



Llywodraeth Cymru
Welsh Government

Special Procedures Mandatory Licensing Scheme

Guidance for Applicants for a Special Procedure Licence and Licence Holders:

Tattooing (including Semi-Permanent Make-up)

January 2025

Guidance

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Chapter 1

How to use this guidance

1.1 Purpose of this guidance

This Welsh Government Special Procedures Mandatory Licensing Scheme guidance provides information on:

- the requirements of the licensing scheme,
- the application process for a special procedure licence,
- how to comply with the licence conditions, and
- explains the enforcement powers available to local authorities.

This guidance is specifically for those individuals who perform or intend to perform tattooing (including semi-permanent make-up) which is defined in the Public Health (Wales) Act 2017 as:

“The insertion into punctures made in an individual’s skin, or mucous membrane, of any colouring material designed to leave a semi-permanent or permanent mark (including micropigmentation). The definition of tattooing includes all forms of semi-permanent makeup, including microblading”.

This guidance is intended for use by:

- Persons wishing to apply for a special procedure licence.
- Persons wishing to apply for a temporary special procedure licence.
- Licence holders and temporary licence holders.
- Local authority officers.

The aim of this guidance is to support compliance with the following legislation:

- **Part 4** and **Schedule 3** of the **Public Health (Wales) Act 2017**.
- **The Special Procedure Licences (Wales) Regulations 2024**.
- **The Special Procedures Approved Premises and Vehicles (Wales) Regulations 2024**.
- **The Special Procedures Exempted Individuals (Wales) Regulations 2024**.
- **The Special Procedures Licensing Committees (Wales) Regulations 2024**.
- **The Prescribed Objects for Body Piercing (Special Procedures) (Wales) Regulations 2024**.

Public Health Wales has produced a useful document to support compliance with the licensing scheme in Wales from an infection prevention and control perspective and can be read in conjunction with this guidance. **The Public Health Wales Infection Prevention and Control (IP&C) Guidance for Special Procedures in Wales** provides technical information on infection prevention and control and practical advice on how these measures can be applied to special procedures.

Chapter 2

Background

The Public Health (Wales) Act 2017 (“the Act”) received Royal Assent in July 2017. Part 4 and Schedule 3 of the Act (which came into force on 29 November 2024) sets out the legal framework for the introduction of a special procedures mandatory licensing scheme in Wales.

“Special procedures” are non-surgical aesthetic or therapeutic procedures, involving the perforation of tissue, skin, or mucous membrane and insertion of needles, jewellery, objects or permanent/semi-permanent ink or pigments, are capable of causing harm to human health and are defined in the Act as: acupuncture (which includes dry needling), body piercing, electrolysis, and tattooing (which includes semi-permanent make-up).

Adverse health effects associated with special procedures are well documented and continue to be reported. Poor hygiene practices result in bloodborne viral infection and bacterial skin infections, some of which result in sepsis and allergic reactions. These human health impacts were exacerbated by an inadequate regulatory framework.

Previous legislative controls, via a registration scheme with local authorities, proved to be ineffective in ensuring a consistent approach by special procedure practitioners in Wales to operating safe working practises and applying infection prevention and control measures. Additionally, local authority enforcement across Wales was inconsistent. Therefore, the need for a national mandatory licensing scheme that applies common national licensing criteria and conditions to ensure a common enforcement approach throughout Wales, and which ensures that good standards of hygiene and infection control are applied to all licence holders was abundantly clear.

On 29th November 2024, the following regulations came into force to enable the implementation of the licensing scheme under Part 4 and Schedule 3 of the Act:

- **The Special Procedure Licences (Wales) Regulations 2024.**
- **The Special Procedures Approved Premises and Vehicles (Wales) Regulations 2024.**
- **The Special Procedures Exempted Individuals (Wales) Regulations 2024.**
- **The Special Procedures Licensing Committees (Wales) Regulations 2024.**
- **The Prescribed Objects for Body Piercing (Special Procedures) (Wales) Regulations 2024.**

At the same time, **statutory guidance** was issued under section 66 of the Act in relation to:

- The assessment of a person’s fitness to perform a special procedure in Wales.

This non-statutory guidance helps to support licence holders in complying with the requirements of the licensing scheme and enables local authority officers to adopt a consistent approach to the operation and enforcement of this legislation.

Chapter 3

How to apply for a Special Procedure Licence

The application and appeals process outlined below applies to both a special procedure licence and a temporary special procedure licence. At the end of this chapter there is a section specifically on additional information for temporary special procedure licences.

