

Points of Note & Typical Failing Areas
Regarding Byelaw Registration
Local Government (Miscellaneous Provisions) Act 1982

- There is no annual charge for registration it is a one-off payment.
- Registration under the byelaws applies to Cheltenham Borough only. Find other councils here: <https://www.gov.uk/find-your-local-council>
- There are 'Personal' and 'Premises' registrations, both are needed to operate.
- Premises registrations should be held by the person in charge of the premises (owner or manager). A premises registration becomes invalid three months after the operator leaves the premises unless a variation is made.
- Failure to inform the council of changes in your registration may invalidate it. This may invalidate your insurance.
Keep a registration valid by informing the council envhealth@cheltenham.gov.uk of:
 - Changes to byelaw activity including additions (i.e. a piercers decides to do tattooing). A variation from and fee is required see the website.
 - Personal address, email or phone number changes associated with personal or premises registrations. Where the amendment does not affect the certificate there is no fee.
 - A change to a personal or business name. A reduced fee see website.
 - When a registration is no longer required. (i.e. a personal registration associated with an old premises or when no longer practicing in the borough.

Always include your

- It is an offence to operate without being registered under the above Act.
- Failure to display either personal or premises registration certificates is contrary to section 16(9) of the above Act and conviction in a court carries a level 2 penalty of £500.
- Personal registrations may follow people to premises. A variation application needs to be made, and an admin fee paid when the certificate requires changing.
- Personal registrations can be valid at more than one premise. Inform the council of all the premises where your registration activities occur.
- A personal certificate will only be issued when associated with a registered premises.
- New premises registrations are required for new premises.
- Employees may operate under a personnel registration that is held by a business, or their own registration. (N.B. very few business hold a personnel registration, most hold the premises registration only).
- Self-employed persons need their own personal registration.
- Up-to-date registration forms and fees are found on our website:
<https://www.cheltenham.gov.uk/business-and-licensing/apply-or-renew-licences-and-permits/acupuncture-tattooing-piercing-electrolysis/>
- Replacement, reissuing and amendments to registration certificates (unless made by administration error) are chargeable, see website fees.
- Visits can be undertaken by a council officer, to commercial premises, at any time, to check compliance with the byelaws or a complaint made against a practice (including your aseptic technique) or to investigate health and safety concerns.

Typical Failing Areas

The following are typically seen and therefore ensuring compliance with the following can save you time and money.

General Structure

Byelaw 2 (1) (a) and (b)

-any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;

Wall Paint Cleanable

Please check that the wall paint is capable of being scrubbed. If paint comes off on the cloth when the wall is cleaned, then it isn't a suitable paint and the wall finish needs to be replaced with a bathroom or kitchen paint that is capable of being wiped and scrubbed when necessary.

CBC Byelaw 2(1)(a)

Doors

Many doors are unsealed preventing the door being cleaned effectively and therefore the risk of cross-contamination from hand contact points is increased. A sealed door reduces the risk of cross-contamination arising. Doors should be sealed and/or painted with an appropriate paint to ensure this (e.g., rubbed down to a smooth surface and gloss or kitchen and bathroom paint or varnish used).

To facilitate easy cleaning and when necessary, disinfection, it is a recommendation that push plates at hand contact points and any foot push points, are fitted.

CBC Byelaw 2(1)(a)

Floor - recommendations

A suitable floor coverings for Byelaw activities includes any floor that is sealed and is capable of being cleaned easily with detergent and when necessary disinfected. This would include lino or another hard wearing floor. Carpet is not a suitable floor covering for the byelaw activities (but is permissible for acupuncture who are allowed a short pile carpet). Where possible seal floor surfaces including at the floor wall junction in order to facilitate ease of cleaning and prevent dirt / bacterial harbourage points.

CBC Byelaw 2(3)(a)(b)

Hand Wash Basin

Byelaw - (i) suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent.

This is normally a hand wash basin plumbed into each dedicated treatment room, with hot and cold running water which is used solely by the operator. If you think you have a suitable and sufficient hand wash basin that is not plumbed in, in the room you are using, please contact us to demonstrate why before you start. Advisory visits are available please see website.

CBC Byelaw 3(1)(b)(iii)

Hygienic Hand Drying

The use of reusable cotton towels are not a hygienic method of hand drying. **Single use paper towels or a warm air dryer** need to be available.

CBC Byelaw 4(1)(b)(i)

For further information relating to infection control and hand hygiene, please see pages 16-17 of the "Tattooing and Body Piercing Guidance Toolkit": <http://www.cieh.org/workarea/showcontent.aspx?id=47704> .

Waste

(b) any waste material, or other litter arising from treatment is handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority.

