Definitions

“the Act” means the London Local Authorities Act 1991
“the Council” means the Council of the London Borough of Harrow
“the licensee” means the person to whom this licence has been granted
“in writing” includes records stored and kept in any legible form whatsoever that are capable of being retrieved and easily read
“premises” means the business by whom or premises on which special treatments are provided
“special treatments” means those treatments as defined in the Act
“therapist” means people employed within licensed premises to provide special treatments

General provisions

1. This licence is personal to the licence-holder. It cannot be transferred in any way to any other person by the licensee unless the procedure set out in Part II of the Act has been followed and the Council has granted the application.

2. This licence is valid for until [maximum of eighteen months]. It must be renewed before the expiry date in order to continue providing special treatments.

3. Only those special treatments specified on the licence may be provided, and only on the premises named on the licence. No other special treatments may be offered unless the licence has been amended.

4. The licensee shall notify the Council in writing at least 10 working days in advance of any change of circumstance for example a change of private address, company name or contact details.

5. Proposed changes in the name, title, or style of the premises shall be notified to the Council at least 10 working days in advance in writing, and shall not be put into effect until an amended licence is issued. The Council retains the discretion to refuse to amend a licence where it thinks it would be inappropriate to do so.

6. This licence shall be displayed in a prominent position within the premises so it is visible from the street.

Staffing

7. The licensee shall not allow any person to administer special treatments unless

   (1) particulars of their training and qualifications have been supplied to and is acceptable to the Council and their name is stated on the licence or
   (2) they are registered with the Council under its therapist registration scheme and
   (3) they wear an identity badge approved by the Council whilst employed on the premises.
8. The licensee shall not, except with the Council’s written consent, employ, or allow any direct or indirect interest in the premises to any person:

(a) whose licence has been revoked or to whom a licence has been refused on the ground that such person is unsuitable to hold a licence to provide special treatments

(b) who has been convicted of or received a caution for any offence of indecency or violence

(c) who is unsuitable to be so employed on the ground that misconduct in connection with the employment of such a person in a special treatment premises has been proved to the satisfaction of the Council;

(d) to any therapist whom the Council has refused to register.

Risk assessments

9. The licensee shall ensure suitable and sufficient risk assessments are conducted by competent person(s) of the following:

(a) lighting arrangements in the premises
(b) ventilation, both generally and where specific treatments authorised by the licence are given
(c) fire arrangements
(d) sanitary accommodation
(e) cleaning regimes
(f) personal hygiene
(g) infection control
(h) post-treatment management
(i) waste disposal arrangements
(j) electrical and laser equipment
(k) use and storage of chemicals
(l) First Aid and emergency arrangements
(m) safeguarding specifically in relation to piercings
(n) each type of special treatment authorised by this licence, detailing the methods and equipment to be used and any specific information to be provided to the persons receiving the special treatment and any specific after-care regimes to be followed

10. Risk assessments must be recorded in writing where five or more persons are employed on the premises, although risk assessments under condition 9(m) and (n) must always be recorded in writing.

11. Where the licensee produces a risk assessment under other legislation (for example, the Control of Substances Hazardous to Health Regulations 2002), they need not duplicate the same assessment in order to comply with condition 9.

12. Risk assessments must be communicated to every person involved in providing the special treatment to which the risk assessment relates.

13. Risk assessments must be reviewed

(a) at least 28 days before an application to renew this licence
(b) following any adverse incident arising from special treatments given at the premises.
In this circumstance a copy of the revised risk assessment must be forwarded to the Council without delay.

14. Subject to condition 32, the licensee shall comply with any recommendations from the Council’s authorised officers in relation to controlling risks identified in the risk assessments.

Planning and landlords’ permission

15. No special treatments may be conducted under this licence unless appropriate planning and/or landlords’ permission has been granted, or confirmation that no such permission is needed.

Advertisements and publicity

16. (1) All notices and advertisements issued by or on behalf of the licensee must use the trade, style or title specified in the licence.

(2) The names of individual assistants or employees must not be given in any notices or advertisements.

Conduct of business

17. The licensee shall take all reasonable steps to prevent any indecent or disorderly acts or events from occurring on the premises, including taking action to exclude any persons involved in such actions from the premises.

18. The licensee shall ensure that employees are appropriately dressed for the role for which they are employed.

19. The licensee shall not allow special treatments to be given to anyone apparently under the influence of alcohol or drugs, or who does not appear to be able to give their own informed consent as to the special treatment concerned.

20. The licensee shall not allow any door to any room or place in the premises (with the exception of toilets or whilst laser/IPL treatments are being given) to be locked whilst any person is within it.

21. The licensee shall publicise a written complaints procedure for customers, which must also include the contact details of the council’s licensing team.

Age restrictions

22. No special treatments (other than ear piercing) shall be given to a person below the age of 16.

23. Ear piercing may only be provided to a person below the age of 16 providing the licensee (or therapist on their behalf) is satisfied that the person is accompanied by a parent or legal guardian who is able to give their consent.

24. No UV light, tanning or tattooing shall be given to any person below the age of 18.
25. The licensee shall ensure that suitable means for identifying the age of a person who appears to be under the age of 21 is in place before a special treatment is given.

26. No UV light, tanning, laser or tattooing shall be given by any person below the age of 18.

Records

27. The licensee shall keep the following records:

(a) the name, age, private address, telephone number and email address of those employed to provide special treatments, unless such person is registered under the Council's therapist registration scheme.

(b) names and addresses of all persons receiving special treatments, the type of special treatment given, the name of the person giving treatment and the date the treatment was given.

(c) any relevant medical history eg any contra-indications to the special treatments being proposed and the medical advice obtained including:

Heart disease, fainting, seizures (eg. epilepsy), haemorrhaging, diabetes, HIV infection, Hepatitis B infection, cellulitis, eczema, impetigo, genital warts (if relevant) and any allergic responses (anaesthetics, adhesive plasters, jewellery metals such as nickel etc)

28. Authorised Council officers must be allowed to view any records or risk assessments required to be kept under this licence on request. These records shall be kept on the premises in a secure manner to guard against unauthorised access to them.

29. No person shall make a false entry into any records required to be kept as a condition of the grant of a licence.

30. Records shall be kept for a minimum of three years from the date of treatment.

Insurance

31. The licensee shall arrange for suitable public liability and professional indemnity insurance covering the range of special treatments offered.

Reasonable requirements

32. The licensee shall comply with every reasonable requirement of the Council’s officers providing such requirement does not require excessive or disproportionate expenditure or use of resources.