



All-Party Parliamentary Group on Beauty, Aesthetics and Wellbeing

Minutes of Meeting

Inquiry session into non-surgical cosmetic procedures

Session Three: Regulation and Enforcement: Part 1 – Registration of Practitioners

Date: Wednesday 16th September 2020

Time: 15:00 – 16:00

Location: Zoom

Members Present:

- Carolyn Harris MP, APPG Co-Chair
- Judith Cummins MP, APPG Co-Chair
- Peter Dowd MP, APPG Treasurer

Witnesses:

- Christine Braithwaite – Director of Standards and Policy, Professional Standards Authority
- Emma Davies – Clinical Director, Save Face
- Maxine Hopley – Trustee, Association of Cosmetic Practitioners Britain
- Caroline Larissey – Director Quality and Standards, NHBF
- Christine Mozzamdar – Hospital Director, Transform Hospital Group
- David Sines – Chair, Joint Council for Cosmetic Practitioners

Audience:

- Katherine Morgan, APPG Secretariat
- Louise Abraham, APPG Secretariat
- Victoria McNish, APPG Secretariat
- Allaster Gair, APPG Secretariat
- Ffion Price
- Jo Lloyd, Office of Carolyn Harris MP
- Claire Pearsall, Office of Caroline Nokes MP
- Freddie Creed
- Mithara Kalurachchi

Carolyn Harris MP welcomed everyone to the session. She gave details of the session's length and introduced the panellists.

Carolyn Harris MP concluded the introductions and invited Christine Braithwaite to speak.

Christine Braithwaite introduced herself and the Professional Standards Authority. She explained that the PSA work with 26 registers, 2 of which are non-surgical. On voluntary registers, Christine drew upon the registers of the JCCP and Save Face. Christine explained



that the two registers are slightly different, with the JCCP encompassing non-medical practitioners, whereas the Save Face register only allows medical professionals to register with them.

On the matter of mandatory registers, Christine told the group that the PSA are undecided. She stated that they have a programme of 'Right Touch regulation' which can assess occupations and she suggested that this framework could be applied to assess whether there is a need for a mandatory register.

Christine also observed that Scotland is already considering revisions to their registration system, and that Wales may also do so under new legislation. She then stressed that current frameworks, there are 3 areas that can be subject to regulation — person, place and product.

Christine also suggested that mandatory registers do help to drive up standards — though this is contingent on those within the industry to 'buy in' to the new standards put into place as part of the registration.

Carolyn Harris MP thanked Caroline for her contribution and welcomed **Emma Davies** to speak.

Emma explained that her contribution will look at the benefits of voluntary, as opposed to statutory, registration.

Emma noted that voluntary registers, as a result of being voluntary, are required to provide value for money. Emma explained that a voluntary register does not mean that the thoroughness of the registration process is compromised, nor is accreditation compromised. Emma also added that many of those using the register report the accessibility of it as a benefit.

Emma added to her remarks that on the benefit of voluntary registers by observing that voluntary registers are public-focussed and the cost to the taxpayers is nothing.

On the subject of mandatory registers, Emma said that should a mandatory register be introduced, it would be important to maintain competition. Emma also added that mandatory registers should all be PSA registered. Emma noted that the matter of who would fund or implement a mandatory register ought to be considered.

Carolyn Harris MP thanked Emma and invited **Maxine Hopley** to speak.

Maxine introduced herself, explaining that she is the founder of Cosmetic Couture training academy, which trains non-medics in beauty therapy and a trustee of the Association of Cosmetic Practitioners of Britain. Maxine observed that registers often pivot around medics and medical training, which is insufficient as there are many entry points into beauty. Maxine suggested that if these various entry points were considered under a mandatory registration, it would be helpful.

Maxine explained that the ACPB has launched an inspectorate and certification body to provide an independent 3rd party auditing body for the industry. The audit would require an online self-assessment list (based on CPSA and CQC) and then a covid-19 related assessment.

Maxine also stated that the lack of mandatory legislation requires addressing.



Carolyn Harris MP thanked Maxine for her contribution and invited **Caroline Larrisey** to speak.

