



PRACTITIONER REGISTRANT BRIEFING DOCUMENT

May 2023

JCCP Governance and the Practitioner Register Committee

First may we wish all of our Registrants and partners a most enjoyable Summer. This has been a particularly busy period for the JCCP as we prepare for the anticipated DHSC consultation on procedures to be included in the new practitioner license for aesthetic practice in England, which is expected to commence during July/August this year. There have been many speculative comments regarding the new license and in this newsletter, we outline our perception on what to expect.

Update on Licensing in England

As a reminder the Health and Care Act introduces a new licensing system for all practitioners who provide a range of more invasive non-surgical cosmetic procedures such as the injection of toxins and fillers that prohibits any individual in England from carrying out specified cosmetic procedures unless they have a personal licence. It also prohibits any person from using or permitting the use of premises in England “for the carrying out of specified cosmetic procedures” unless they have a premises licence. The relevant Clause (180) included in the Act advises:

‘Licensing of cosmetic procedures:

The Secretary of State may, for the purposes of reducing the risk of harm to the health or safety of members of the public, make regulations: (a) prohibiting an individual in England from carrying out specified cosmetic procedures in the course of business, unless the person has a personal licence; (b) prohibiting a person from using or permitting the use of premises in England for the carrying out of specified cosmetic procedures in the course of business unless the person has a premises licence.

In this section –

- “cosmetic procedure” means a procedure, other than a surgical or dental procedure, that is or may be carried out for cosmetic purposes; and the reference to a procedure includes—
 - (a) - the injection of a substance;
 - (b) - the application of a substance that is capable of penetrating into or through the epidermis;
 - (c) - the insertion of needles into the skin;
 - (d) - the placing of threads under the skin;
 - (e) - the application of light, electricity, cold or heat;

- “licensed premises” means premises in respect of which a premises licence is in force;
- “personal licence” means a licence, granted by a specified local authority under the regulations, which authorises an individual to carry out a cosmetic procedure of a description specified in the licence;
- “premises licence” means a licence, granted by a specified local authority under the regulations, which authorises premises to be used for the carrying out of a cosmetic procedure of a description specified in the licence;
- “specified cosmetic procedure” means a cosmetic procedure of a description specified in the regulations;
- “specified local authority” means a local authority of a description specified in the regulations.

Before making regulations under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate. Schedule 19 makes further provision about regulations under this section (including provision for the imposition of fees, the creation of criminal offences and financial penalties). We wrote to the Secretary of State, Steve Barclay last October to advise of the need to enact a new licencing scheme for non-surgical cosmetic procedures to protect members of the public. We requested assurance that the Government should now action as a priority:

1. The design and implementation of a national licensing scheme for all premises where licenced procedures are conducted as well as practitioners of non-surgical cosmetic procedures to ensure that all those who practise invasive procedures are competent and safe for members of the public (as proposed in Paragraph/Clause 180 of the Health and Care Act, 2022).
2. A requirement for all practitioners to hold adequate medical insurance in order to provide non-surgical cosmetic procedures.
3. The development of official guidance on the training and qualification expectations for all practitioners, including knowledge and application of infection controls and first aid training.
4. The need to put an end to remote prescribing (including prohibiting the harmful practice of permitting prescribers to prescribe to third party practitioners without first ensuring that a face-to-face consultation has taken place between the prescriber and the patient).
5. The development of a system for the effective recording of adverse incidents and public awareness raising to ensure that all cases that go wrong can be tracked and improvements to safety made as a result. Members of the public need better tools and knowledge in order to protect themselves’.

The Parliamentary Under Secretary of State, Maria Caulfield replied to the JCCP on the 17th January, 2023 to advise that ‘I would like to assure you that the Government is committed to ensuring the improvement of safety standards for those who elect to receive non-surgical procedures. We have a duty to keep members of the public well informed to allow for safe decision-making. I welcome your support of the amendment to the Health and Care Act 2022 that gives the Secretary of State for Health and Social Care the power to introduce a licensing scheme for non-surgical cosmetic procedures. Departmental officials will work as quickly as possible to introduce the licensing scheme and will consider all the important areas. The licensing scheme will

ensure that practitioners offering specified procedures are appropriately trained and qualified, including on infection control and first aid, are operating from suitable premises and have adequate medical insurance in place. Officials will be establishing the standards needed to obtain each respective licence. The licensing scheme is intended to cover those procedures that are deemed to pose the greatest risk to public safety. We know this is a fast-moving sector, and officials will consider how best to future-proof the regulations so that new and emerging treatments are captured by the scheme’.

