



City of Westminster Licensing Committee Report

Meeting: *Licensing Committee*

Date: *14th November 2012*

Classification: *For General Release*

Title: *Licensing Urgency Sub-Committee Hearing Decision from the 20th September 2012 relating to the amendment to the Special Treatment Standard Conditions as a result of the cessation of Westminster's Therapist Registration Scheme.*

Wards Affected: *All*

Financial Summary: *None*

Report of: *The Operational Director for Premises Management*

1. Executive Summary

1.1 The report formally advises the Licensing Committee of the Licensing Urgency Sub-Committee decisions on 20th September 2012 relating to the amendment to the Special Treatment Standard Conditions as a result of the cessation of Westminster's Therapist Registration Scheme.

2. Recommendations

2.1 That the Licensing Committee notes the contents of the 20th September 2012 Licensing Urgency-Sub Committee report and the formal decision.

3. Background

3.1 On the 20th September 2012 the Licensing Urgency Sub-Committee formally agreed to amend the Standard Conditions for licensed Special Treatment Premises as detailed within the report attached at Appendix 1. The formal decision relating to this hearing is attached at Appendix 2 to this report.

3.2 The Licensing Urgency Sub-Committee report was put before a Licensing Urgency Sub-Committee due to the need to implement the cessation of the Therapist Registration scheme, which was agreed on the 11th September 2012 by the Cabinet Member for Public Health and Premises by the end of September 2012.

4. Financial and Legal Implications

- 4.1 Members should refer to the Financial and Legal Implications sections in both the Sex Establishment Fee Review Report and the Sex Entertainment Venue Fee Review Report.

Appendices

- Appendix 1 – Amendment to the Special Treatment Standard Conditions as a result of the cessation of Westminster's Therapist Registration Scheme Report (including Annexes)
- Appendix 2 – Decision of the Licensing Urgency Sub-Committee on 20th September 2012.

If you have any queries about this report or wish to inspect any of the Background Papers please contact: Mr Kerry Simpkin, Assistant Service Manager on 020 7641 1840 or email ksimpkin@westminster.gov.uk

BACKGROUND PAPERS

None



City of Westminster Licensing Committee Report

Meeting:	Licensing Urgency Sub-Committee
Date:	20 th September 2012
Classification:	<i>For General Release</i>
Title:	Amendment to the Special Treatment Standard Conditions as a result of the cessation of Westminster's Therapist Registration Scheme
Wards Affected:	All
Financial Summary:	None.
Report of:	Operational Director for Premises Management

1. Executive Summary

- 1.1 This report seeks approval to amend the Standard Conditions relating to Special Treatment licences, issued under Part II of the London Local Authorities Act 1991 (and attached as Annex A) so as to remove reference to the Therapist Registration scheme and to make other minor amendments.

2. Recommendations

- 2.1 That the Urgency Sub-Committee approves:
- 2.1.1 the amendments to the standard conditions for special treatment premises licences as described in Annex B and that those amendments will have effect from the 1st October 2012;
 - 2.1.2 the Guidance on the Qualifications and Training of Special Treatment Practitioners and the Records to be kept by the Licensee of the Special Treatment Premises (attached as Annex C); and
 - 2.1.3 the format of the Special Treatment Practitioner Personal Training and Qualification Record form attached at Annex D.

3. Background

- 3.1 On the 11th September 2012 the Cabinet Member for Public Health and Premises made a decision to cease the Council's Therapist Registration scheme at a date determined by the Operational Director for Premises Management. The cessation of accepting applications for

new or variation of therapist registrations took place on the 11th September 2012. It is proposed that the scheme for currently registered therapists and the requirement that premises must use Westminster Registered Therapists will end on the 30th September 2012.

3.2 The Council's standard conditions for Special Treatment Premises Licences has conditions that require premises to only use the council's own registered therapists. In order to remove the requirement to only use registered therapists, it is necessary to amend the standard conditions. The proposed amendments are set out in Annex B.

4. Reasons for the amendment of the standard conditions

4.1 All licensed special treatment premises must comply with the conditions subject to which their licences have been granted. Each premises must meet the requirements of the council's standard conditions or they will be committing an offence under the London Local Authorities Act 1991.

4.2 As the Council is ceasing the therapist registration scheme it is necessary to remove all references to it from the standard conditions and any requirements that licensed premises must only use those therapists registered with the council.

4.3 The changes detailed in Annex B of the report remove all references to the registration scheme, introduce the new term of special treatment practitioner for those who give these treatments and impose the new requirements for operators to keep records of training.

4.4 Removing the therapist registration requirement will have the following key impacts:

- Reduce the regulatory burden on businesses
- Significantly improve the customer experience and reduce complaints
- Remove backlogs
- Reduce processing time and processing costs
- Bring the scheme in line with comparable licensing schemes
- Free up officer resources to meet the additional statutory demands from Temporary Events Notifications (TENs) and other licensing regimes.

4.5 By removing the requirement for all therapists to register, the decision as to whether a therapist is suitably qualified is moved from the Council to the premises licence holder themselves. We have developed guidance for licensees on what qualifications are required for each type of special treatment. This is attached as Annex C to this report. In order to ensure that licence holders do properly check the qualifications of their staff it is proposed to condition this through the new standard condition 10(b). As part of the annual inspections of these premises inspectors will ensure that operators are checking qualifications and training.

4.6 It is important that licensees keep a record of the qualifications and training that special treatment practitioners have so that they are confident that they can administer the treatment safely and competently. It is proposed that there is a requirement that records are kept in a specified format and for a specified period. In order to do this condition 10(d) requires the licensee to keep their records in a form approved by the Council. The council requires licensees to record information relating to the special treatment practitioner on the form attached as Annex D to this report.

- 4.7 We understand that new special treatment practitioners will need to work towards gaining the required qualifications whilst in a licensed premises. To enable this to happen it is proposed that trainee special treatment practitioners may conduct special treatments on customers but only if deemed competent by the licensee to do so and under the direct supervision of a fully qualified practitioner. The form attached as Annex D can also be used for trainee practitioners and includes a section to identify the person or persons providing the supervision.
- 4.8 When reviewing the standard conditions it was identified that there were some amendments required to replace references to repealed legislation. There was also a need to change some of the terminology to represent the current practices.
- 4.9 It should be noted that although the requirement for licensees to only use registered therapists will be removed, licence holders will continue to have a general duty of care to the public under the Health and Safety at Work etc Act 1974. As part of that duty of care licensees must ensure that any person giving treatment is competent. They are also required to have third party insurance with a liability cover of at least £2,000,000.

5. Legal Implications

- 5.2 Part II of the London Local Authorities Act 1991 created a licensing regime for premises that are used for the reception or treatment of persons requiring special treatments. The Act makes it an offence for any premises to operate as a special treatment establishment within Westminster without a licence issued by the authority.
- 5.4 The Council has established its own standard conditions relating to special treatments premises that cover the above and go further to ensure the safety of both the premises and the treatments being provided within those premises. In addition to the standard conditions the Council can and does add special conditions to the licence relating to the specific premises. The Council can amend its standard conditions at any time.
- 5.5 The licensee of a special treatment premises licence must comply with all of the standard and special conditions otherwise he will be committing an offence under section 14(2) of the Act. A conviction under this section carries a maximum fine of £2,500.

6. Equality Implications

- 6.1 It is not considered that the proposed changes to the standard conditions will give rise to any equality implications.

Annexes

Annex A – The current standard conditions for special treatment premises licences

Annex B – Proposed amendments to the council's standard conditions for special treatment premises licences.