Caroline noted that there is a plethora of registers that exist, for which criteria is different from register to register. Caroline also explained that registration fees vary significantly, from £0 to £100 and so do the benefits they offer.

Caroline said that the NHBF has always promoted voluntary registers. She questioned if there is a need for a mandatory registration scheme, and suggested it would be too expensive and that there is little added incentive if you are already registered.

Caroline explained that should a mandatory register be the preferred choice, the NHBF would prefer that a singular government-run register, which would reduce confusion and reduce cost. They also would suggest that; it comes at no cost to beauty practitioners, should be accessed via a government website and should be clear about what it covers i.e. if it covers injectables.

Caroline explained that in the interests of fair commercial competition — voluntary schemes should be allowed to continue. But these should be open to medical and non-medics.

Further to this, Caroline noted that the NHBF calls for all salons to be licensed, as they believe this to be more effective than licensing individuals as it increases owner accountability and helps to mitigate the risk entailed by the high-staff turnover in the industry, as most are self employed. A salon license should cover premises inspection, premises control, first aid and infection control etc.

Caroline noted that licensing requirements currently vary from LA to LA. Caroline calls for a rigorously enforced consistent standard. Caroline encouraged cooperation between the industries and a sharing of good practices.

Carolyn Harris MP thanked Caroline for her contribution and welcomed **Christine Mozzamdar** to speak.

Christine explained that she is from the Transform Hospital Group— which is regulated by the CQC, HIW and HIS.

Christine stated that a regulated environment is required, alongside regulated practice, training and environments. She observed that the CQC already has a framework in place that could be of use.

Christine stressed the importance of transparency and consistency in the industry and believes that training providers require regulation. Transform also suggest that the LGA 2003 be amended immediately to legally require providers to register with LAs like piercing parlours — this would increase visibility. Christine explained that premises are at the forefront of safety and that a mandatory register of premises would help deliver this.

Christine also addressed the need for regulation of non-surgical activity. Christine stated that 'non-surgical' procedures are still medical procedures, and proposed that these are not to be made available to anyone under 18. Christine says that there is a need for oversight and registration of premises, practitioners and the services they offer. This provides safeguards, visibility, and safe environments for practitioners as well as for patients.

Carolyn Harris MP thanks Christine for her contribution and invited **David Sines** to speak.



David explained he chaired the HEE panel that provided a series of recommendations following the Keogh Review in 2013.

David addressed the question of how to bring synergy to a dissident and challenged sector with no cohesive approach to standards setting. HEE were of the mind that the first stage of mandatory registration needed to be based on ensuring sufficient education and training of those in the industry. This education and training should be open to all people. They should be risk assessed. David observed that these recommendations have not been undertaken in the way they should have been.

David explained that education and training should be mandated and enforceable, and should be regulated by organisations like OFQUAL. David observed that this is the first gateway.

David then explained his second point, which is that premises should require regulation. David's third point was that standards ought to be established regarding insurance.

David explained that the JCCP believes that we should be moving towards statutory legislation, but acknowledged that this will take time. It will also require movement on products such as dermal fillers, education and standards and a reassessment of the role of LAs.

David closed by noting that a voluntary registration process will never work — suggesting that there is no incentive for people to join. A statutory register must be introduced and it must be universal and PSA accredited.

Carolyn Harris MP thanked David for his contribution and moved to questions.

Carolyn Harris MP first asks **David Sines** why there has been such little change since the HEE's recommendations.

David explained that when the recommendations for mandatory legislation were taken to the Department of Health in 2015, they fell short of convincing the government on the matter of affordability and enforceability of the register. He also noted that there were reservations about the potential cost to the sector and the loss of the economy of the industry. David suggested that these issues could be worked through now.

Carolyn Harris MP observed that the landscape is a 'wild west' and that it is surprising that we do not have a grip on the issue of transgressions. She also noted the variety of providers and accredited courses that range in price and questioned why this has not been standardised.

Carolyn Harris MP then asked why it would be beneficial for salons to be registered, rather than practitioners.

Caroline Larrisey explained that the NHBF are pro-qualifications and training of practitioners. On the matter of salon registration, Caroline explained that salons have more investment, covering those employed within it and also encompass the fact that many owners are also practitioners. Caroline also suggested that it is good for accountability and responsibility.