The next step in the process was the publication of the Government’s response to the Health and Social Care Committee’s ‘Report on the Impact of Body Image on Mental Health and Physical Health’ (published on the 2nd February, 2023). In that report the Government confirmed its intention to ‘taking forward work to introduce a licensing scheme for non-surgical cosmetic procedures in England’ and ‘to agree the procedures in scope of the licensing scheme and communicate a plan for delivery by July 2023’. The JCCP supports the Government in its decision to ensure that adequate time is taken to ensure the thorough, fair and equitable design of a robust system of licensing in England. In our opinion this will take up to a further two years to become fully operational and legally enforceable.

The Government’s response to the Select Committee also advised that ‘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’. 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 welcomes the statement of intent presented by the Government to work with the CQC to avoid duplication of inspection regimes/procedures for the aesthetics sector but is committed to ensure that members of the public are protected from any inadvertent consequence or fragmentation that might result in any practitioner not being held to account for their practice in accordance with the Government’s proposed licensing standards.

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 the JCCP and other relevant stakeholders to consider whether further education and training requirements are necessary'. The JCCP looks forward to contributing to this agenda discussion.

However, 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 and under which conditions.

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 UKCA 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'. In our opinion this falls short of what is required. The JCCP believes 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>

The JCCP in collaboration with its stakeholders submitted a comprehensive assessment of the scope of the licensing framework to DHSC at the end of March. We now await further advice from the Department of Health and Social Care to outline their timetable for the design and implementation of the long-awaited system of legally enforceable licensing for the sector in England. We will also continue our work with colleagues in the other UK countries (and their devolved Government Officers) to support the implementation of aligned systems of regulation. For the avoidance of doubt the JCCP remains confident that the implementation of the new licensing scheme has the full support of Government officials and calls upon all members of the aesthetic sector to commit to play their part in co-designing the framework and implementation process for the new license.

The JCCP has worked in collaboration with 'Aesthetics CPD' to produce a user friendly guide to licensing. The JCCP is pleased to offer its Registrants direct access to this video clip to assist you to keep up to date with industry developments. The following ['infographic'](#) outlines the most important factors to consider, along with some useful FAQ's. The [video](#) provides important insight into the journey and evolution of the proposed licensing framework. The JCCP recommends the above CPD accredited tools to its Registrants.

Partnership Agreements

Since our last newsletter the JCCP has successfully renegotiated Memoranda of Understanding with the GMC, the MHRA and with the Royal Society of Public Health. We also continue to work closely with the CPSA, The Chartered Institute for Environmental Health and with the NMC, GDC, GPhC, The British Beauty Council (BBC), BABTAC, and with Habia. The JCCP also works closely and collaboratively with the CQC and

Updated Premises Standards

The JCCP has worked with multiple stakeholders to update and revise the previous JCCP Premises Standards in preparation for the proposed licencing scheme for non-surgical cosmetics in England. The new Premises Standards may be viewed [here](#).

Whilst the JCCP cannot confirm that these premises standards will meet the requirements to be set out in the proposed DHSC licensing framework, we consider that they should provide a valuable tool for Registrants to assist them to prepare for the new premises license.

Education and Training standards

The JCCP continues to campaign for the implementation of a national register of approved qualifications and of approved education and training providers and believes that the PSA (The Professional Standards Authority) should be given extended powers to oversee registers of approved education and training providers and qualifications in the sector in addition to their current statutory function of overseeing practitioner registers. We also consider that Ofqual should be requested by the Government to ensure they only approve qualifications that meet the new Government standard for education and training for the aesthetics sector.

The JCCP's Education and Training Committee is aware that there is considerable variation in the approach that the cosmetic industry education and training providers take to promoting courses and the type of courses they offer students. The JCCP has therefore recently produced a 'good practice' guide to support education and training providers in the industry and those members of the aesthetic practitioner who seek to further develop their knowledge and skills and competencies.

The JCCP has developed this guide with the full knowledge that the Department of Health and Social Care is yet to determine whether a national mandated standard for education and training should be introduced in England for those practitioners who provide the more invasive nonsurgical cosmetic procedures.