Non-hand operable bin

A non-hand operable bin is required to reduce the risk of cross contamination occurring between clients. Swing and hand flip lid bins present a risk of infection through cross-contamination and must not be used. The lid on a swing/flip bin can be removed or fixed open, to prevent a hand contact point arising. Open bins increase the risk of aerosol contamination and/or odours arising, and an open top bin should be emptied regularly, at least daily, and ideally after each session.

*The Control of Substances Hazardous to Health Regulations 2002 regulation 7
CBC Byelaw 2(1)(b)*

For further information please see page 48 of the “Tattooing and Body Piercing Guidance Toolkit”: tattooing-and-body-piercing-guidance-toolkit-july-2013.pdf (cieh.org).

Sharps Bin - Standard

A sharps bin must meet the appropriate Standards BS7320 and UN 3291 and be labelled with the name, address and contact number of the business producing the waste, for traceability. They must not be filled more than $\frac{3}{4}$ full (it is recommended a spare sharps bin always be available) and ideally should not be moved. Sharps bins need to be located in place where they cannot be tampered with.

*The Control of Substances Hazardous to Health Regulations 2002 Regulation 7 & 8
CBC Byelaw 2(1)(b)*

For further information please see page 45 of the “Tattooing and Body Piercing Guidance Toolkit”: tattooing-and-body-piercing-guidance-toolkit-july-2013.pdf (cieh.org).

Waste - Duty of Care

A suitable waste contract must be in place for the removal of sharps bins and offensive waste and any contaminated waste (should it arise). A duty of care exists for all waste produced. Please note that contracts for waste are available for very infrequent collections and some pharmacies or your GP may be willing to take small quantities of sharps waste on your behalf. Evidence of such a contract e.g., waste transfer note, or invoice/s, written undertaking, should be **always available on site**.

CBC Byelaw 2 (1)(b)

Gloves

The right gloves help protect a wearer from blood borne infections such as Hepatitis.

Single use disposable gloves (some can be recycled) need to carry a CE or UKCA mark for legal conformity. Gloves specified as compliant to EN374-2 and/or EN374-5 specifically marked “VIRUS” and EN 16523-1 should be used. The different dash numbers on the EN standards demonstrate tests for; resistance to penetration, the resistance to micro-organisms including viruses and the protection against chemical permeation. Penetration/breakthrough times can vary and should be checked with the glove supplier.

Gloves marked with EN 455 represent gloves tested for freedom from holes and **do not** represent a standard for protection against blood borne infections. EN 455 are ‘exam gloves’ or ‘medical examination gloves’ under the Medical Device Directive 93/42/EEC (**MDD**) they **aim to protect the client not the user and are not suitable**. Use EN374-2/ EN374-3 gloves.

*The Control of Substances Regulations 2002 Regulation 7, 8
Personal Protective Equipment at Work Regulations 2002 Regulations 4, 6 & 7*

Cleaning

General

It is essential to know how to use the correct cleaning materials. Detergents/degreasers are required to clean areas which are dirty, greasy, or oily before disinfection takes place. Disinfectants are to be used on high-risk surfaces to kill bacteria after a detergent has been used (if/when applicable). If sanitisers are used, the area they are being applied to must already be visibly clean. The **manufacturer's instructions** with regards to **dilution rate** and **contact times** etc. must always be followed. For advice on the most appropriate materials for your needs, it is recommend you contact your supplier.

When substances are decanted, the decanted product must be labelled with at least the name of the product and any applicable hazard warning labels. Appropriate precautions must be undertaken when cleaning materials are used.

The Control of Substances Hazardous to Health Regulations 2002 Regulation 12

Guidance on cleaning can be found in the Toolkit see links below pages 26-27 and Appendix 8 & 11. <http://www.cieh.org/workarea/showcontent.aspx?id=47704> .

Decontamination and Sterilization

The misuse of autoclaves can result in serious infection risks that are unacceptable. Understanding how to clean, disinfect and sterilise items is key to the safety of you and your client.

Guidance on decontamination, disinfection and sterilization can be found in the Toolkit section 4 Part A page 30 – 34

[tattooing-and-body-piercing-guidance-toolkit-july-2013.pdf \(cieh.org\)](http://www.cieh.org/workarea/showcontent.aspx?id=47704)

Anaesthetics

There are currently no topical local anaesthetics licenced for use prior to semi-permanent skin colouring, piercing or other registration activities and you are therefore strongly advised not to use them.

For further information see page 14 of the "Tattooing and Body Piercing Guidance Toolkit": <http://www.cieh.org/workarea/showcontent.aspx?id=47704> .

No Eating or Drinking Sign

"No eating or drinking" sign/s within the treatment area are required. This aims to reduce the risk of infection from blood borne viruses. Ensure a sign is prominently displayed indicating such before activities start.

CBC Byelaws paragraph 2 (1) (g)

The Control of Substances Hazardous to Health Regulations 2002 Regulation 7

See British Acupuncture Council Code of Practice