Annex C – Guidance on the Qualifications and Training of Special Treatment Practitioners and on the Records to be kept by the Licensee of the Special Treatment Premises

Annex D – Special Treatment Practitioner Personal Training and Qualification Record

If you have any queries about this Report or wish to inspect any of the Background Papers please contact:

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BACKGROUND PAPERS

Review of Westminster City Council Therapist Registration Scheme, January 2012

Cabinet Member for Public Health & Premises Decision Statement dated 11th September 2012



REGULATIONS MADE BY THE WESTMINSTER CITY COUNCIL UNDER SECTION 10(1) OF THE LONDON LOCAL AUTHORITIES ACT 1991 PRESCRIBING STANDARD CONDITIONS FOR ANNUAL SPECIAL TREATMENT LICENCES EFFECTIVE FROM 5 FEBRUARY 2002

- NOTES:**
- (i) Except where the context demands otherwise the singular includes the plural and the masculine includes the feminine.

 - (ii) Nothing in these rules shall be construed as interfering with (i) the discretion of the licensee or his representative regarding the admission of any person or (ii) the need to strictly comply with all relevant statutory requirements.

 - (iii) These rules are divided into five parts as follows:-
 - Part I - General (Rules 1 and 2)
 - Part II - General rules relating to management, conduct etc. (Rules 3 – 9)
 - Part III - Rules in relation to giving of Treatment (Rules 10 to 16)
 - Part IV - Rules in respect of fire and safety conditions (Rules 17 – 23)
 - Part V - Other safety rules (Rules 24-31)
 - Appendix A - Specimen Check List
 - Appendix B - Maintenance of fire appliances, water supply and fire alarms
 - Appendix C - Curtains, hangings, and upholstery.

 - (iv) In these rules all references to a British Standard (BS) shall be deemed to refer to the current standard.

Disabled People

Licensees are strongly encouraged to provide facilities so as to enable the admission of disabled people and are reminded of the duties imposed by the Disability Discrimination Act 1995. Council officers will be pleased to discuss and advise

Health and Safety at Work

It should be recognised that while these standard conditions are applied to a licence for special treatment their application does not in any way replace or reduce the underlying statutory duty of employers to comply with the requirements of the Health and Safety at Work etc Act 1974 and any associated regulations and codes of practice.

The management of Health and Safety is wide-ranging in nature and may overlap, to some extent, with these conditions. Employers and self-employed persons are required by the Management of the Health and Safety at Work Regulations to assess the risks to their workers and any others (i.e. patrons) who may be affected by their business so as to identify what measures are needed to avoid or control the risks. This assessment should be considered with these conditions to manage Health and Safety at the premises.

The Local Authority's Environmental Health Services can be contacted if advice is needed by employers on such Health and Safety matters.

PART I

GENERAL

Definitions

1

In these rules, unless the context otherwise requires: -

‘All material times’ means whenever the premises are open for the purposes of the licence.

‘Approval of the Council’ or **‘Consent of the Council’** means the prior approval or consent of the Council in writing and ‘approved; or ‘permitted’ means, approved or permitted in advance by the Council in writing.

‘Approved arrangements’ means the arrangement of the premises, (including the layout), fittings, installations and all other things in connection therewith as approved by the Fire Authority.

‘Authorised officer’ means any person authorised in writing by the Council and officers of the Fire Authority.

‘Certificate’ means a written report or reports of inspection and satisfactory condition completed by an appropriately qualified engineer or other competent person and submitted to the Council within one month of inspection.

‘Council’ means the appropriate licensing authority.

‘Duty manager’ means the person in charge of the premises whilst the premises are open for the purposes of the licence. This person may either be the licensee or a person appointed by him in writing.

‘Escape lighting’ (safety lighting) means lighting obtained from a source independent of the normal supply to the building which, in the event of a failure of the normal supply, will assist patrons and staff to leave the premises.

‘Establishment for special treatment’ has the meaning set out in Section 4 of the London Local Authorities Act 1991.

‘Fire Authority’ means the London Fire and Civil Defence Authority or any successor authority.

‘Inspect/inspection’ means to carry out a visual inspection accompanied by such other test as may be necessary, in the opinion of the competent person carrying out the inspection, to enable the completion of a Certificate of (satisfactory) condition.

‘Licence’ means a licence for the giving of special treatment as defined in Section 4 of the London Local Authorities Act 1991.

‘Licensee’ means the holder of a special treatment licence.

‘Non-combustible material’ means material which is deemed to be non-combustible when tested in accordance with the provisions of the current edition of British Standard 476: Part 4, or such other material or combination of materials as the Council accepts as being non-combustible for the purpose of these rules.

‘Normal lighting’ means all lighting, other than escape lighting, permanently installed in those parts of the premises to which the public have access.

‘Premises’ includes any part of premises licensed by the Council, any associated areas, equipment and fittings.

‘Staff’ means any person, whether or not employed by the licensee, concerned in the management, control or supervision of the premises who has been given specific responsibilities under these rules.

**Dispensation
or
Modification
of Rules**

2

- (a) These rules may be dispensed with or modified by the Council in any special case.
- (b) The Council may in giving consent under these rules impose such conditions as it shall specify in writing.
- (c) If the licensee wishes any of the terms of the licence to be varied an application must be made to the Council and if the Council so requires the application must be advertised.

PART II

GENERAL RULES RELATING TO MANAGEMENT, CONDUCT ETC

- Exhibition of Licence** 3 The relevant licence or a clear copy shall at all material times be prominently exhibited within the premises in a position where it can easily be read by patrons.
- Responsibility of Licensee** 4 (a) The licensee shall take all reasonable precautions for the safety of all persons using the premises; shall ensure compliance at all times with the relevant provisions of the Health and Safety at Work etc Act 1974 and, except with the consent of the Council, shall at all material times retain control over all parts of the premises.
- (b) The licensee shall be in charge of and upon the premises at all material times. The licensee may authorise in writing a duty manager to deputise for him. If he does so this written authorisation must be kept on the premises and be readily available for inspection by any police officer or authorised officer.
- NOTE:** Hereafter in these rules the term "Duty Manager" will mean the licensee or the duty manager as appropriate.
- (c) The duty manager shall at all reasonable times admit to the premises any police officer or officer of the Fire Authority, or any authorised officer of the Council (whose written authority will be provided on request).
- (d) No soliciting for custom, including the distribution of leaflets, shall take place from the premises, immediately outside the premises or in the vicinity of the premises.
- NOTE:** This does not prohibit the distribution of leaflets to persons within the premises.
- (e) The licensee shall comply with any other statutory enactment relating to the construction and use of the premises.
- NOTE:** In this connection it is the Council's policy that generally applications for licences or for variation of licences will not be considered unless the activity to be authorised by the Council is lawful in planning terms.

- (f) The licensee shall take out third party insurance with a liability cover of at least £2,000,000 and shall submit evidence of such cover.

Person in charge of Licensed Premises

- 5 (a) The duty manager shall be familiar with all licence conditions including these rules which shall be kept on the premises.
- (b) The duty manager shall not engage in any duties which will prevent general supervision of the premises. The duty manager shall whenever necessary be assisted by suitable adults.
- (c) Before admitting the public the duty manager shall carry out all necessary safety checks.

NOTE: A specimen check list is provided in Appendix A of these rules.

