

Consultation for the Tattoo Hygiene Rating Scheme

Licensing Committee

Date: 22nd November 2018

Author:	Licensing Manager
Wards:	All
Locality Affected:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To consider a Tattoo Hygiene Rating Scheme.

2. Recommendations

The Committee is recommended to:

- 2.1 Agree to a period of consultation with the public and relevant organisations on the proposed Code of Conduct for the Tattoo Hygiene Rating Scheme.
- 2.2 For the results of the consultation exercise to be brought back to a future Committee.
- 2.3 Agree to the proposed fees for the scheme

3. Detail

- 3.1 The Tattoo Hygiene Rating Scheme is a hygiene ratings scheme originally introduced in Wales. It is now being rolled out by councils across England.
- 3.2 Tattoo businesses are being rated on how hygienic they are under a new voluntary scheme designed to drive up standards.
- 3.3 Tattooing has become increasingly popular in recent years, particularly among young adults and adolescents. It is becoming more popular with males and females alike.
- 3.4 The Local Government (Miscellaneous Provision) Act 1982 enables local authorities in England and Wales to adopt powers to control tattooing by requiring persons undertaking these activities as a business to register with the local authority and comply with by-laws. This legislation is enforced by unitary and district councils.

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- 3.5 The potential health risks arising from tattooing are well documented and include:
- Infection risk from normal bacterial 'flora' of the skin. The majority of such infections are localised but they can result in secondary infections like cellulitis, sepsis, abscess, endocarditis, and gangrene.
 - Infection from exposure to blood borne viruses, particularly Hepatitis B and C, from equipment if it is not sterilised correctly
 - Allergic reactions from the materials used in some of the dyes and inks.
- 3.6 Benefits from implementing the scheme would be:
- Inform the public about the hygiene standards in the premises at the time of the most recent inspection.
 - Drive up standards and adoption of best practice across the industry for example requiring documentary proof that the person wishing to be tattooed is 18 years old and above.
 - Reduce the risk of incidents of infection and transmission of infectious diseases from tattooing procedures
- 3.7 Participating premises will be allocated a rating from 1 (Improvement Needed) to 4 (Very Good) following an Environmental Health inspection. That rating can be displayed on-line and in the premises in certificate form and on the window of the premises in the form of a window sticker (similar to that used in the Food Hygiene Rating System).
- 3.8 The scheme is a voluntary scheme. Across Swindon there are 54 registered premises offering tattooing.
- 3.9 The scheme will be coordinated the Licensing Authority will undertake the inspections of participating businesses and promote the scheme within agreed guidelines.
- 3.10 All premises offering tattooing within Local Authority administrative area are eligible to apply to participate in the THRS.
- 3.11 Application to join the scheme constitutes acceptance of the Rules of the Scheme.
- 3.12 The scheme would be voluntary and it is proposed that the following charges will apply:
- £100: initial rating visit
- £50: visit following request to re-rate
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£100: annual rating visit

- 3.13 This is based on officer time carrying out the visit and the associated follow up administration.
- 3.14 The proposed rules of the scheme can be found at appendix A.
- 3.15 Irrespective of any other services offered by the premises the THRS shall apply to the tattooing procedure only.
- 3.16 Tattooing premises will be rated by the inspecting officer in accordance with the rating scheme following a programmed or initial inspection carried out under the Local Government (Miscellaneous Provisions) Act 1982.
- 3.17 Should the inspecting officer find at the initial inspection that remedial works or action is required, the rating may be deferred. The operator will then be given time to take actions as required. The premises shall be rated upon completion of the works

4. Request for re-rating

- 4.1 The purpose of the THRS is to raise standards within the tattoo sector. Operators may therefore wish to improve their THR by carrying out such works as may be necessary to progress up the ratings. Local authorities should encourage progression. Requests for re-ratings should not be accepted for 3 months after the programmed Local Government (Miscellaneous Provisions) Act 1982 inspection has been carried out – in effect operators should have to ‘live with’ the rating they are awarded for a period of time before they can be re-rated.

Operators will not be keen to carry out such works or demonstrate embedded practices as may be required to progress through the ratings if they will be required to wait until their programmed inspection to be re-rated, therefore where works have been carried out local authorities should accede where possible to requests to re-rate the premises, subject to 3 months having elapsed since the last programmed inspection and rating visit.

- 4.2 Where premises are re-rated a new THRS Certificate and Window sticker should be awarded and websites amended.
- 4.3 Where a premises has been re-rated the ‘new’ rating will last only until the next programmed inspection at which point the rating will be reviewed in accordance with the scheme.
- 4.4 If a request for re-rating is made and the local authority does not have the capacity or resources to carry out a re-rating visit the operator should be advised accordingly. If, in the view of the local authority the period between the request for re-rating and the next programmed inspection is sufficiently short

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the request should be denied and the operator advised that the rating will be considered at the time of the next programmed inspection.

- 4.5 Local authorities are asked where possible to accede to request for re-rating to encourage improvements in standards and maintain tattoo premises operators' confidence in the scheme.
- 4.6 It is proposed that the licensing authority would implement their own fee for re-rating inspections and have calculated that £50 should be applied as a re-rate fee to cover the costs of an Officer revisiting the premises and carrying out a secondary inspection.

5. Alternative Options

- 5.1 The Council could continue with its existing controls. However, these will not help to drive up standards further or provide information about hygiene standards to the public.

6. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 6.1 There are no direct financial implications arising from the report. Any small costs incurred in association with this consultation will be covered by licensing budgets.

Legal and Human Rights Implications

- 6.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with Convention Rights. The Council is required to comply with the statutory provisions referred to in the report. All other legal and human rights implications have been considered in the preparation of this report.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 6.3 There are no other implications

Diversity Impact Assessment

- 6.4 A DIA has been completed and is available on request

7. Consultees

- 7.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

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8. Background Papers

8.1 None

9. Appendices

9.1 Appendix A – CIEH Guidance for Local Authorities

Appendix B – Proposed Rules of the Scheme

Appendix C – Proposed Consultation Letter to Businesses

Appendix D – Proposed Questionnaire

Appendix E – FAQs sheet for Businesses

Appendix F – THRS Rating Schedule