



Press Release - The Department of Health and Social Care Response to the 2022 Select Committee Report on the Impact of Body Image on Mental and Physical Health

This important and awaited Government response was published on the 2nd February by the Department of Health and Social Care in response to recommendations set down by the Health and Social Care Select Committee last August. The JCCP presented written and oral evidence to the Committee in June, 2022 and called for a range of specific public protection measures to be put in place as soon as possible within the context of the Government's new proposed licensing system for non-surgical treatments in England. We are delighted that many of the JCCP's recommendations have been supported by the Government but note that more needs to be done to ensure public protection and patient safety for members of the public who elect to receive non-surgical procedures. The Government's response to Recommendations 15 – 21 have particular relevance to the aesthetics sector.

The JCCP welcomes the DHSC's commitment to 'taking forward work to introduce a licensing scheme for non-surgical cosmetic procedures in England' and its statement that it intends to 'agree the procedures in scope of the licensing scheme and communicate a plan for delivery by July 2023'. The Government however notes that 'the scale of the work required to inform the regulations and establish the scheme means that we will not be able to meet the timeline recommended by the Committee' (i.e., the full implementation of the license by this date).

We particularly welcome the fact that the Government says 'We encourage anyone considering a cosmetic procedure to take the time to find a reputable, insured and qualified practitioner, as well as reflect on the possible impact of the procedure on both their physical and mental health. Choosing a practitioner subject to statutory regulation or on a voluntary register accredited by the Professional Standards Authority provides assurance that they hold the requisite knowledge, qualifications and insurance to safely perform the procedures they are offering'.

We are also pleased to note that the Government has acknowledged that 'all cosmetic procedures have some risks. They can lead to serious complications if they're not performed correctly and can affect an individual's mental health if the results are not as expected'. 'We encourage anyone considering a cosmetic procedure to take the time to find a reputable, insured and qualified practitioner, as well as reflect on the possible impact of the procedure on both their physical and mental health'. The JCCP believes that further work is required to define the key standards that should inform safe and adequate assessment of risk. The importance of ensuring that procedures are conducted within safe and hygienic premises is also a key requirement for health protection. The DHSC acknowledges that 'There are currently no specific premises standards for beauty salons and non-CQC-registered premises providing non-surgical cosmetic procedures. We will consider whether specific premises standards are needed and what they should include. We also want to ensure that we do not duplicate inspection regimes. We will, therefore, continue to work with CQC to ensure that, if introduced, any



new premises standards operate consistently with regulatory frameworks already in place'. The JCCP remains firmly of the opinion that the DHSC should require all practitioners who provide non-surgical procedures that are included within the scope of the new license **must** provide evidence that they possess a premises license that is designed to meet the specific needs of the aesthetics sector.

The JCCP has long campaigned for the enforcement of a mandated minimum standard to be met in regard to the education and training of practitioners who perform non-surgical cosmetic procedures. We believe this is essential to ensure patient safety, and thus should be a central pillar of a future licensing regime. The JCCP was delighted therefore to note that this recommendation has been accepted: 'The government agrees that those who offer non-surgical cosmetic procedures to the public should be suitably trained and qualified. We recognise there is a need for nationally recognised standards covering the education, training and qualifications required for the administration of non-surgical cosmetic procedures. The Joint Council of Cosmetic Practitioners (JCCP) has already developed a competency framework covering high-risk non-surgical cosmetic procedures and there are a limited number of bodies currently able to offer training courses on non-surgical cosmetic procedures. This includes universities, colleges and private training companies. There are also a range of Ofqual-approved qualifications that are delivered by recognised Ofqual awarding bodies. We will work with JCCP and other relevant stakeholders to consider whether further education and training requirements are necessary'. The JCCP looks forward to contributing to this agenda.

The JCCP was disappointed to note that the Government has no plans to make dermal fillers 'Prescription only Devices'. We are of the opinion that further work **must** be transacted as a matter of urgency to identify alternative safeguards to ensure the safe manufacture, distribution, supply and administration of dermal fillers. We will continue to work with a range of pharma companies, pharmacies and the MHRA to consider alternative safeguards in both the supply chain and in terms of who should be entitled to administer such invasive procedures.

Finally, we draw attention to Recommendation 21 which sets out the Government's response to our calls for more robust and assertive regulation on advertising and social media. We appreciate and welcome the fact that 'The government has recently outlined plans to strengthen medical devices regulation, including extending CE mark recognition as part of transitioning to a future regime and the scope of regulations to capture certain non-medical products with similar risk profiles to medical devices – this includes dermal fillers'. However, in our opinion this falls short of what is required. We believe that all advertisements (across all media channels) should 'include the requirement to display a kitemark and a warning logo on any advertisement for treatments that fall within the licensing regime's scope'. This recommendation was not supported by the government. The JCCP will reinforce a requirement for this issue to be revisited as a matter of urgency.

The report can be accessed here: <https://www.gov.uk/government/publications/the-impact-of-body-image-on-mental-and-physical-health-government-response>

Prof. David Sines CBE, the Chair of the JCCP said: "We are delighted that many of the key issues raised in our representation to the Select Committee have been supported by the Department of Health and Social Care. The Government has advised that 'We will continue to work with relevant stakeholders to ensure consumers can make safe and informed choices about any cosmetic procedure they may choose to undergo'. The JCCP welcomes this offer and will commit to working closely with the Government and other relevant regulatory bodies during the forthcoming months to realise the key objective of embedding patient safety and public protection for members of the public who elect to engage with non-surgical procedures within the context of a robust, effective and 'fit for purpose' licensing scheme in England'.



The JCCP will continue to call for other additional measures to supplement the proposed licensing system:

- The need for extended powers to be given to the CQC to inspect all premises where invasive procedures that are included in the license are to be performed and to seek an assurance that the CQC will develop a memorandum of understanding with local authority licensing organisations to perform an integrated and enhanced scheme of regulation for aesthetics to avoid duplication for those healthcare professionals who are already registered with the CQC.
- To call for the implementation of a national register of approved qualifications and of approved education and training providers and request that Ofqual ensure that they only approve qualifications in the future that meet the new Government standard for education and training for the aesthetics sector.
- Seek greater controls on the manufacture, supply and administration of Dermal Fillers.
- The Minister to be requested to write to all Professional Regulatory Bodies who have responsibility for prescribing to seek assurance that they will enforce guidance to ensure that all prescribers do not perform remote prescribing in the aesthetics sector.
- To seek the design and implementation of a Government enforced system of annual data collection on types of aesthetic treatments, numbers of practitioners, premises, training courses and complications to inform the evidence base of a robust system of public protection in the UK.
- The legal enforcement of the requirement for **all** practitioners to have an appropriate level of medical indemnity insurance and to provide a transparent redress scheme for service users.
- National scrutiny and action to prevent the promotion through social media of unsafe, unethical and exaggerated messaging about products, education, training and aesthetic service provision.

NOTE TO EDITORS

1. The JCCP registers practitioners and training providers with the key remit of ensuring patient safety and public protection. It has been established to assist members of the public who are considering non-surgical treatments, such as injections, fillers, lasers, peels and hair restoration surgery. It offers advice on patient safety and how to gain access to registers of approved practitioners.
2. The JCCP practitioner register operates through the Professional Standards Authority which is accountable to Parliament. The JCCP is a UK registered Charity.



3. The JCCP published a 10-point plan in 2021 for Safer Regulation in the Aesthetic Sector, https://www.jccp.org.uk/ckfinder/userfiles/files/10_point_plan.pdf

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