Conduct of the Premises

- 6 (a) No poster, advertisement, photograph, sketch, synopsis or programme shall be displayed, sold or supplied anywhere by or on behalf of the licensee which is unsuitable for general exhibition. If the licensee is notified by the Council in writing that it objects under this rule to a poster, advertisement, photograph, sketch, synopsis or programme, it shall not be displayed, sold or supplied.
- (b) The duty manager shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

NOTE: The Council may require clearly legible notices to be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

- (c) The duty manager shall maintain good order on the premises and in particular shall ensure that none of the following shall take place:
 - (i) unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971;
 - (ii) indecent behaviour, including sexual intercourse, except as permitted by the Theatres Act 1968;
 - (iii) the offer of any sexual or other indecent service for reward;
 - (iv) acts of violence against person or property and/or the attempt/or threat of such acts.
- (d) The duty manager shall ensure that no part of the premises are used by prostitutes, for soliciting or any other immoral purposes.
- (e) The duty manager shall not do, or permit in the establishment, any act of an indecent or disorderly character and shall take

all necessary steps to exclude from the establishments a customer or any other person who has committed such an act in the establishment and shall cause all persons in his employ engaged in the establishment to be decently and properly attired,

- (f) The duty manager shall not permit the door of any room or place in the establishment for the time being in use for the giving of special treatment to be locked during the period that the client is therein.

However, where a special treatment is being performed without a therapist in attendance (such as in the use of sunbeds or tanning booths) such booths or cubicles may be locked from the inside notwithstanding Regulation 6(f), provided that the staff have the means of opening the booth/cubicle in the event of an emergency.

- (g) The duty manager shall ensure that whenever more than one person is being treated in a room sufficient screening is provided to maintain privacy.
- (h) The duty manager shall ensure that with the exception of those persons receiving treatment in accordance with the conditions of the licence all clients present in any part of the establishment shall be decently and properly attired and separate changing accommodation for males and females shall be provided.

**Display of
Tariff**

7

There shall be prominently and legibly displayed a comprehensive tariff of charges which shall be adequately illuminated and be placed in such a position that it can easily and conveniently be read by persons before entering the premises. Where this is impossible, the tariff may with the consent of the Council, be displayed in the reception area.

**Change of
Treatments**

8

The type of treatment provided under the licence shall not be changed without the consent of the Council.

Alterations

9

- (a) No alterations (including temporary alterations) shall be made to the premises, without the consent of the Council. This condition shall not require notice to be given in respect of routine maintenance works.
- (b) Where the works necessitate the premises being closed for a period of time, the premises shall not re-open for the purpose of the licence without the consent of the Council.

NOTE: Any consent under this rule does not relieve the licensee of any need to seek a variation in the terms of the licence.

PART III

RULES IN RESPECT OF THE GIVING OF TREATMENTS

- Persons who can give treatment** 10 (a) Only those persons currently registered by the Council may give Special Treatment and may only give those treatments specified on the registration document. Such persons shall wear an identification card supplied by the Council.
- (b) Treatment may also be given by other persons provided
- (i) the person giving treatment is under the ***direct*** personal supervision of a person approved by the Council; and
- (ii) The person has applied to the City Council for registration for the treatments provided; and
- (iii) The applicant for registration has not been notified in writing that they are required to cease giving treatment (in these cases the employer, if known, would also be advised).
- When required by the Council a recent full face photograph of such persons shall be displayed in the reception area so that all persons who wish to receive treatment may see them. Each photograph shall be labelled with the real name of the person concerned and the person's registration number.
- Electrical or other Equipment** 11 (a) The duty manager shall ensure that any electrical or other special equipment (such as ultra-violet radiation equipment) is used and operated in accordance with any appropriate approved code of practice.
- (b) All electrical equipment used in the provision of special treatments shall be approved by the Council.
- Records** 12 Records shall be kept at the premises, in a form approved by the Council, of persons receiving treatment. The record shall include the name of the person receiving treatment, the time of admittance for treatment and the real name of the person giving treatment. In the case of ***applicants for registration*** under Condition 10(b), the entry shall include both the name of the person giving treatment and of the person supervising.
- Sanitation** 13 The licensee shall ensure that adequate sanitary accommodation is available in the premises for the free use of both staff and members of the public and in particular shall:
- (a) maintain each sanitary convenience in clean and efficient order;
- (b) ensure that any room which contains a sanitary convenience is suitably and sufficiently lit and ventilated and is kept clean;

- (c) ensure that in the sanitary accommodation provided there are installed and maintained suitable and sufficient wash-hand basins and that each basin is provided with an adequate supply of hot and cold water at a suitably controlled temperature, together with an adequate supply of soap and suitable hand drying facilities.
- (d) ensure that the premises are so constructed with the adequate provision of efficient drains, suitable wall, floor and ceiling finishes etc., in order that satisfactory sanitation can be maintained.

Treatment Room	14	Each treatment room shall be provided with a suitable wash-hand basin with a suitable supply of hot and cold water, together with soap, a nailbrush and either a supply of disposable towels or a clean towel at all times.
Cleanliness	15	Proper means to the satisfaction of the Council shall be provided for securing the cleanliness of all instruments, towels, materials and equipment used in the establishment and for their safe disposal.
Refuse storage	16	A sufficient number of suitable receptacles with properly fitting covers shall be provided to the satisfaction of the Council for the purpose of receiving rubbish, dust and refuse from the premises. The receptacles shall be emptied whenever this becomes necessary.

PART IV

RULES IN RESPECT OF FIRE AND SAFETY CONDITIONS

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|--|----|---|
| Maintenance and Testing | 17 | <p>The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation, including any electrical equipment, and mechanical equipment, shall at all material times be maintained in good condition and in full working order.</p> <p>NOTE: Appendix B gives details of what is required in respect of the maintenance of fire appliances, fire alarms and water supply.</p> |
| Maintenance of Means of Escape | 18 | <p>(a) The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the approved arrangements.</p> <p>(b) No changes shall be made to the approved layout of the premises without the consent of the Council.</p> <p>(c) All exit doors shall be available at all material times without the use of a key, code, card or similar means. Any fastenings or electrically controlled locks shall be approved by the Council.</p> <p>(d) Any approved removable security fastenings shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in an approved position.</p> <p>(e) All fire doors shall be maintained effectively self closing and not held open other than by an approved device.</p> <p>(f) Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.</p> <p>(g) The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.</p> |
| Curtains, Hangings, Upholstery, Decorations etc | 19 | <p>(a) Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary to the satisfaction of the Council.</p> <p>NOTE:</p> <p>(1) Appendix C sets out the method of seeking consent for permanently installed materials.</p> <p>(2) In the case of temporary decorations a statement must be provided advising the period it is desired to retain the decorations.</p> |

- (b) Curtains and hangings shall be arranged so as not to obstruct fire safety signs, fire extinguishers or other fire fighting equipment.
- (c) Curtains, where permitted across doors, shall be hung in two halves on a free running rail to enable them to be parted easily. Such curtains shall have a clearance of at least 25mm between the bottom of the curtain and the floor.

Log Book 20

A log book shall be maintained in which shall be recorded all checks, tests and defects of fire fighting equipment and any fire alarm system. The log book shall be kept on the premises and be available for immediate inspection by an authorised officer.

Fire Alarms 21

Any fire alarm system shall be checked weekly to ensure it is fully operational. In addition the system shall be serviced yearly by a qualified engineer and all results recorded in the log book.

Fire Fighting Equipment 22

- (a) All fire extinguishers and fire fighting equipment shall be checked yearly by a competent person and the test date recorded on the equipment. In the case of hose reels and sprinkler systems the test results shall be recorded in the log book.
- (b) Any extinguisher discharged shall be replaced or recharged immediately.

Outbreaks of Fire 23

The Fire Brigade shall be called at once to any outbreak or suspected outbreak of fire, however slight, and details thereof shall be recorded in a log book. Suitable notices shall be prominently displayed indicating how the Brigade can be summoned.