3.1 Do I need a special procedure licence?

If you wish to perform acupuncture (including dry needling), body piercing (including ear piercing), electrolysis or tattooing (including semi-permanent make-up) on another person in Wales, you will need a special procedure licence if:

- you are not exempt (see [Annex 1](#))
- you are performing the special procedure(s) in the course of a business
- you are an apprentice or trainee receiving ‘on the job’ training
- you perform a special procedure and have been designated by the local authority under section 61 of the Act as requiring a licence.

You can apply for either:

- A special procedure licence which is valid for 3 years, or
- A temporary special procedure licence which is valid for not more than 7 days.

The requirement to have a special procedure licence under section 61 of the Act is intended to apply to people who operate from their homes, practise on friends or persons not for any charge where the local authority has concerns that the special procedure presents or could present significant risk of harm to human health.

If you live outside Wales but wish to perform a special procedure in Wales you will need to apply to the Welsh local authority for the area in which you will be conducting the majority of your work. You will not be required to apply to more than one local authority in Wales.

Your special procedure licence, when issued, will enable you to operate throughout Wales as long as the approved premises/vehicles are identified on your licence. Your licence will remain valid for three years, after which time you will have to apply for a renewal.

If a temporary special procedure licence is applied for, then it will be limited to a specific event and/or timeframe of not more than 7 days. In the case of time-limited licences, a new application has to be made for each separate event.

3.2 Before applying

- Complete and pass the regulated **Level 2 Infection Prevention and Control Award** for special procedure practitioners;
- Get a basic disclosure certificate issued by the Disclosure and Barring Service. This must be no more than three months old from the date of issue. Overseas applicants will need to get an overseas criminal record certificate;
- Get a copy of documents that verify your identity and date of birth e.g. passport or driving licence;
- Get a recent colour passport type photo of yourself;
- Organise your insurance policy, ensure it is up to date and covers:
 - the special procedures that you perform and the place/s you will be working from;
 - OR ensure that you are included within your employer's policy;
 - OR ensure that you are included in the policy that covers the premises/business you work at;
- Be aware that the insurance cover does not have to be in place at the time of the application but applicants are required to sign a declaration in the application form that they will obtain valid insurance cover in respect of the special procedure(s) they intend to perform. If insurance has been obtained it can be submitted with the application form;
- Ensure that you have sufficient funds to pay for the application fee, and
- Familiarise yourself with the application form, it contains detailed guidance notes on how to complete the application.

3.3 The application

- You must apply for a special procedure licence to the local authority where you work, OR where you do most of your work if you work in more than one local authority area.
- You can apply online via your local authority website or complete a paper copy.
- Complete all the application form using the guidance notes and checklist in the form. Section 3.5 of the application form asks about your 'work status':
 - 'fixed site basis' means you only work from one approved premises,
 - 'mobile basis' means you work from one approved vehicle but different locations,
 - 'peripatetic basis' means you work from more than one approved premises and/or vehicle, and
 - 'temporary basis' means you work for no more than 7 days.
- Include copies of all documents identified in Part 6 of the application form.

- Submit the application form, relevant documents, and fee to the local authority where you work or where you undertake most of your work.
- Your local authority will send an acknowledgement of your application. You should then wait to receive further instructions.

3.4 While the application is being reviewed

- Your local authority may ask for more information on certain aspects of your application. It is recommended that you provide this information as soon as possible.
- A local authority officer will then contact you to make an appointment to visit you at your place of work to undertake the application interview.
- Before the interview, make sure you have read the section below 'Preparing for an application interview'.
- At the end of the interview the officer will discuss any further actions that are required to be rectified before your application can be approved.
- The local authority officer will advise you what happens next.

3.5 Preparing for an application interview

As part of the application process, the applicant is required to pass an application interview.

An officer from the local authority will undertake the interview at your place of work. You will be asked questions on the following topics:

- infection control and first aid in the context of the special procedure you intend performing,
- your duties as a licence holder under **Part 4 of the Act**,
- the mandatory licensing conditions, and
- the implications of non-compliance with the mandatory licensing conditions.

This interview is a practical demonstration of your knowledge. For example, you should be prepared to explain to the local authority officer how you set up your workstation, how you clean and maintain your instruments and equipment and when you should wash your hands.

For more information on the types of questions that you may be asked, you can refer to **Annex 2** 'Preparing for an application interview'.

You may also find it useful to refer to the **Public Health Wales IP&C Guidance** document which gives more detailed information on infection prevention and control and the principles behind these measures.

3.6 If your application is granted

You will be sent an A4 paper licence and a photocard licence. These will have a serial number unique to you. You will also be sent conditions that are attached to your licence which you are expected to comply with.

Your name and the details of your special procedure licence will be published on the **National Special Procedures Register for Wales**.

Your special procedure licence will be valid for three years from the date of issue.

