

REPORT TO: ENVIRONMENTAL SERVICES AND SUSTAINABILITY COMMITTEE
(16TH APRIL 2007)

REPORT ON: LICENSING OF SKIN PIERCING AND TATTOOING

REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & TRADING STANDARDS

REPORT NO: 205-2007

1.0 PURPOSE OF REPORT

1.1 To advise on progress of the enforcement of the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006 which came into force on 1st April 2006.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Committee notes progress on determining skin piercing and tattoo licences in terms of the new regime.

3.0 FINANCIAL IMPLICATIONS

3.1 The licence fee has been set at £105 per application. No external funding was received therefore the cost of determining the licences has been met from the Environmental Health & Trading Standards 2006/07 Revenue Budget. Ongoing costs can be met from the 2007/08 Revenue Budget.

4.0 SUSTAINABILITY POLICY IMPLICATIONS

4.1 None

5.0 EQUAL OPPORTUNITIES IMPLICATIONS

5.1 None

6.0 BACKGROUND

6.1 If strict hygiene and infection control procedures are not followed, the potential risks associated with skin piercing and tattooing procedures include: hepatitis, HIV and blood poisoning/septicaemia.

Other potential risks associated with practitioners operating without adequate skills and training include scarring from tattooing, which can lead to permanent disfigurement of clients and, in the case of cosmetic body and ear piercing, nerve damage and allergic reaction to, or potential embedding of jewellery.

6.2 The Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006 (hereafter referred to as "the Order") came into force in Scotland on 1st April 2006 and gives local authorities the power to license

individuals who carry out skin piercing or tattooing activities as a business. Skin piercing includes body piercing, ear piercing, acupuncture, electrolysis and tattooing includes micropigmentation.

- 6.3 The Order lays out a number of requirements in relation to key issues aimed at reducing, if not removing, potential risks to public health from these practices.
- 6.4 The Scottish Licensing of Skin Piercing and Tattooing Working Group was set up comprising of representatives from the Scottish Executive, Health Protection Scotland (HPS) and local authorities. This Working Group reviewed amendments to the Order and prepared National Licence Conditions and best practice guidance in order to ensure consistency of enforcement throughout Scotland.
- 6.5 Dundee City Council was represented on the Working Group by an Environmental Health Officer and the views expressed by Dundee City Council's Environmental Health and Trading Standards Department contributed significantly to the amended Order, the National Licence Conditions and the best practice guidance.
- 6.6 The Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Amendment Order 2006 came into force on 12th December 2006.

The main amendments to the Order were:

- No licence required for the carrying on of a business which provides skin piercing or tattooing by a registered healthcare professional
- The conditions for ear piercing were made less onerous
- When undertaking acupuncture, gloves need only be worn in certain circumstances

- 6.7 The National Licence Conditions were issued in February 2007 and extend to some 72 conditions.
- 6.8 A Local Authority Implementation Guide was also issued in February 2007. This document lays down strict guidelines over cleaning, hand washing, sterilising arrangements, waste and sharps disposal as well as consent forms and record keeping.
- 6.9 The first fourteen applications have been processed and were determined by the Licensing Committee on 29th March 2007. Inspections are ongoing to identify any other businesses that may come under the scope of this legislation.
- 6.10 Having been granted a licence, operators will have to maintain high standards. If any problems are identified, either during routine inspections or as a result of complaints, Enforcement Notices may be served and recommendation may be made to the Licensing Committee to revoke the licence.

7.0 CONSULTATIONS

- 7.1 The Chief Executive
Depute Chief Executive (Support Services)
Depute Chief Executive (Finance)

Albert Oswald
Head of Environmental Health & Trading Standards

March 2007