**PART V
OTHER SAFETY RULES**

- | | | |
|--------------------------------|----|---|
| Lighting | 24 | All lighting (including escape lighting) shall be maintained in full working order. |
| Electrical Installation | 25 | The electrical installation for the premises and any equipment used therein shall be maintained in a safe working condition at all times as prescribed by the Electricity at Work Regulations for electrical installations BS 7671. |
| Electrical Certificates | 26 | <p>Unless otherwise decided by the Council:</p> <ul style="list-style-type: none">(a) at least once every 5 years the entire electrical installation for the premises (including the escape lighting) shall be inspected and a certificate of that inspection be submitted to the Council;(b) at least once a year any electrical equipment used in connection with the special treatment shall be inspected and a certificate of that inspection be submitted to the Council;(c) the inspection shall be in accordance with Guidance Note 3 to BS 7671; and(d) the certificate shall be signed by a Corporate Member of the Institution of Electrical Engineers or by a contractor currently enrolled with the National Inspection Council for Electrical Installation Contracting or, with the approval of the Council, another competent person. |
| Escape Lighting | 27 | <ul style="list-style-type: none">(a) The escape lighting installation, including its load, shall not be altered without the consent of the Council.(b) Any escape lighting battery shall be fully charged before the admission of patrons.(c) Should the normal lighting fail and the escape lighting system have a one hour capacity patrons shall leave the premises within 30 minutes unless within that time the normal lighting has been restored and the batteries are being re-charged. If the escape lighting system has a three hour capacity patrons shall leave the premises within one hour unless within that time the normal lighting has been restored and the batteries are being recharged.(d) If the patrons have left the premises they shall not be re-admitted until normal lighting has been fully restored and the battery or batteries fully recharged.(e) The escape lighting installation shall be tested at least once every 6 months in accordance with BS 5266 Part I and a copy of the certificate retained on the premises. |

Heating	28	<p>(a) The heating system and/or appliances used within the premises shall be fully maintained in good working order for use when required. Any guards required by the Council shall be securely held in position.</p> <p>(b) Portable heating appliances shall not be used without the Council's consent.</p> <p>(c) No alterations / additions to the approved heating system shall be made without the written consent of the Council.</p>
Electrical, Gas and Mechanical Ventilation systems	29	<p>No alteration shall be made to any part of the electrical, gas or mechanical ventilation systems without the consent of the Council.</p>
Gas and Electricity Meters	30	<p>Gas and electricity/mains intake enclosures shall not be used for any other purpose (e.g. storage).</p>
Paraffin and Mineral Oil	31	<p>Paraffin or other mineral oil shall not be used in any lamp stove or other appliance in premises except with the consent of the Council.</p>

SPECIMEN CHECK LIST

To be used as a guide by the *Duty Manager* or other persons carrying out a safety check before the public are admitted.

Date _____

Name of person carrying out inspection _____

Job title of person carrying out inspection _____

Tick only if everything
is in order

Do not open the *premises* until any problems have been rectified

1. All exit doors are available for use.
2. Any chains or other removable fastenings are removed from exit doors and hung in their *approved* storage position.
3. Any panic bolts and panic latches are in working order.
4. Any doors, gates or shutters that should be kept open are locked in the open position.
5. All internal and external escape routes and exit doors are clear and free from obstruction.
6. All fire doors are shut unless held open by devices *approved* by the *Council*.
7. All exit routes including stairways and all fire safety signs are adequately illuminated.
8. Where two power supplies are provided e.g. mains and battery, both are operative throughout the *premises*.
9. There are no obvious fire hazards such as combustible waste or litter.
10. All fire fighting equipment is in position and available for use.
11. The first aid equipment is available for use.
12. Any public address system is in working order.
13. Any fire alarm system is in working order.

MAINTENANCE OF FIRE APPLIANCES, WATER SUPPLY AND FIRE ALARMS.

FIRE APPLIANCES

1. (a) The *approved* fire appliances shall be kept in the *approved* positions and be maintained in satisfactory working order so as to be available for instant use.
- (b) Portable fire appliances shall be *inspected* at least once a year in accordance with the relevant British Standard and the date of the *inspection* clearly marked on the appliance or on a stout tab securely attached to it. Extinguishers which incorporate an antifreeze agent shall be *inspected* and recharged in compliance with the manufacturer's instructions.
- (c) Any hydraulic hose reels shall be *inspected* once a year to ensure that they are in working order and the date of the *inspection* clearly marked on the appliance and recorded in the log book.
- (d) Any drenchers or sprinklers shall also be *inspected* once a year to ensure that they are in working order and the date of the *inspection* clearly marked on the appliance or recorded in the log book.

WATER SUPPLY

2. The *Duty Manager* shall notify the *Fire Authority* immediately if the water supply to any hydrant, hose reel, sprinkler, or other fire extinguishing installation is cut off or restricted.

FIRE ALARMS

3. Any fire alarm system shall be maintained in satisfactory working order. The system shall be maintained and serviced in accordance with BS 5839 and tested regularly in accordance with conditions imposed by the *Council*.

PERMANENTLY INSTALLED CURTAINS, HANGINGS, UPHOLSTERY

1. CURTAINS AND HANGINGS

Applications for *consent* to use curtains and hangings shall be made in writing and shall be accompanied by full details including a *certificate* in respect of fire-retardancy issued by a recognised laboratory e.g. one accredited by NAMAS showing that each fabric has been tested using the methods in BS 5438 1989 Tests 2A and 2B using a 10 second flame application time in each case. The results of tests on each fabric shall show that no part of any hole nor the lowest boundary of any flaming reached the upper or either vertical edge of any specimen and that there was no separation of any flaming debris.

Where any fabric is stated to be durably flame retarded this means that it has been chemically treated to render it flame retarded. Prior to the above ignitability tests each flame retarded fabric shall be subject to the appropriate wetting or cleansing procedure in BS 5651: 1989. The minimum procedure required shall be that in BS 5651: 1989, Paragraph 3, "Water soaking procedures".

2. UPHOLSTERY

Application for *consent* for all upholstery (whether provided new or second-hand) shall be made in writing and shall be accompanied by full details, including a *certificate* in respect of fire-retardancy issued by a recognised laboratory e.g. one accredited by NAMAS showing that the upholstery composite of each item has been tested using the methods in BS 5852: 1990, Section 4 or Section 5, and has been classified as "not ignited" using ignition source 0 (cigarette test), ignition source 1 (simulated match flame) and ignition source 5 (timber crib test);

NOTE - (1) Tip-up seating should be resistant to ignition using the method in BS 5852 : 1990, (as amended) Section 5, 20.34 using crib ignition source 5.

(2) All seating in public areas should also be resistant to deliberate ignition from below and should therefore pass additional tests as set out in BS 5852 : 1994 Section 5, 20.5 using at least ignition source 1.

NAMAS

NAMAS is the National Measurement Accreditation Service, it is the UK national unified accreditation service for calibration and testing laboratories. It is a service of the National Physical Laboratory, Queens Road, Teddington, Middlesex, TW11 OLW.

Amendments to Special Treatment Premises Licence Standard Conditions.

1. Add the following definitions to Part 1, General:

‘Special treatment practitioner’ is a person who has attained the appropriate level of training and qualification as defined by the councils Guidance on the Qualification and Training of Special Treatment Practitioners to enable them to provide licensed treatments to any person for gain or reward.

