

Update September 2022

JCCP Governance and the Practitioner Register Committee

The JCCP has been functioning officially for four and a half years now. During this time the JCCP Board of Trustees, continue to oversee the Charity's work with the aim of enhancing public protection and patient safety. All Trustees are registered with the Charity Commission and Companies House.

The JCCP has successfully renewed its Memoranda of Understanding with the NMC, GMC, GDC, GPhC, The British Beauty Council (BBC) and now has signed Memoranda of understanding with the MHRA and with the Chartered Institute for Environmental Health (CIEH). There are now over 750 practitioners recorded on the JCCP Practitioner Register.

The Health and Care Act – 2022 – Update

The Health and Care Act came into force on 1 July, 2022. It will have a major impact across the NHS in England and will see the establishment of a new health and care infrastructure designed to create an environment of cooperation and collaboration between the NHS, local government and other partners. Several existing organisations are being abolished and a number of new organisations are being created. It is difficult to exaggerate the degree to which this complex piece of legislation will impact all our lives.

But alongside these national health reforms there are some less widely publicised clauses including one that will have a profound impact on the **non-surgical aesthetic sector**. The Act introduces a new licensing system for 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.



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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)’.

What next?

The scope and details of the proposed new licensing scheme for aesthetic procedures and the premises from which they work will be determined by Ministers following a period of engagement and public consultation. The consultation on which procedures are to be covered by the new licensing scheme is likely to begin in the early New Year but at the present time the DHSC has not published a timeline for this exercise. It is anticipated that a further consultation will then follow on the licensing of premises later in 2023.

The Joint Council for Cosmetic Procedures (JCCP) is working with its many partner organisations, including the Cosmetic Practice Standards Authority (CPSA), the Chartered Institute of Environmental Health and the British Beauty Council to support the design and promotion of new licensing schemes that are fair and equitable.



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It is most likely that the new licencing scheme will include those cosmetic treatments that are offered on the high street which can cause serious harm to individuals if not carried out correctly and in a safe environment. At present there is no consistent system of licensing or regulation in England and no legally required training or qualification requirements for practitioners offering these treatments.

The JCCP believes the scheme must at least cover injectable toxins, dermal fillers, vitamin infusions, platelet-rich plasma replacement therapy, cogs and threads, cyrolipolysis, sclerotherapy, invasive chemical peels, a range of laser and light procedures and hair restoration surgery. The JCCP is also aware that a range of potentially harmful and unlicensed 'products' and devices are also being administered as part of a number of cosmetic procedures. The JCCP is reviewing many of these devices, 'machines' and products and is advising the MHRA of the need to introduce rigorous controls regarding the importing, manufacture and supply of such products and devices.

In recent years we have witnessed a dramatic 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 seeing gross misrepresentation of the benefits of treatment, not least on social media and other online platforms. At the heart of the problem is a serious lack of independent information and advice for the public and the simple fact that this is an area that requires regulation.

We now need to make sure the new licensing schemes fully safeguard people who have invasive cosmetic treatments and that they introduce consistent standards – including hygiene and safety standards for premises – that individuals carrying out non-surgical cosmetic procedures will all have to meet.

The government has described this clause in the Health and Care Act as the next step on the road to effective regulation of non-surgical cosmetic procedures (and hair restoration surgery) in England. It follows other recent legislation making it illegal to administer such treatments to under 18s and banning adverts on all forms of media including social media, influencer advertising and traditional advertising for injectable toxin and filler cosmetic procedures which target under 18s. We are working tirelessly with the Advertising Standards Authority and 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.

Continuing journey

The proposed new licensing regimes are massive steps in the right direction but they are only part of the picture. The JCCP has published a ten-point plan that is necessary if we are to make the aesthetics sector as safe for patients as it can possibly be. The plan calls for:

- Statutory regulation to ensure that only practitioners who meet the required standards for safe and effective practice can practise legally.
- National, mandatory education and training standards for all practitioners in these fields.
- Clear, transparent information from service providers on risks, benefits, costs, qualifications, and insurance.
- A clear, legal definition of what constitutes a 'medical' procedure, a 'medically-related' service and a 'cosmetic' treatment.



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- Robust standards and regulation for the safe, ethical and professional prescribing of medications and preparations – i.e., to call for an end to remotised prescribing in the aesthetics sector.
- The need for the Government to make dermal fillers prescription only devices.
- Tighter controls on advertising and social media posts to prevent the promotion of unsafe, unethical and exaggerated messaging about products, education, training and service provision.
- A nationally agreed process for the reporting and analysis of complications and adverse incidents.
- A legal requirement that all cosmetic non-surgical and hair restoration surgical practitioners should hold an appropriate level of medical indemnity insurance to provide a proper redress scheme for service users.
- Nationally agreed standards for the licensing and regulation of premises and treatment procedures.
- A campaign to raise public awareness of the benefits and risks associated with non-surgical treatments and hair restoration surgery.
- The JCCP continues to work actively with the Mental Health Foundation to promote positive and effective messaging to consumers and practitioners, including responsible marketing and the appropriate and 'safe' use of social media/Apps that support and promote positive mental health and wellbeing.

JCCP Partnership Initiative Continues with Eligible Insurance Providers.

The 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). The JCCP wishes to stress that at no point will its rigorous registration standards of entry and requirement to provide supporting evidence will be compromised. As such free membership of the JCCP will continue to be offered to Hamilton Fraser registrants at the point of their annual renewal. The JCCP believes that by increasing the number of Registrants on its Practitioner Register, their confirmation to practise in accordance with both CPSA and JCCP standards will further assist us in meeting our aim of assuring public safety.