The report on the impact of body image (July, 2021) on mental and physical health[1] recommends that there is a need for a minimum standard to be met in regard to the education and training of practitioners who perform non-surgical cosmetic procedures. It is essential to ensure patient safety, and thus should be a central pillar of a future licensing regime. This recommendation correlates and affirms recommendations of a similar nature made by the All-Party Parliamentary Group for Beauty, Aesthetics and Wellbeing (2021)[2] and also resonates with the principles contained in the Health and Care Act (2022)[3] that relate to the design and implementation of a licensing scheme for the aesthetic sector in England. This good practice guide in part supports achieving minimum standards in education and training for providers, and furthermore the competence of individuals thereof, and sets out the JCCP's expectations regarding ethical and accurate advertising of training courses in the sector. The guide also differentiates between pre-qualifying training courses (designed for practitioners to acquire the requisite knowledge and practice competencies to perform non-surgical procedures both safely and effectively) and short courses and CPPD courses. The Good Practice Guide may be viewed at [here](#).

Updated and Simplified Application Form for JCCP Approved Education and Training Provider Status.

The JCCP Education and Training Committee have reviewed and revised the JCCP Application Form for Approved Education and Training Providers. The Revised Education and Training Application Form may be viewed [here](#).

JCCP Fast Track Assessment Centre

In order to ensure that those operating in the industry are more accountable to members of the public with regards their 'fitness to practice' the JCCP has agreed that their registered healthcare practitioners should be able to evidence their compliance with the JCCP and CPSA published standards for practice, either by undertaking a JCCP approved qualification or by attending a JCCP approved **Fast Track Assessment Centre (FTA)**.

The JCCP agreed last year that practitioners can apply to register with **Learna's** new JCCP Fast Track Assessment (FTA) which has been specifically designed for aesthetic practitioners who are seeking to register with the JCCP. The new fast track assessment centre has been developed by online learning specialists, **Learna**, in collaboration with the Joint Council for Cosmetic Practitioners (JCCP), and will streamline the qualifications process, enabling more cosmetic practitioners to be eligible to join the JCCP Government PSA approved register. **Harley Academy** and **Cosmetic Courses** have also been approved this year to work in association with Learna to offer JCCP Fast Track Assessment Centres. The JCCP Fast Track Assessment Centre offers practitioners an alternative to more costly and time-consuming qualifications and is the only fast track assessment course of its kind on the market that is recognised by the JCCP, resulting in the award of a **formally recognised equivalent verification** standard that provides unconditional access to Part One of the PSA approved JCCP Practitioner Register. Details of the JCCP/Learna Fast Track Assessment Centre process and application details may be accessed via the following link:

<https://www.learna.ac.uk/courses/jccp>

Advertising and Social Media

The JCCP continues to witness a significant increase in the number of harmful complications arising from a range of procedures many of which have been the result of sub-standard treatment administered by inappropriately qualified and poorly trained practitioners. We are also continuing to see gross misrepresentation of the benefits of treatment, not least on social media and other online platforms.

We therefore work very closely with the Advertising Standards Authority and are contributing to the Government's 'Online Safety Bill' to seek to reduce the number of inaccurate, exaggerated and potentially harmful advertisements on social media postings regarding nonsurgical cosmetic procedures and the posting of advertisements that offer education and training to practitioners that do not meet the standards required to equip practitioners with the educational knowledge and competencies to enable to practise safely and proficiently.

The ASA continues to respond on a weekly basis to multiple complaints raised by the JCCP by publishing many new rulings that will affect both registered healthcare practitioners working in aesthetic practice and lay practitioners. All practitioners need to be aware of the rulings relating to the publication and advertising of medicines and devices, such as botulinum toxin and dermal fillers.

Adverse Incident Reporting

The JCCP advises all practitioners of their duty to raise concerns where they believe that patient/ public safety or care is being compromised by the practice of colleagues or the systems, policies and procedures in the organisations in which they work. They must also encourage and support a culture where staff can openly and safely raise concerns. By far the easiest way to report an adverse event is via the Yellow Card app, which is available to download from Google Play for Android or the Apple Store for iPhone. Reports can also be filed

via the Yellow Card website (<https://yellowcard.mhra.gov.uk>). ACE Group World encourages members to report adverse events or incidents by completing a form in the members' section of the website (<https://uk.acegroup.online/report-a-complication>) or via the app for iPhone users. ACE Group World reports to the MHRA on behalf of members. The JCCP has also called for the design and implementation of nationally agreed process for the reporting and analysis of complications and adverse incidents. The JCCP also reminds practitioners of their requirement to hold an appropriate level of medical indemnity insurance to provide a proper redress scheme for service users.