‘Licensed treatments’ means those treatments that can only be carried out under and in accordance with a special treatment licence granted pursuant to Part II of the London Local Authorities Act 1991

2. Amend the definition in Part 1 relating to ‘Council’ by removing “the appropriate licensing authority” and replace with “Westminster City Council”.
3. Amend Conditions 6(c)(ii) to remove the wording “except as permitted by the Theatres Act 1968”
4. Amend conditions 6(f) so as to remove the word “therapist” and replace with “special treatment practitioner”.
5. Delete condition 10 and replace with the following:
 - 10 (a) Licensed treatments shall only be provided by a special treatment practitioner or by a person undertaking training who is under the direct supervision of a special treatment practitioner.
 - (b) The licensee shall ensure that all special treatment practitioners providing licensed treatments are suitably qualified and trained as defined in the Council’s Guidance on the Qualification and Training of Special Treatment Practitioners.
 - (c) The licensee shall ensure that any person undertaking training to achieve the required level, as defined within the Council’s Guidance on the Qualification and Training of Special Treatment Practitioners, is carrying out a licensed treatment under the direct supervision of a special treatment practitioner who has attained the relevant qualification and/or experience (as defined by the council) for that licensed treatment.
 - (d) Records including copies of relevant qualifications and /or training shall be kept on the premises, in a form approved by the Council of every special treatment practitioner or trainee practitioner who provides licensed treatments on the premises.
 - (e) The records described in paragraph (d) above shall be kept on the premises whilst the special treatment practitioner or trainee practitioner is employed and/or carrying out special treatments at the premises and for a period of 1 year from the date when that special treatment practitioner or trainee practitioner ceases employment and/or providing treatments at that premises.

6. Amend condition 12 so as to remove the wording “the real name of the person giving treatment” and replace with “the name of the special treatment practitioner giving that treatment”. Remove the wording “applicants for registration under Condition 10(b)” and replace with “persons undertaking training to meet the requirements of the Council’s Guidance on the Qualification and Training of Special Treatment Practitioners”.



City of Westminster

Guidance on the Qualifications and Training of Special Treatment Practitioners and on the records to be kept by the Licensee of the Special Treatment Premises .

General Licensing Team

Date Approved: 20th September 2012

Version: 1.0

1. Introduction

- 1.1 This guidance has been produced to assist special treatment licensed operators evaluate the qualification and/or competence and training documentation that special treatment practitioners must have achieved to enable them to perform specific special treatments.
- 1.2 On the 1st October 2012 it will be the responsibility of each licence holder to ensure that all special treatment practitioners either working for them as an employee or working at their licensed premises with their permission are suitably qualified and/or competent and trained to perform specific special treatments. This is a requirement of standard condition 10(b) of the Council's standard conditions for licensed special treatments premises.
- 1.3 Licensees are also responsible for ensuring trainee practitioners, who haven't attained the required competence and/or qualification level are directly supervised by a qualified special treatment practitioner. Records of special treatment practitioner's personal, training and qualifications must be kept on the premises, using the form at Appendix 1.

2. Training and Qualifications

- 2.1 Licensees should ensure that all special treatment practitioners have attained the minimum level of qualification and/or training before permitting them to provide treatments on their premises. As the council no longer runs a therapist registration scheme the responsibility for checking qualifications and/or training documents will be with the licensee.
- 2.2 The council has produced a summary of the qualifications/training requirements along with the special treatments that they cover. This table is attached at Appendix 2.
- 2.3 Licensees should only accept national or international qualifications, i.e City and Guilds, NVQ or equivalent. International qualifications are supported by the National Academic Recognition Information Centre (UKNARIC). Where there are no nationally recognised qualifications for a particular special treatment, they should expect the special treatment practitioner to provide:
 - 2.3.1 Evidence of relevant training, or
 - 2.3.2 Evidence that the therapist is a member of an exempt organization that covers a particular treatment, and,
 - 2.3.3 References and evidence of past work and proof of when and where their apprentice or training was undertaken.
- 2.4 At present there are no nationally or internationally recognized qualifications for the following special treatments:
 - 2.4.1 Tattooing,
 - 2.4.2 Body Piercing,
 - 2.4.3 Micropigmentation, and
 - 2.4.4 Flotation Tank
- 2.5 For special treatment practitioners who have international qualifications, which are not generally recognized in the UK the licensee must request that the practitioner obtains a comparability certificate from the National Academic Recognition Information Centre of the UK (UKNARIC). A compatibility certificate will provide the licensee with what that international qualification is and what the qualification equivalent in the UK is. That will then allow the licensee to compare that compatibility certificate information with summary of qualification and training attached to this document at Appendix 2.

2.6 Licensees must ensure that they complete the council's approved record form for each special treatment practitioner and trainee practitioner and attach copies of all of the recorded training and/or qualifications. Further information on the requirements for record keeping is contained in part 4 of this document.

3. Trainee Practitioner Supervision

3.1 The council understands that due to the nature of some of the special treatments it will be necessary for trainee special treatment practitioners to provide treatments to demonstrate that they can meet the minimum level.

3.2 The council has incorporated condition 10(c) of its Standard Conditions for Special Treatment Premises Licences relating to the supervision of trainees. Condition 10(c) states:

10(c) The licensee shall ensure that any person undertaking training to achieve the required level, as defined within the Council's Guidance on the Qualification and Training of Special Treatment Practitioners is carrying out a licensed treatment under the direct supervision of a special treatment practitioner who has attained the relevant qualification and/or experience (as defined by the council) for that licensed treatment.

3.3 The requirement of this condition is to allow trainees to learn and gain experience but only under the supervision of a practitioner who has firstly attained the required qualification and/or training for the treatment that the trainee is giving and secondly will directly supervise that trainee whilst the treatment is being conducted.

3.4 Licensees should also, as best practice instruct one of their most experienced and knowledgeable special treatment practitioner's to undertake the supervision role for trainees. The supervisor must have direct supervision over the trainee whilst the treatment is being carried out. It is also good practice for the licensee to monitor the supervision that is being given on occasions to ensure that the supervisor is providing adequate guidance, instructions and support to the trainee.

3.5 There is a requirement that the licensee specifies the supervising special treatment practitioners name and the treatments that they are supervising on the trainee special treatment practitioner's personal training and qualification record. For more information on the requirements for records please see part 4 below.

4. Records

4.1 In order to ensure that adequate standardised records are kept at each premises relating to the practitioner and their qualifications/training the council has included record keeping as a condition on all special treatment licensed premises.

4.2 Condition 10(d) and (e) of the council's special treatment premises licence standard conditions states:

10 (d) Records, including copies of relevant qualifications and /or training shall be kept on the premises, in a form approved by the Council of every special treatment practitioner or trainee practitioner who provides licensed treatments on the premises.

(e) The records described in paragraph (d) above shall be kept on the premises whilst the special treatment practitioner or trainee practitioner is employed and/or carrying out special treatments at the premises and for a period of 1 year from the date when that special treatment practitioner or trainee practitioner ceases employment and/or providing treatments at that premises.

4.3 The council has approved a form that will meet the requirements of this condition and ensure that all the relevant information that is required is recorded. A copy of this form is attached at Appendix 1.

- 4.4 The form is made up of 3 sections. Section 1 contains personal information relating to the practitioner or trainee practitioner such as their name, date of birth, home address etc. Section 2 allows the licensee to list the training that's been attained or is being worked towards attaining by the special treatment practitioner or trainee practitioner. Section 3 is to be completed if the trainee special treatment practitioner is being supervised whilst working towards achieving the appropriate level of training and qualifications.