Ensure that:

- You display the A4 paper licence in a place in your premises where clients can see it.
- Make sure you have the photocard licence with you if you work in other settings.
- Your licence will be valid anywhere in Wales but you must work from a premises or vehicle that has been approved for the procedure you are licensed to perform AND that is named on your licence.
- If you want to add a premises or vehicle to your licence, you have to submit an application to **vary your licence** so that the premises/vehicle is named on your licence.

3.7 If you are told your application cannot proceed

- The local authority will advise you what you need to do to continue with the application.
- Once you have completed the local authority's requirements, they will proceed with granting your licence.
- Where you have an unspent conviction for a relevant offence, the local authority is required to consider **Statutory Guidance produced by the Welsh Ministers**. This guidance outlines factors that must be taken into account when the local authority decides whether or not to grant the licence.
- The local authority will tell you what happens next.

3.8 If your application is refused

- The local authority has to tell you in writing the reasons why they are going to refuse your application.
- You can then ask for the refusal to be considered by the local authority's licensing committee, or you can choose to appeal directly to the magistrates' court. You can take advice from your own legal representatives to assist you with this process.
- You will have the right to make representations for yourself to the local authority's licensing committee as to why you think the licence should be approved. This can be either orally or in writing. In the case of oral representation, you have the right to represent yourself or have someone represent you.

- If the licensing committee reviews the evidence and concludes that your licence should be granted, your application will be approved and you will be granted a licence.
- If the licensing committee reviews the evidence and concludes that the licence should be refused, they have to tell you the reasons why they are going to refuse your application.
- If you do not agree with the licensing committee's decision, you can appeal to the magistrates' court. The local authority will tell you how you can do this.

3.9 Appeals process (through the courts)

If you make representations to the local authority (as above) and are unsuccessful, you can appeal to the magistrates' court if you think the local authority's decision to refuse your application is wrong. The magistrates' court will make a decision as to whether the appeal can proceed or not.

If you wish to proceed with an appeal you may wish to seek your own legal representation to advise on making an appeal, documents to be submitted and paying the court fee.

Attend the magistrates' court hearing of the appeal.

If you win the appeal, the local authority will continue with your application where it was left off. Winning an appeal at an early stage of the application process does not exempt you from following the rest of the application process.

If the magistrates' court decides that the refusal should stand and you lose the appeal, they will tell you why.

If you disagree with their decision, you may have grounds to make a final appeal to the Crown Court, but this will involve making a further application for an appeal, submitting documents and paying a fee to the court.

If you win a Crown Court appeal, your application will resume at the point in the application process it was refused. If you lose a Crown Court appeal, the refusal decision will stand as there is no further appeals route available unless the circumstances that led to the refusal change.

Chapter 4

How to vary or renew your special procedure licence

4.1 How to vary your special procedure licence

- A licence holder may wish to vary the details of their licence. This can be done by applying to the local authority who issued your current special procedure licence.
- Details of how to apply for a variation to your licence will be available on your local authority's website.
- You will need to complete an application form which will ask for details of the changes you are requesting, and you will need to submit the completed application form with a fee for that variation.
- While reviewing an application for variation the local authority may ask for more information on certain aspects of the variation. It is recommended that you provide this information as soon as possible.

Variations could include:

- Adding or removing a special procedure to the licence.
- Adding or removing an approved premises or vehicle to your licence.
- A change to the licence holder's name e.g. a change of name after marriage.

Variations do not include:

- Transferring the licence from the licence holder to another individual.
- Extending the period of the licence.

The granting and refusal of a variation application and the appeals process for a variation application follow the same process outlined above for a special procedure licence.

4.2 How to renew your special procedure licence

A licence holder is required to renew their licence every three years.

- It is recommended that you apply to have your licence renewed in advance of your licence expiring.
- You should apply for renewal to the local authority who issued your current licence.
- Details of how to apply for your licence to be renewed will be available on the local authority's website.
- An application to renew will involve completing an application form and providing any relevant documentation the local authority may request (this will be similar to your original application for a special procedure licence).
- You will then need to submit the application form with the renewal fee.

If your licence expires while you are waiting for the local authority to make a decision to renew your licence, your current licence will not be considered expired.

The local authority will only be able to renew your licence where the premises/vehicle identified in your licence has been inspected and approved in line with the Special Procedures Approved Premises and Vehicles (Wales) Regulations 2024. Please refer to the **Premises and Vehicles guidance**.

The granting and refusal of a renewal application and the appeals process for a renewal application follow the same process outlined above for a special procedure licence.

Chapter 5

Temporary special procedure licences

If you do not routinely operate in Wales or you choose only to perform special procedures on an infrequent basis for 7 days or less in one visit you can apply for a temporary special procedure licence. A temporary special procedure licence can be valid from one day to up to seven days.

