring
 - Electrolysis
- 3.3 The Local Government (Miscellaneous Provisions) Act 1982 requires Local Authorities to register all the special treatments detailed in this policy.
- 3.4 Lichfield District Council has passed byelaws for the special treatments which all registered persons must comply with. The byelaws are attached at Appendix B to this Policy. It is the responsibility of any person registered with the Council under this policy to ensure that they comply with these byelaws.
- 3.5 Those offering the service of any of the special treatments must also abide by all other relevant pieces of legislation designed to protect them, their staff and members of the public from harm. The main ones are:

- The Health and Safety at Work Etc Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- The Cosmetics Products (Safety) Regulations 2004

3.4 An approved Policy will safeguard the health and safety of the recipient and staff and help prevent unregistered treatments taking place. A policy will also help applicants by providing detailed guidance on the application and registration process.

Alternative Options	<ol style="list-style-type: none"> 1. The Committee could consider not consulting on the proposed policy; however this would not accord with good governance or best practice. 2. The Council could choose not to introduce a policy on special treatments, however to do so would be contrary to best practice and may lead to a lack of clarity on the application of the legislation.
Consultation	<ol style="list-style-type: none"> 1. If approved for consultation, the proposed new policy would be issued to the following agencies for consultation: <ul style="list-style-type: none"> • Staffordshire Police • Staffordshire County Council • Ward members 2. The policy would also appear on the Lichfield District Council website for public consultation.
Financial Implications	<ol style="list-style-type: none"> 1. The introduction of a policy regulating the issuing of special treatment permit/licenses do not have a budget implication as the administrative function involved is already carried out. 2. Fees will be charged for the issuing of licenses which take into account the cost of processing, administering and compliance costs associated with the licence.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The policy will support objectives contained within the District Council's Strategic Plan 2016 -20. In particular a vibrant and prosperous economy and healthy and safe communities by ensuring that residents visiting or working in the relevant businesses are protected and that only properly regulated special treatment premises operate in the District.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. An Equality Impact Assessment will be undertaken once the consultation is complete.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. The policy will assist the Local Authority is exercising its duties and responsibilities under Local Government (Miscellaneous Provisions) Act 1982. 2.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A			State if risk is Red (severe), Yellow (material) or Green (tolerable) as determined by the Likelihood and Impact

		Assessment.
B		
C		
D		
E		

Background documents
Appendix A – registration of special treatments policy

Relevant web links
None