Section 1

- 4.5 Section 1 of the form must be completed in full, except when expressly stated not to. The licensee must complete the full name, including all first names of the special treatment practitioner or trainee practitioner. The date of birth, place of birth and current address, including post code must be recorded. The form also requires a passport sized photograph to be attached to the record of the person that record relates to.
- 4.6 The licensee must make sufficient checks to ensure that the personal details are correct. The licensee must check that information against photographic proof of identity documents such as passport, driving licence, identity card, etc.
- 4.7 As the Therapist Registration Scheme ceased on the 1st October 2012 all registrations had no effect from that date and there is no longer a requirement for such registrations to work in special treatment licensed premises. However, the special treatment practitioners that did hold a valid Therapist Registration with Westminster City Council, that had not expired prior to the 1st October 2012 may use that registration certificate and badge as proof of meeting the required qualifications and/or training for the treatments listed.
- 4.8 If the Special Treatment Practitioner wishes to use that ceased registration document as proof of attaining the required level of qualification and/or training then the required information from that registration must be completed on the form. Once that information has been entered there will be no need to complete sections 2 and 3 unless the special treatment practitioner wishes to administer treatments that are not listed on their therapist registration. In those cases the special treatment practitioner will have to provide evidence of attaining the relevant qualifications or training for that treatment that isn't listed on their registration.

Section 2

- 4.9 In section 2 of the form the licensee must list the training and/or qualifications that the special treatment practitioner or trainee practitioner has attained. The licensee must also record any additional training and/or qualifications that may be attained at a later date so as to ensure that the form is constantly updated. The licensee must also see the original qualification certificates or evidence of relevant training. A copy must be taken of these documents and stored with the special treatment practitioner's record.
- 4.10 If the special treatment practitioner or trainee practitioner is training for a qualification or additional qualification or to meet the required experience and training level then this should also be recorded in this section. However, the "Date Qualification/Training attained/completed" field for that row should be left blank until the practitioner or trainee has produced evidence of attaining the required qualification or training level. A copy of the qualification certificate or training evidence must be attached to that practitioner or trainee's record as soon as it is provided to the licensee as proof of attainment.
- 4.11 If there are more qualifications and/or training than can be recorded in the space available within section 2 the licensee must indicate that an addition sheet is required by ticking the appropriate box. The licensee should then continue to record the required information on the "Continuation Sheet for the Special Treatment Practitioner/Trainee Personal Training and Qualification Record" which is attached at Appendix 3.

Section 3

4.12 If a trainee practitioner is training to attain the required level of training or qualifications for a specific special treatment and will be practicing on the premises then the person directly supervising that person is recorded along with the treatment that is being given under supervision.

5. Enforcement and Compliance

5.1 The council is responsible for ensuring the licensed premises operate in accordance with their licence under the provisions of Schedule II of the London Local Authorities Act 1991. In addition to this the council must also ensure that premises, operators and staff meet their obligations under the terms of the Health and Safety at Work Act 1976 and associated Regulations or Orders.

5.2 The council will undertake announced or unannounced inspections of the premises based on the level of risk that premises poses. The council's authorised officers will check the premises to make sure that no conditions are being breached, that records are being adequately.

Special Treatment Practitioner/Trainee Personal Training and Qualification Record

Approved record form as required by condition 10(d) of Westminster City Council's Standard Conditions for Special Treatment Premises Licences

1. Special Treatment Practitioner/Trainee Personal Information								
<i>This section must be completed in full unless specified. Please see guidance notes for more information on the requirements for this section.</i>								
Title (Mr, Miss, Mrs, Ms, etc.)		Photograph		<i>(Attach passport sized photograph here)</i>				
First names (include middle names)								
Surname/Family Name								
Date of Birth								
Place of Birth								
Home address, including post code.								
Were you registered with Westminster City Council as a Registered Therapists prior to the 1 st October 2012 <i>(If yes complete fields below, if no go to section 2)</i>	Yes <input type="checkbox"/>		No <input type="checkbox"/>		<i>(Please tick appropriate option)</i>			
Ceased Registration Reference Number		Registration Expiry Date (Please note that this ceased registration is only acceptable if it hasn't expired)						
Special Treatments Code List (tick those listed on that registration)								
Lower Risk Special Treatments								
L1	Reflexology	<input type="checkbox"/>	L7	Manicure	<input type="checkbox"/>	L13	Micro Current Therapy	<input type="checkbox"/>
L2	Infra Red	<input type="checkbox"/>	L8	Flotation Tank	<input type="checkbox"/>	L14	Pedicure	<input type="checkbox"/>
L3	Sauna & Steam	<input type="checkbox"/>	L9	Massage	<input type="checkbox"/>	L15	Ultra Sound	<input type="checkbox"/>
L4	Aromatherapy	<input type="checkbox"/>	L10	Colour Therapy	<input type="checkbox"/>	L16	Facial	<input type="checkbox"/>
L5	High Frequency	<input type="checkbox"/>	L11	Lymphatic Drainage	<input type="checkbox"/>	L17	Faradism	<input type="checkbox"/>
L6	Shiatsu	<input type="checkbox"/>	L12	Spa & Bath	<input type="checkbox"/>	L18	Nail Extensions	<input type="checkbox"/>
Higher Risk Special Treatments								
H1	Acupuncture	<input type="checkbox"/>	H2	Body Piercing	<input type="checkbox"/>	H3	Intense Pulse Light (IPL)	<input type="checkbox"/>
H4	Laser	<input type="checkbox"/>	H5	Micro Pigmentation	<input type="checkbox"/>	H6	Tattooing	<input type="checkbox"/>
H7	Ear Piercing	<input type="checkbox"/>	H8	Electrolysis	<input type="checkbox"/>	H9	Chiropody (Podiatry)	<input type="checkbox"/>
H10	Ultra Violet Tanning	<input type="checkbox"/>						

Continued...

2. Qualifications and/or Training and specified treatments

This section must be completed with all of the training and/or qualifications attained by the practitioner or which are being worked towards. See guidance for more information on minimum level of training and/or qualifications to enable the practitioner to perform the specified special treatments.

Qualification or training name	Date Qualification/training attained/completed <i>(leave blank until attained or completed)</i>	Awarding Body	Special Treatments Permitted (use codes from the Special Treatment Code List in Section 1 above)

If additional space is required to record qualifications or training please use tick here and then use the additional information sheet template.

3. Trainee Supervision

Trainee special treatment practitioners are permitted to provide special treatments but only under the direct supervision of a sufficiently qualified and/or trained special treatment practitioner for that specific treatment being given by the trainee. The supervising special treatment practitioner must be an employee of licensed premises/company or be practicing at the licensee's premises with their permission. Please see the guidance notes for further information on supervision of trainees.

Assigned Training Supervisor(s) Full Name	List the treatments being supervised (Use codes from Special Treatment Code List in Section 1 above)

For further information relating to the requirements for completing this form please visit www.westminster.gov.uk/licensing or alternatively you can contact the Licensing Service on **020 7641 8549** or email generallicensing@westminster.gov.uk.

