

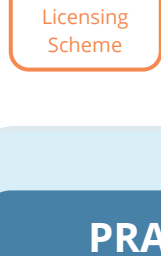


Regulation in the Non-Surgical Aesthetic Sector **LICENSING SCHEME FOR ENGLAND** AN UPDATE (MAY 2022)

Made in collaboration with the JCCP



WHAT IS THE LICENSING SCHEME?



The most recent and very important bit of regulation is the new **Licensing Scheme**, which is part of the **Health and Care Act 2022**.

This means that it is **part of the law** (i.e. once in force, this legislation will make it an offence to perform particular procedures without a licence)

PRACTITIONERS

The regulations will prohibit an individual in England from carrying out specified **cosmetic procedures** in the course of business, unless the person has a **personal licence**.



PREMISES

The regulations will prohibit 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**.



COSMETIC PROCEDURES COVERED



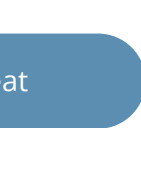
The application of a substance that is capable of penetrating into or through the epidermis

The insertion of needles into the skin



The injection of a substance

The placing of threads under the skin



The application of light, electricity, cold or heat



Botulinum Toxin



Threads



Dermal Fillers



Lasers



Skin Boosters



Microneedling

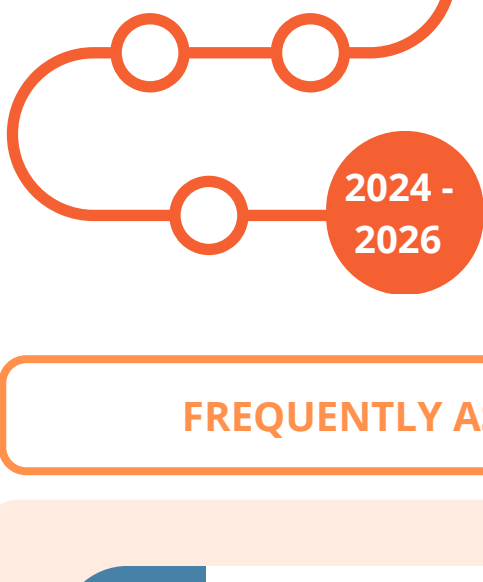
+ Others



Does NOT include Surgical or Dental Procedures

TIMELINES

In total this process could take **1-3 years** and so it may be **2024 to 2026** before we see the License scheme in action but in reality we have no definitive date



KEEP UP TO DATE BY FOLLOWING:



FREQUENTLY ASKED QUESTIONS

1

When will the new law come in regulating non-surgical cosmetic procedures?

We don't know yet is the simple answer. Recent statements from Ministers within the Department of Health and Social Care show that the Government definitely intends to introduce legislation. However, the timeline for this will not be published until July, 2023.

Can only health care regulated professionals such as Doctors, Nurses, Dentists, Allied Health professionals etc. be allowed to offer non-surgical cosmetic/aesthetic procedures?

No. Clinically trained and non-health care trained professionals can currently offer non-surgical cosmetic/aesthetic procedures. However, we consider that all practitioners offering such procedures should be trained to an agreed national standard. We know however, that this is sometimes not the case. A key aim of the new licence will be to correct this public safety issue by requiring all practitioners who perform the specified non-surgical cosmetic procedures that are included in the new licence to provide evidence that they meet a new, and yet to be defined, minimum standard of training, education and skill competences.

3

Will practitioner medical insurance be mandatory?

Yes. Whilst the details of the licence are still to be decided, we understand that the Government's intention is to make it mandatory for practitioners to have some level of insurance and to provide members of the public with access to a formal complaints and redress scheme.

As a practitioner, what is going to change in terms of what I can and can't do?

We need to wait for the drafting of the licence to learn exactly what will be included within the licence and what level of training will be required. However, we expect that, from a date yet to be agreed:

- 1) Practitioners who perform procedures within the scope of the new licence will have to demonstrate that they possess a nationally determined standard of knowledge and skill to perform those procedures safely and effectively.
- 2) Practitioners will be required to work from premises that meet a national standard in health protection and infection control which will be determined by local authority environmental health officers.

Other standards are also expected to be included in the licence around issues of product supply, storage of products and medicines, prescribing practice, complaints procedures, insurance and the information given to clients by practitioners

5

How will practitioners be able to apply to obtain a licence?

Practitioners and premises owners will be able to apply for a licence via their local authority as soon as the licensing scheme is announced.

How much will a licence cost and will this be a one-off cost or annual?

The cost and frequency of the licence has not yet been decided.

7

Will practitioners have to be inspected to obtain (and renew) a licence?

Yes. The intention is that practitioners and premises will have to be inspected and checked against certain nationally agreed and enforceable standards prior to obtaining a licence.

Can I be prevented from working / operating if I fail a licence inspection?

Yes. As with existing licensing schemes, failure to meet the requirements and standards of the licence can lead to practitioners being prevented from operating. The exact details of the sanctions that will be applied to those practitioners who fail to meet the required standards set down for the new licence have yet to be legally determined.

9

Can I be prevented from practising if I do not possess the correct qualifications or training?

Yes. In the future it is anticipated that when the new licence is enforced in England that legal sanctions will be imposed by local Environmental Health Officers. Whilst the exact level and content of the national mandated standard is yet to be determined, the intention is that only practitioners who meet an agreed standard will be able to carry out those procedures that are defined as being within the scope of the new licence.

What qualifications will practitioners need to possess to perform non-surgical cosmetic procedures?

This will be determined following extensive consultation between the Government and stakeholders.

11

Are there any courses that I can attend now that will guarantee that I will have the qualifications to obtain a licence?

No. This will be determined after the extensive consultation between the Government and stakeholders. Therefore it is very important to stay mindful of course providers claiming they will provide training to make you "License-ready" or the equivalent.

