

JCCP Statement

Joint Council for Cosmetic Practitioners (JCCP) – Publishes New Guidance on What Constitutes an Aesthetic ‘Medical’, ‘Medically-Related’ or ‘Cosmetic’ Procedure

The Joint Council for Cosmetic Practitioners (JCCP), was formally launched in February 2018 as a ‘self-regulating’ body for the non-surgical aesthetics and hair restoration sector in the United Kingdom and has achieved Professional Standards Authority (PSA) recognition and charitable status. The charitable status reflects the overarching not-for-profit mission of the JCCP which is to improve patient safety and public protection. The concept of the JCCP was envisioned by the Department of Health and was inspired by Health Education England on behalf of NHS England and the Department of Health.

The JCCP has been approached on many occasions to produce and disseminate guidance concerning the cosmetic or medical nature of non-surgical aesthetic procedures that are performed in the United Kingdom by a range of registered healthcare practitioners and non-registered beauty therapists. The JCCP is also mindful of a range of assumptions that have been made regarding these issues, which vary across a diverse range of stakeholders and for which no unifying protocol exists. The JCCP has therefore undertaken to make a purposeful evidence-based contribution to create both understanding and insight into the nature of aesthetic treatments in order to create a single, robust position which can apply to all practitioners undertaking any procedure within the non-surgical aesthetic sector.

The JCCP acknowledges that no primary or secondary legislation exists currently within the UK to define what constitutes whether a non-surgical aesthetic procedure is determined to be medical or cosmetic in nature and considers that the implications and risks associated with treatments performed that might be regarded as being purely cosmetic are little understood and have not benefitted from extensive discussion or purposeful debate. The understanding of what constitutes a ‘medical’, a ‘medically related’ and a ‘cosmetic’ treatment is not universally understood, despite attempts being made to define the concept of aesthetic ‘medical treatments’ on the basis of case law and legal opinion. For many regulators, procedures that are not viewed as being categorised as strictly medical are considered ‘purely cosmetic’, implying a lack of any meaningful health related component which may result in a tendency to understate the implications of treatment and its consequences. Further, this creates challenge for practitioners in aligning their practice with relevant regulation.

The recent Coronavirus pandemic and the associated Government Coronavirus restrictions legislation has led the JCCP to review our understanding of the fundamental nature of these treatments to enable practitioners to work

confidently within the confines of legislation. The JCCP published Covid-19 Return to Practice guidance throughout 2020 which explores the underpinning principles of aesthetic procedures that have a medical or health related component, underpinned by diagnosis, risk assessment and statement of need and outcome, yet which may not meet requirements for, for instance, CQC registration for the treatment of disease, disorder or injury. Such procedures have been termed 'medical' or 'medically related' by the JCCP.

The JCCP implemented a new Clinical Advisory Group (CAG) that will continue to work throughout 2021 to consider these matters with regard to the need to introduce a robust and effective system of governance, regulation and control within the sector. The CAG has been created to provide a cross-sector discussion and decision forum for public safety and effective evidence-based practice. The JCCP recognises that there are multiple 'voices' that could make a legitimate and valued contribution to this debate but the JCCP believes that there is an urgent need however to build consensus amongst the multiple interests that exist in the sector, focussed on the primary aims of patient safety and public protection in order to create a risk-managed regulatory environment for all practitioners.

The JCCP's Clinical Advisory Group has worked with representatives across the aesthetics industry to seek to better define what constitutes a 'medical', 'medically-related' or 'cosmetic' procedure with the aim of determining whether such procedures require evidence of a health-related benefit (physical and/or psychological, supported by a diagnosis and risk-assessed need, described within the context of an overall treatment plan). The result of this work has been to produce guidelines and a series of frequently asked questions that seek to narrow the gap in understanding within and across medical and non-medical, regulated and unregulated practitioner groups and their associated professional interest groups regarding operational definitions of what constitutes a 'medical', a 'medically-related' or 'cosmetic'; aesthetic treatment. The resultant CAG 'Definitions' paper and a range of associated and aligned Frequently Asked Questions' has now been approved by the CAG and has been shared with a range of key 'system regulators' prior to publication.

A copy of this may be viewed here – <https://www.jccp.org.uk/NewsEvent/what-constitutes-a-medical-medically-related-or-cosmetic-procedure>

A parallel aim has been to clarify and determine the need for the implementation of UK wide government policy that seeks to protect members of the public by introducing a risk-managed and proportionate system of regulation for the sector that is designed to enhance both public and stakeholder confidence in the aesthetic industry.

The JCCP therefore calls upon the UK Government to develop and implement primary and secondary legislation, supported by requisite operational measures and a Code of Practice to set standards that determine who can lawfully undertake and perform 'medical' or 'medically related' procedures in the UK and for the implementation of specific extended powers for Local Authority Enforcement Officers to enable them to deal immediately with non-compliant practitioners.

Professor David Sines CBE – Executive Chair – JCCP said,

"The JCCP has taken the opportunity presented by COVID 19 to take time out to think about the 'bigger picture' surrounding the future of the sector and to map out an overarching strategy and plan that can be used to inform and address the many issues relating to regulation, patient safety and education and training. The JCCP is committed enhancing and strengthening patient safety and public protection but acknowledges that at the present time what has

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been lacking is a clear, transparent and easily understood framework within which all stakeholders can engage and contribute to further defining what constitutes a 'medical', 'medically-related' or 'cosmetic' aesthetic treatments. I consider that further understanding of the benefits and risks associated with the administration of such procedures is required if we are to achieve sustainable system change and service improvement. It is in this context that the JCCP has published this definitions paper as a key contribution to the enhancement of patient safety and public protection within the aesthetics industry".

Dr Paul Charlson and Andrew Rankin – CAG Co-Chairs – said,

"We are delighted to announce the completion of this work which has important implications for the future of cosmetic practice and which we anticipate will have its place in informing high-level regulatory decisions. It has been satisfying to bring together diverse expert opinion and regulator overview to achieve agreement across the whole Clinical Advisory Group. We welcome this outcome both for its contribution to patient safety and in raising the profile of professional practice, and now look forward to continuing other projects with the same aims in mind. In particular further determination of dermal filler regulation, in line with the JCCP's Ten Point Plan (2021) recommendation, is an important challenge that deserves further scrutiny and attention".

17th May 2021

For more information please contact:

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Notes to Editors:

For general information and enquiries on the JCCP and a full version of the JCCP Guidelines on use of Social Media go to: www.jccp.org.uk

For further information on standards for non-surgical aesthetic treatments and hair restoration surgery please go to: www.cosmeticstandards.org.uk

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