Appendix 2

SUMMARY OF QUALIFICATION/TRAINING REQUIREMENTS AND TREATMENTS COVERED

Awarding Body (Formal Qualification) (Formal qualifications are set in line with National Occupational Standards)	Low Risk treatments covered (Mandatory Units)	High Risk treatments covered (Mandatory Units)	Additional Treatments (Optional Units)
CIDESCO	Facial, Manicure, Pedicure, Massage, Lymphatic Drainage, Ultra Sound, Infra Red, High Frequency, Faradism, Micro Current Therapy (this covers Galvanism and Diathermy)	Persons applying for Laser or IPL require the pre-requisite of CIDESCO and “core of knowledge training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit	Spa & Bath, Sauna & Steam, Flotation Tank, Nail Extensions, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Electrolysis
CIBTAC Aestheticiene	Facial, Manicure, Pedicure	n/a	Spa & Bath, Sauna & Steam, Flotation Tank, Nail Extensions, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning
Physiatrics	Massage, Lymphatic Drainage, Ultra Sound, Infra Red, Faradism, High Frequency, Micro Current Therapy (this covers Galvanism and Diathermy)	Persons applying for Laser or IPL require the pre-requisite of CIBTAC and “core of knowledge training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit	Spa & Bath, Sauna & Steam, Flotation Tank, Nail Extensions, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Electrolysis
Electrology	Electrolysis, Micro Current Therapy (this covers Galvanism and Diathermy)	n/a	n/a
ITEC	Facial, Manicure, Pedicure, Massage, Lymphatic Drainage, Ultra Sound, Infra Red,	Persons applying for Laser or IPL require the pre-requisite of ITEC and “core of knowledge	Spa & Bath, Sauna & Steam, Flotation Tank, Nail Extensions, Reflexology,

Awarding Body (Formal Qualification) (Formal qualifications are set in line with National Occupational Standards)	Low Risk treatments covered (Mandatory Units)	High Risk treatments covered (Mandatory Units)	Additional Treatments (Optional Units)
	High Frequency, Faradism, Micro Current Therapy (this covers Galvanism and Diathermy)	training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit	Aromatherapy, Ear Piercing, Ultra Violet Tanning, Electrolysis
<p>BTEC Beauty Therapy</p> <p><i>Diploma</i></p> <p><i>Certificate</i></p> <p><i>Beauty Therapy Sciences</i></p>	<p>Facial, Manicure, Pedicure, High Frequency, Micro Current Therapy (this covers Galvanism and Diathermy), Massage, Lymphatic Drainage, Ultra Sound, Infra Red, Faradism</p> <p>Facial, Manicure, Pedicure, High Frequency, Micro Current Therapy (this covers Galvanism and Diathermy), Massage, Lymphatic Drainage, Ultra Sound, Infra Red, Faradism</p> <p>Facial, Manicure, Pedicure, High Frequency, Micro Current Therapy (this covers Galvanism and Diathermy), Massage, Lymphatic Drainage, Ultra Sound, Infra Red, Faradism</p>	<p>Persons applying for Laser or IPL require the pre-requisite of BTEC Diploma and “core of knowledge training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit</p> <p>Persons applying for Laser or IPL require the pre-requisite of BTEC Certificate and “core of knowledge training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit</p> <p>Persons applying for Laser or IPL require the pre-requisite of BTEC Beauty Therapy Sciences and “core of knowledge training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit</p>	<p>Spa & Bath, Sauna & Steam, Flotation Tank, Nail Extensions, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Electrolysis</p> <p>Spa & Bath, Sauna & Steam, Flotation Tank, Nail Extensions, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Electrolysis</p> <p>Spa & Bath, Sauna & Steam, Flotation Tank, Nail Extensions, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Electrolysis</p>
NVQ Beauty Therapy Level 2	Facial, Manicure, Pedicure	Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit	Ear Piercing, Ultra Violet Tanning, Nail Extensions, Spa & Bath, Sauna & Steam, Flotation Tank, Electrolysis

Awarding Body (Formal Qualification) (Formal qualifications are set in line with National Occupational Standards)	Low Risk treatments covered (Mandatory Units)	High Risk treatments covered (Mandatory Units)	Additional Treatments (Optional Units)
NVQ Beauty Therapy Level 3	Massage, Lymphatic Drainage, Ultra Sound, Infra Red, High Frequency, Faradism, Micro Current Therapy (this covers Galvanism and Diathermy), facial, Manicure and Pedicure	Persons applying for Laser or IPL require the pre-requisite of NVQ Level 3 and “core of knowledge training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit	Spa & Bath, Sauna & Steam, Flotation Tank, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Electrolysis
VTCT <i>Level 2 in Beauty Services</i> <i>Beauty Specialist Techniques</i> <i>Level 3</i>	Facial, Manicure, Pedicure Facial, Manicure, Pedicure Massage, Lymphatic Drainage, Ultra Sound, Infra Red, High Frequency, Faradism, Micro Current Therapy (this covers Galvanism and Diathermy) facial, Manicure and Pedicure	Persons applying for Ear Piercing, Ultra Violet Tanning require the additional unit Persons applying for Ear Piercing, Ultra Violet Tanning require the additional unit Persons applying for Laser or IPL require the pre-requisite of NVQ Level 3 and “core of knowledge training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit	Ear Piercing, Ultra Violet Tanning, Nail Extensions, Spa & Bath, Sauna & Steam, Flotation Tank Ear Piercing, Ultra Violet Tanning, Nail Extensions, Spa & Bath, Sauna & Steam, Flotation Tank Spa & Bath, Sauna & Steam, Flotation Tank, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Electrolysis
BTEC HND Beauty Therapy	Facial, Manicure, Pedicure, Massage, Lymphatic Drainage, Ultra Sound, Infra Red, High Frequency, Faradism, Micro Current Therapy (this covers Galvanism and	Persons applying for Laser or IPL require the pre-requisite of IHBC “core of knowledge training” Persons applying for Electrolysis, Ear Piercing,	Spa & Bath, Sauna & Steam, Flotation Tank, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Nail Extensions, Electrolysis

Awarding Body (Formal Qualification) (Formal qualifications are set in line with National Occupational Standards)	Low Risk treatments covered (Mandatory Units)	High Risk treatments covered (Mandatory Units)	Additional Treatments (Optional Units)
	Diathermy), Nail Extensions, Aromatherapy, Reflexology	Ultra Violet Tanning require the additional unit	
City & Guilds NVQ 2 or 3	Facial, Manicure, Pedicure, Massage, Lymphatic Drainage, Ultra Sound, Infra Red, High Frequency, Faradism, Micro Current Therapy (this covers Galvanism and Diathermy)	Persons applying for Laser or IPL require the pre-requisite of City & Guilds “core of knowledge training” Persons applying for Electrolysis, Ear Piercing, Ultra Violet Tanning require the additional unit	Spa & Bath, Sauna & Steam, Flotation Tank, Reflexology, Aromatherapy, Ear Piercing, Ultra Violet Tanning, Nail Extensions, Electrolysis
IHBC	Aromatherapy, Massage, Reflexology and Shiatsu	Acupuncture	
IIHHT	Aromatherapy, Massage, Reflexology and Shiatsu	Acupuncture	
In-house training	Sauna & Steam Spa & Bath Flotation Tank	Ultra Violet Tanning Tattooing Micropigmentation Body Piercing	

*Confirms that the applicant has received in-house training on Health & Safety procedures for the relevant special treatments.

Low Risk - the applicant needs to provide evidence on letter headed paper from the organization which has supplied the training. Please note that in-house training certificates and/or proof of relevant experience gained is also accepted.

High Risk – the applicant will be required to attend an interview with an Environmental Health Officer at the special treatment premises. Please note Ultra Violet Tanning is considered a high risk treatment, however in-house training would be acceptable.

Exempted Organisations (please see list of bodies) – membership of such an organization will exempt the applicant from the need to be registered with this authority. These organisations are exempt for the following treatments because they follow a clinical nature rather than a beauty treatment nature: Acupuncture, Aromatherapy, Massage, Reflexology and Shiatsu.

General Medical Council – if the applicant is a member of the General Medical Council and any treatments carried out under their supervision are exempt from the need to be registered with this local authority. These members are advised to contact the Care Quality Commission on www.cqc.org.uk.

Chiropody/Podiatry – the applicant is required to be registered with the Health Professions Council and is exempt from the need to be registered with this local authority.