The JCCP published guidelines for the reporting of adverse incidents this year. This guidance statement acts as a reminder to all regulated healthcare cosmetic practitioners of their professional obligations in reporting adverse incidents. It also serves to highlight the ethical responsibility that unregulated practitioners have in doing the same. This statement concerns the reporting of both medicines and medical devices of all types that fall within the remit of the Medicines Healthcare products Regulatory Agency, and where facility is provided through its Yellow Card scheme to enable such reporting. The Statement may be viewed [here](#). The JCCP considers that an improved data set of adverse incidents will inform the ongoing development of regulations within the sector (including the design of the new proposed licensing standards and framework). We therefore encourage all practitioners to review this paper and to follow the guidance it provides.

Practitioner Register Matters

The JCCP and CPSA have recently updated their Code of Practice (2023). Important updates have been included in this revised document which all Registrants are requested to read and comply with as a condition of their registration with the JCCP. The Statement may be viewed [here](#).

We remind colleagues that JCCP has decided to continue to offer free membership to those persons who are insured with Hamilton Fraser for a further period of two years. All registered healthcare practitioners who have 'Professional Indemnity Insurance' with Hamilton Fraser will be offered the opportunity to 'opt in' join the JCCP Practitioner Register (subject to an agreed set of additional criteria). As such free membership of the JCCP will continue to be offered to Hamilton Fraser registrants at the point of their annual renewal.

We have also decided to amend our annual cycle of renewal of practitioner registration to a **bi-annual cycle**. We will introduce this change from the 1st of June 2023. In the future a few weeks prior to the anniversary of your initial joining date, a member of our registry team will email you to seek confirmation that you remain compliant with the following conditions:

- Appropriate insurance in place
- You continue to self-declare against the JCCP's statement (see below)
- You have a complaints policy in place.
- You currently have no professional fitness to practice matters pending or outstanding.

Every two years, we will ask you to provide us with additional confirmatory evidence to re-validate your membership of the JCCP. These requirements will not be any different to our current procedures. A copy of the JCCP's updated 'Terms and Conditions of Registration' document that relates to the Practitioner Register may be accessed [here](#). This document has been updated to reflect our move to a two-year renewal process and includes a new section on Registrant appeals.

These changes reflect our commitment to make more use of professional self-declaration as part of our risk-based approach to accessing and remaining on the register. It also represents a move towards a closer alignment with, and the avoidance of duplication of, the requirements of the professional statutory regulators.. Many of you will be familiar that such procedures and processes are deployed by professional statutory regulators, such as the GMC, GDC, NMC, HCPC and GPhC etc. A copy of the JCCP's updated Registrant Self-Declaration requirements may be accessed [here](#).

We also advise you that we have been requested by the Professional Standards Authority to obtain data from each registrant regarding Equality, Diversity and Inclusivity (EDI). This request has been asked of all PSA Accredited Registers. As such, we will be approaching you later in the summer with a request to complete a simple EDI questionnaire, which we trust you will complete and return by the requested date.

New JCCP Professional Policy Statements and Procedures

The JCCP has produced and published the following policies and guidance documents recently that all Registrants are requested note and follow in order to enhance both clinical effectiveness and public protection:

- **Safeguarding Guidelines:** These guidelines sit alongside the JCCP Code of Conduct 2023. They are designed to assist you to manage your practice in relation to safeguarding and adhere to the standards set out by any organisation that you are working for. These guidelines are designed to inform and enable adherence to standards of good practice within a sound ethical framework. It is important that you keep up to date with the statutory regulations pertaining to safeguarding in your part of the UK as there are different interpretations and processes across the individual home nations. These guidelines may be accessed at [here](#).
- **Statement on Professional Boundary Setting:** The JCCP and CPSA Code of Practice requires all Practitioners to ensure that they keep their clients emotionally and psychologically safe. Safe professional practice is underpinned by the principle of setting explicit boundaries which may be defined as agreed limits or rules which help to protect and safeguard both the client and the practitioner. They define a formal structure, purpose and standards for the administration of aesthetics procedures. Practitioners are responsible for setting up, monitoring and maintaining boundaries as part of their professional practice. Boundary setting requires practitioners to create a therapeutic relationship where the client feels safe and comfortable and free from both conscious and unconscious intimidation or exploitation. This statement may be accessed [here](#).
- **Statement on Bullying, Undermining and Harassment Guidance:** The JCCP views bullying and harassment to be completely unacceptable and is committed to ensuring that the JCCP culture and methods of operating are free from bullying or intimidating behaviour for its Members and employees. The JCCP acknowledges its responsibility to address all bullying and harassment issues. This document should be read in the JCCP's 'Raising Issues of Concern (Whistleblowing) policy (2023). This statement may be accessed [here](#).
- **JCCP 'Raising Issues of Concern (Whistleblowing) Policy:** The JCCP is committed to the highest standards of openness, probity and accountability. Accountability and transparency requires a mechanism that allows JCCP Registrant Members and Employees to voice concerns about breaches or failures in a reasonable and effective manner. This policy provides a procedure for JCCP Registrants and Employees to raise concerns about a perceived wrongdoing openly, confidentially or anonymously, where there is a public interest element. These guidelines may be accessed at [here](#).

- **JCCP Complaints Policy:** The JCCP has revised and updated its complaints policy, which now includes online reporting links on issues of concern to members of the public, practitioners and education and training providers. The policy also provides details how complaints can be made against JCCP as an organisation. (Insert link to JCCP's updated "Complaints Policy"). These policy may be accessed at [here](#).

Other Issues and Updates

1. JCCP Clinical Advisory Group (CAG)

The JCCP's well established Clinical Advisory Group (CAG) continues to meet regularly and includes engagement with the CQC, the MHRA, the British Beauty Council, BABTAC, The Chartered Institute for Environmental Health, Regulators, Global and national Pharma and pharmacy companies and other key stakeholders to consider and advise on matters that pertain to the design of a licencing scheme for the aesthetics sector in England. Whilst this group has no regulatory intent or remit it has provided the opportunity for eclectic debate and discussion to inform future deliberations on this subject.

We remind all of our registrants that the Clinical Advisory Group, after coordination with professional regulators and with MHRA, issued an updated prescribing guidance last year. The guidance can be found [here](#).

The Clinical Advisory Group produced a comprehensive pre-consultative document (March, 2023) in partnership, with many of our stakeholder colleagues that sought to inform the DHSC of the procedures that we all (on the basis of cross sector and multi-professional consensus) consider should be included in the proposed practitioner license in England. We also continue to work on the messaging required to ensure the appropriate and ethical supply of medicines, products, devices and machines. It is the JCCP's belief that members of the public should have access to the knowledge required to confirm that they are receiving safe and regulated products from designated and approved suppliers.

The JCCP Clinical Advisory Group also produced guidelines on the use of 'Cosmetic procedures: The supply of medicines to safeguard consumer health and wellbeing' - access to emergency medicines. This document has been produced to address a long-standing concern expressed by non-medical independent prescribers and other organisations, including the Joint Council of Cosmetic Practitioners. It relates to the challenges faced by non-medical independent prescribers as they strive find the balance between assuring the safety of their patients whilst working within the confines of current legislative restrictions when they are faced with urgent or emergency response scenarios emergency medicines which can be accessed [here](#).

Due to the importance of emotional and psychological impact the JCCP has produced guidelines on Patient Emotional and Psychological Safety (March 2023). This guidance document proposes actions that JCCP Registrants might seek to undertake to assure themselves that someone is not experiencing Body Dysmorphic Disorder (BDD) before they undertake treatment. The JCCP recognises that BDD forms a discreet aspect of the psychological wellness and morbidity spectrum, and practitioners should review this paper in that context. This document can be accessed via the following [here](#).

JCCP Corporate Membership Programme

The JCCP's Corporate Membership Programme continues to include a number of UK national Pharma Companies, Pharmacies, sk:n and a number of other stakeholders. Key activities relate to the role that Corporate Members can play with regard to raising awareness of the JCCP as an independent and not for

profit body, supporting and enhancing patient safety and best practice in the sector and researching and developing new policies and actions in relation to key medical issues linked to safe products, premises, training and practitioners.

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22nd May 2023



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