JCCP Education and Training Priorities

The education and the training of practitioners continues to be a major area of activity for the JCCP. The JCCP has identified the following priority areas for action:

- The importance of ensuring that education and training organisations provide appropriate education and training programmes and qualifications that enable practitioners to evidence that they are able to practise safely, effectively and proficiently in accordance with nationally agreed standards (once produced by the DHSC).
- Continuing to work closely with Ofqual and other national education and training regulators to create greater understanding of the problems and requirements for cosmetic education.
- Identifying and targeting those education and training providers who profess to offer qualifications and training programmes that do not reflect the standards to deliver safe and competent aesthetic treatments. This is a key JCCP campaign working alongside the Advertising Standards Authority (ASA) to respond to inaccurately or exaggerated claims promoted and advertised by some unregulated education and training organisations. Over 40 such companies have been reported to the ASA this year and are all subject to ongoing investigation. This remains a very active component of this campaign.



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The Scottish Government is continuing to review proposals for enhanced regulation for the aesthetics sector for a range of more invasive aesthetic treatments. The JCCP works closely with colleagues in Scotland to inform and support emergent regulatory proposals.

Other Issues and Updates

1 – Code of Conduct (2020)

Registrants are reminded that JCCP and CPSA published an updated Code of Conduct in May, 2020. JCCP Registrants are reminded of the importance of complying with the JCCP/CPSA Code of Conduct (May, 2020) at all times. The revised Code of Practice may be accessed via the following weblink: –

<https://www.jccp.org.uk/ckfinder/userfiles/files/Final%20JCCPCPSA%20Code%20of%20Practice%202020.pdf>

2 - JCCP Annual Report and Accounts 2021-2022

The JCCP published its Annual Report and Accounts in July, 2022 This document may be accessed via the following weblink: –

[https://www.jccp.org.uk/ckfinder/userfiles/files/Annual%20Report%202021%20JCCP%20Final%20copy%20V2%20PB%20Comments%20\(003\).pdf](https://www.jccp.org.uk/ckfinder/userfiles/files/Annual%20Report%202021%20JCCP%20Final%20copy%20V2%20PB%20Comments%20(003).pdf)

3 - JCCP Clinical Advisory Group (CAG)

The JCCP established a licensing advisory subgroup it's part of its CAG function. This group meets regularly and includes engagement with the CQC, the MHRA, the British Beauty Council The Chartered Institute for Environmental Health 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.

Last year the Clinical Advisory Group produced a 'definitions' paper that sought to define the differences between a 'medical', 'medically related' and purely 'cosmetic procedure'. A copy of the 'Definitions Paper' is available to view here

<https://www.jccp.org.uk/ckfinder/userfiles/files/Medical%20cosmetic%20definitions%20paper%20may%202021.pdf>

The JCCP is also working with the MHRA and the CPSA to seek a review of current reporting systems for adverse events/complications with the aim of seeking the introduction of a modified, accessible and comprehensive 'national complications reporting system'. The MHRA continues to advise the JCCP that adverse events in the cosmetic sector remain underreported. The JCCP will shortly issue guidance advising practitioners of the events that they should consider reporting. In the meantime, we would like to take this opportunity to remind our registrants of their professional obligation to report all adverse events occurring from the use of any medicine or medical device.

The Clinical Advisory Group, after coordination with professional regulators and with MHRA, recently issued an updated prescribing guidance. This guidance should be of interest to all practitioners working with prescription medicines, but particularly where the prescriber delegates the administration of a prescription medicine, such as a botulinum toxin. The guidance can be found at:

[PrescribingStatementRevisedFinal_ARcomments.pdf \(jccp.org.uk\)](https://www.jccp.org.uk/ckfinder/userfiles/files/PrescribingStatementRevisedFinal_ARcomments.pdf)

The Clinical Advisory Group continues 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.

4 - 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 Learnna'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, [Learnna](#), 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 Learnna 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.

What does it involve?

The new FTA results in the award of a formally recognised equivalent verification standard that equates to the JCCP Level 7 education and training standard for the injection of toxins and for the insertion of dermal fillers. The FTA consists of two components; a three-hour theoretical exam with questions testing practitioner knowledge, and a practical examination which tests the individuals' clinical skills and competence. This contrasts with some of the shortest PgCert courses, which take around 6 months to complete. Details of the JCCP/Learna Fast Track Assessment Centre process and application details may be accessed via the following link:

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

5 – JCCP Corporate Membership Programme

The JCCP established a new Corporate Membership Programme last year with a number of UK national Pharma Companies, Pharmacies 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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6 – JCCP Marketing and Communications

The JCCP has established a Marketing and Communications Committee to oversee a wide range of activities to inform practitioners, stakeholders and most importantly the general public about the risks associated with non-surgical procedures. In order to inform the general public, the JCCP launched a separate website earlier this year entitled JCCP & me <https://jccpandme.org.uk/>

We believe that our registrants have a major role to play in disseminating information and guidelines to members of the public regarding safe practice be it:

- Finding a safe and well qualified practitioner.
- Ensuring that the products used in your treatments are authentic and safe.
- Providing routes for redress if there is a problem with a treatment.

The JCCP working in association with you has the potential to reach multiple members of the public - we continue to welcome any ideas you may have in this area.

Professor David Sines PhD CBE
JCCP Executive Chair and Registrar

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info@jccp.org.uk