Training Certificates – are gained from courses that have not been approved by the National Occupational Standards. Training certificates are only accepted in conjunction with formal qualifications.

LINKS TO FURTHER DETAILS ON FORMAL QUALIFICATIONS

Professional Indemnity

British Association of Beauty Therapy and Cosmetology (BABTAC) -
www.babtac.com/index.php?pageid=10
Tel: 0845 065 9000

Guild of Professional Beauty Therapists - www.beautyguild.com/contactus.asp
Tel: 0845 21 77 383

Qualifications

Business & Technology Education Council (BTEC) - www.edexcel.com/Aboutus/contact-us/Pages/home.aspx
Tel: 0844 576 0026

City & Guilds of London Institute (NVQ) - www.diplomainfo.org.uk/contact-us.asp
Tel: 08700 242 466

National Vocational Qualification (NVQ) - www.edexcel.com/Aboutus/contact-us/Pages/home.aspx
Tel: 0844 576 0026

International Therapy Examination Council (ITEC) - www.itecworld.co.uk/home/contact.htm
Tel: 020 8994 4141

Vocational Training Charitable Trust (VTCT) - www.vtct.org.uk/
Tel: 02380 684 500

International Health & Beauty Council (IHBC)

International Institute of Health & Holistic Therapies (IIHHT)

Confederation of International Beauty Therapy and Cosmetology Ltd (CIBTAC) -
www.cibtac.com/contactus_home.htm
Tel: 01452 623 114

Comite International D'Esthetique et de Cosmetologie (CIDESCO) - www.cidesco.co.uk/15.html
Tel: 01580 212 954

Overseas Qualifications

The National Recognition Information Centre for the United Kingdom (UK NARIC) -
www.naric.org.uk/index.asp?page=30
Tel: 0871 330 7033

Annex D

Special Treatment Practitioner/Trainee Personal Training and Qualification Record

Approved record form as required by condition 10(d) of Westminster City Council's Standard Conditions for Special Treatment Premises Licences

1. Special Treatment Practitioner/Trainee Personal Information					
<i>This section must be completed in full unless specified. Please see guidance notes for more information on the requirements for this section.</i>					
Title (Mr, Miss, Mrs, Ms, etc.)		Photograph		<i>(Attach passport sized photograph here)</i>	
First names (include middle names)					
Surname/Family Name					
Date of Birth					
Place of Birth					
Home address, including post code.					
Were you registered with Westminster City Council as a Registered Therapists prior to the 1 st October 2012 <i>(If yes complete fields below, if no go to section 2)</i>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	<i>(Please tick appropriate option)</i>
Ceased Registration Reference Number		Registration Expiry Date (Please note that this ceased registration is only acceptable if it hasn't expired)			
Special Treatments Code List (tick those listed on that registration)					
Lower Risk Special Treatments					
L1	Reflexology	<input type="checkbox"/>	L7	Manicure	<input type="checkbox"/>
L2	Infra Red	<input type="checkbox"/>	L8	Flotation Tank	<input type="checkbox"/>
L3	Sauna & Steam	<input type="checkbox"/>	L9	Massage	<input type="checkbox"/>
L4	Aromatherapy	<input type="checkbox"/>	L10	Colour Therapy	<input type="checkbox"/>
L5	High Frequency	<input type="checkbox"/>	L11	Lymphatic Drainage	<input type="checkbox"/>
L6	Shiatsu	<input type="checkbox"/>	L12	Spa & Bath	<input type="checkbox"/>
L13	Micro Current Therapy	<input type="checkbox"/>	L14	Pedicure	<input type="checkbox"/>
L15	Ultra Sound	<input type="checkbox"/>	L16	Facial	<input type="checkbox"/>
L17	Faradism	<input type="checkbox"/>	L18	Nail Extensions	<input type="checkbox"/>
Higher Risk Special Treatments					
H1	Acupuncture	<input type="checkbox"/>	H2	Body Piercing	<input type="checkbox"/>
H3	Intense Pulse Light (IPL)	<input type="checkbox"/>	H4	Laser	<input type="checkbox"/>
H5	Micro Pigmentation	<input type="checkbox"/>	H6	Tattooing	<input type="checkbox"/>

H7	Ear Piercing <input type="checkbox"/>	H8	Electrolysis <input type="checkbox"/>	H9	Chiropody (Podiatry) <input type="checkbox"/>
H10	Ultra Violet Tanning <input type="checkbox"/>				

Continued...

2. Qualifications and/or Training and specified treatments

This section must be completed with all of the training and/or qualifications attained by the practitioner or which are being worked towards. See guidance for more information on minimum level of training and/or qualifications to enable the practitioner to perform the specified special treatments.

Qualification or training name	Date Qualification/training attained/completed <i>(leave blank until attained or completed)</i>	Awarding Body	Special Treatments Permitted (use codes from the Special Treatment Code List in Section 1 above)

If additional space is required to record qualifications or training please use tick here and then use the additional information sheet template.

3. Trainee Supervision

Trainee special treatment practitioners are permitted to provide special treatments but only under the direct supervision of a sufficiently qualified and/or trained special treatment practitioner for that specific treatment being given by the trainee. The supervising special treatment practitioner must be an employee of licensed premises/company or be practicing at the licensee's premises with their permission. Please see the guidance notes for further information on supervision of trainees.

Assigned Training Supervisor(s) Full Name	List the treatments being supervised (Use codes from Special Treatment Code List in Section 1 above)

For further information relating to the requirements for completing this form please visit www.westminster.gov.uk/licensing or alternatively you can contact the Licensing Service on **020 7641 8549** or email generallicensing@westminster.gov.uk.



City of Westminster

Minutes

Meeting: **Licensing Urgency Sub-Committee**

Date and venue of meeting: **Thursday 20 September 2012 at 10.00am in Committee Rooms 5, 6 and 7, 17th Floor, City Hall, Victoria Street, SW1**

Attendees: **Councillors:**
Audrey Lewis (Chairman)
Jan Prendergast
Ahmed Abdel-Hamid

Officers:
Anita Sharman (Legal Adviser)
Chris Wroe (Policy Adviser)
Jonathan Deacon (Committee Officer)

Apologies: **None**

Contact: **Jonathan Deacon**
Committee and Scrutiny Officer

Details: **Tel: 020 7641 2783**
Fax: 020 7641 2042
Email: jdeacon@westminster.gov.uk

1. MEMBERSHIP OF THE COMMITTEE

1.1 There were no changes to the membership of the Sub-Committee.

2. DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

3. AMENDMENT TO THE SPECIAL TREATMENT STANDARD CONDITIONS AS A RESULT OF THE CESSATION OF WESTMINSTER'S THERAPIST REGISTRATION SCHEME (see report of The Operational Director for Premises Management)

Mr Kerry Simpkin, Assistant Service Manager, Environmental Health Consultation and Licensing, introduced the report.

Resolved: That the following be approved by the Licensing Urgency Sub-Committee:

- i) the amendments to the standard conditions for special treatment premises licences as described in Annex B of the report and that those amendments will have effect from the 1st October 2012;
- ii) the Guidance on the Qualifications and Training of Special Treatment Practitioners and the Records to be kept by the Licensee of the Special Treatment Premises (attached as Annex C of the report);
- iii) the format of the Special Treatment Practitioner Personal Training and Qualification Record form attached at Annex D of the report; and,
- iv) any further amendments to ii) and iii) above to be undertaken under delegated authority by officers without the matters reverting to the Urgency Sub-Committee.

4. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS URGENT

There were no further items to consider.

5. TERMINATION OF MEETING

5.1 The meeting closed at 10.04am

CHAIRMAN

DATE