Caroline also noted that LA's are not appropriately equipped to deal with the current scheme of registration and proposed that a salon licensing scheme would help to challenge those difficulties.

Emma Davies, explained that some treatments are high risk, and unless beauty aestheticians are qualified to manage risks immediately, they should not be performing them.



Carolyn Harris MP raised the point that some medical practitioners are also capable of transgressive practices.

Emma Davies noted that those who are medical professionals are not above any one person in morals and ethics.

Maxine Hopley added that those in the beauty industry who are practitioners registered with ACPB are also able to access training, support and clinical supervision and ongoing support from them.

Carolyn Harris MP asked who regulates the ACPB's practices and standards.

Maxine Hopley explained the ACPB's standards and practices and that they are compliant with CQC guidance. Maxine observed that it would be useful to have a regulatory body to oversee them.

Judith Cummins MP noted that the sector is fragmented and could require central registration to protect the consumer. Judith observed the need for the industry to pull together around cohesive standards. Judith explained that the writing is on the wall regarding a need for legislation and that these sessions are useful for helping to find the best possible kind of legislation required by the industry.

Carolyn Harris MP noted that we need to rethink the level where we medics and non-medics can practice. Carolyn suggested botox as the 'cut off' point — anything after this level of treatment ought to be 'medic only'.

Christine Braithwaite explained that the PSA ensures that those who are carrying out treatments are accountable and responsible. Christine added that future legislation must make clear who is responsible for managing new products that come into the market and are aware of their risks. Christine asked if a beauty practitioner can do this and whether a personal license would be more suitable here for establishing who is responsible for managing new products?

Christine Mozzamder added that the current register is unsuitable because it is voluntary. Christine explained that if premises are regulated and registered, peripatetic practice is not going to happen. Christine also explained that having a single point of reference that customers and patients could utilise would be a crucial part of any statutory change.

Carolyn Harris MP agreed that there is a need for a singular point of reference. Something akin to a kite mark that is recognisable to the public.

Carolyn Harris MP asked **Maxine Hopley** where the cut-off point for what level of training a register should cover should be.

Maxine Hopley replied that from her perspective, the cut-off point should be level 5, including both dermal fillers and botox.

Carolyn Harris MP asked **Maxine Hopley** whether she believes that beauty practitioners should be permitted to give injectables.

Maxine Hopley explained that practitioners already are, and to change that would be to exclude practitioners. Maxine expressed that the HEE framework was something she favoured.



Emma Davies added that the conversation of a cut-off point has been long-running. Emma explained that we first need to work on the creation of a mandatory single register before we focus on the content of it. How a register will be enforced and policed is an important consideration before we consider which practices need to be policed.

David Sines referred to the work of HEE. He suggested that in the absence of a national coordinating body, we just have a mess, where it is beauty against healthcare, doctors against physios etc - all of which puts the public on the back foot. David proposed that we have one set of standards, and draw a line at level 5.

Christine Mozzamder added that the presence of a Nurse prescriber for independent practitioners and that the provision of treatments such as fillers, POM's, conducted with a nurse or qualified medical professional's onsite supervision should be the only exception under which beauty practitioners deliver these.

Christine Braithwaite explained that drawing a cut-off point would not be in the PSA's experts and deferred to recommendations of the HEE and David and Emma's views.

Caroline Larrisey explained that traditionally, level 1 - 3 treatments are what you would find in a typical beauty salon. Level 4 is considered advanced beauty treatments, which you may find in a mainstream salon. Level 5 plus is an aesthetic treatment and a bar is drawn there between beauty treatments and aesthetic treatment. Caroline explained that the NHBF have documents outlining this. Caroline explained the need for a progression route, of which there is currently a lack of when looking at mandatory legislation. Caroline expressed the view that someone should be able to become an accredited level 7 practitioner. Caroline explained that this is considered a postgraduate level of training.

David Sines added that it is important to note that this does not mean you must hold a postgraduate degree, explaining that it is an assessment of skills building.

Carolyn Harris MP thanked the panellists for their contributions and asked if they have anything further they would like to add.

Carolyn Harris MP thanked everyone in attendance once again and closed the meeting.