

NOTTINGHAMSHIRE COUNTY COUNCIL ACT 1985 (PART IV)

GUIDANCE NOTES FOR ESTABLISHMENTS THAT UNDERTAKE LASER AND INTENSE PULSED LIGHT TREATMENTS

There are a number of treatments licensed under the Nottinghamshire County Council Act. The term 'establishment for massage or special treatment' means any premises used for or represented as being or intended to be used for the reception or treatment of persons requiring:

- i. massage; or
- ii. electric treatment or radiant heat, light or electric vapour treatment or sauna or other baths for therapeutic treatment; or
- iii. other similar treatment.

The term 'light' includes the use of lasers and intense pulsed light.

In the past the Care Standards Act controlled all premises carrying out laser treatment including beauty salons. However, since October 2010 this has changed. The use of lasers (and intense pulsed light) in beauty salons and tattoo studios is now enforced by Local Authorities. These guidance notes have been drafted to cover Class 3B and 4 lasers and intense pulse light treatments. These are to help Nottinghamshire businesses apply for a licence under the Nottinghamshire County Council Act 1985 (Part IV).

LASERS AND INTENSE PULSED LIGHT.

Class 3B lasers are concentrated energy sources used in physiotherapy, acupuncture, wound healing and softening scar tissue.

Class 4 lasers and intense pulsed light sources can be used for dental treatment and in the removal of hair, tattoos, birthmarks or other blemishes on the skin.

These type of lasers and intense pulsed light sources are powerful devices, which if faulty or incorrectly used can have the potential to cause serious injury to those operating them and the recipients of the treatment.

When using these devices for treatments you need to:

- have clear lines of responsibility,
- clear policies and procedures on the use and maintenance of the devices, including effective record keeping,
- undergo specialised training and learning including maintaining and updating an effective core of knowledge about the use and impact of lasers and intense pulsed lights,
- have a safe working environment.

DOCUMENTATION

All records of laser use must be in a hard copy format. Even though the business may keep electronic records, there still needs to be a hard copy kept. This should be bound and the pages should be sequentially numbered. The serial number and laser/IPL details should be recorded at the front of the record.

A treatment protocol document produced (or approved) and signed by an Expert Medical Practitioner (EMP) must be followed in accordance with the licence conditions.

You also need to draw up a set of local rules for the use of the Laser. These need to be written by either the Laser Protection Supervisor (LPS) or a Laser Protection Advisor (LPA). Where local rules are written by the LPS, they must be approved by a LPA.

LASER PROTECTION ADVISER

A Laser Protection Advisor and a Laser Protection Supervisor need to be appointed. The Laser Protection Advisor needs to hold a current Certificate of Competence and/or hold a valid certificate of competence from a recognising assessing body (these include RPA 2000, Association of Laser Safety Professionals and the Public Health England).

LASER PROTECTION SUPERVISOR

The Laser Protection Supervisor may be the practitioner responsible for the use of the laser or intense pulsed light equipment or a member of staff or manager closely involved in the work.

PREMISES.

Within the premises appropriately assessed and implemented fire safety procedures should be in place. This should include readily accessible fire extinguishers in date and sealed. These need to be appropriate for the equipment used. No reflective surfaces in the room where the laser/IPL is to be used or if there are, these need to be suitably covered. Approved blinds will need to be placed at the windows in the treatment room.

Protective eyewear must be worn in the laser treatment room and the minimum specification must be referred to in the local rules.

WHAT TO DO NOW.

Once you have implemented the requirements above, you must complete the application form for the premises and for each practitioner ('Authorised User') involved in providing treatments and return it to the enforcing authority. You will also need to submit copies of the Treatment Protocol (s); Local Rules; Register of Authorised User (s); certificates & photographs for each Authorised User; a plan of the premises showing the location of the laser/IPL equipment and detailed room plan; and a copy of your public liability insurance.

This will generate an inspection of the premises where all policies and procedures will be reviewed.

Your licence certificate will be granted once the inspecting officer is satisfied that the requirements of the conditions are met; and will state what treatments are allowed at the premises. The licence and the conditions should be available to view at the premises at all times.

FUTURE ACTION.

After your licence has been issued, you will need to inform the enforcing authority if you:

- wish to vary the equipment which you are using at the premises,
- have a different Laser Protection Advisor,
- wish to transfer the licence,
- want to vary the local rules which you are using at the premises
- want to treat children under the age of 18 (only allowed in exceptional circumstances)

You also need to ensure that you apply for a renewal of your licence **each year**.

EXEMPTIONS Please refer to the **Nottinghamshire County Council Act 1985 Section 17.**

FEES

Fees must be paid before the application will be considered and include the laser licence fee plus a massage and special treatment licence fee. In the event of the application being refused, the fees are **not** refundable. The current fees can be found on the Council's website at: www.gedling.gov.uk or by contacting Customer Services on Tel: 0115 9013971