Examples of where a temporary special procedure licence can be used include:

- doing a 'guest spot' at an approved premises (or vehicle)
- performing special procedure(s) at an industry/trade event or convention
- undertaking special procedure(s) at a festival (music, arts or community).

If you intend operating in Wales more frequently over a three-year period you may find it more cost effective to apply for a three-year special procedure licence.

5.1 Important points for temporary special procedure licence applicants

When applying for a temporary special procedure licence you must apply to the local authority at least 28 working days before the date you intend to begin performing the special procedure.

It is recommended that you make early contact with the local authority for an informal discussion on the details of your application.

Where applicants live outside Wales, local authorities may arrange to undertake the application interview via a communications platform or telephone.

If you are applying from outside Wales, the regulated Level 2 Infection Prevention and Control Award you are required to complete and pass is available online. The local authority will be able to provide you with details of acceptable online courses.

Chapter 6

Mandatory licensing conditions: general conditions

As a licence holder (LH) or temporary licence holder performing tattooing/semi-permanent make-up you are required to comply with the ‘Mandatory Licensing Conditions: general conditions’ which apply to all four designated special procedures as well as the ‘Mandatory Licensing Conditions: tattooing’.

The following two sections outline each licensing condition as written in the Special Procedure Licences (Wales) Regulations 2024 and provide a short explanation on how you can comply with each condition.

There are a number of general conditions which will not apply to those LHs who only operate a single-use policy.

Licence holders may also find it useful to refer to the [Public Health Wales IP&C Guidance](#) document which gives more detailed information on infection prevention and control and the principles behind these measures.

Reference: Regulation 7(3) of The Special Procedure Licences (Wales) Regulations 2024 (conditions set out in Schedule 3)

1. General Conditions

Condition 1 places 4 general requirements on the licence holder (LH):

(1) The licence holder may only perform a special procedure that they are licensed to perform in the approved premises or vehicle specified on their licence (unless exceptions apply).

How to comply – You are only permitted to perform the special procedure that you have a licence for, and you must only perform this procedure in the approved premises/vehicles identified on your licence.

Exceptions – [Annex 1](#) of this guidance sets out the strict conditions under which members of specified professions are exempted from the requirement to be licenced, and which of the procedures they may perform under that exemption.

There is also an **exemption** for specific premises and vehicles which do not need to be approved by a local authority to allow special procedures to be performed within them – this exemption applies only to premises/vehicles that are regulated by Health Inspectorate Wales. The only other exception including premises and vehicles which do not need to be approved by the local authority relates to a client's dwelling place (home), and this only applies for the performance of acupuncture subject to the practitioner holding a valid licence. Further details on premises/vehicle exemptions are set out in Annex 1 of the **guidance document** related to premises and vehicles.

In relation to the performance of tattooing and semi-permanent make-up procedures there are **no other exceptions** from the requirement for a practitioner to be licenced, or the requirement for a premises/vehicle to be approved.

(2) The licence holder may not perform the special procedure in, or in any part of, an approved premises or an approved vehicle, if there is, or is likely to be, a risk of harm to human health.

How to comply – Examples of 'harm to human health' could include:

- The hot water system is not working.
- The water supply has been cut off.
- The premises is flooded.
- Blocked drainage has resulted in possible sewage contamination.
- Disrepair to the special procedures work area is likely to prevent effective cleaning of the workstation.

(3) The licence holder may only perform the special procedure in such a way that minimises the risk of harm to human health.

How to comply – The licence holder (LH) should perform the special procedure safely and hygienically in accordance with the conditions of the licence. In this way the risk of harm to human health is minimised.

(4) The licence holder must carry out activities in connection with performing the special procedure in a way that does not contradict the approval certificate (including the mandatory approval conditions) issued in relation to the premises or vehicle identified in the special procedure licence.

How to comply – The LH must pay due regard to the requirements and conditions of the premises/vehicle approval certificate when undertaking activities in connection with performing the special procedure. For example, if the certificate holder (CH) has provided cleaning and sterilisation equipment for use of all LHs operating from that approved premises, the LH should use the equipment as instructed by the CH and in line with the conditions of the approval certificate.

2. Matters Relating to the Licence

Condition 2 relates to the licence itself and some specific actions required by the LH.

It comprises of 6 parts:

(1) The licence holder must ensure that Part 1 or Part 2 of their special procedure licence is displayed in a position that enables it to be easily read by clients and members of the public.

How to comply – The photocard or A4 paper copy licence must be displayed so that clients and members of the public can easily read its details.

For example, the A4 paper copy licence could be displayed on the wall in the reception area of the approved premises, or the special procedures work area, or the LH may wish to wear the photocard licence during the working day. The point is that clients and members of the public can see that the LH has a special procedure licence.

(2) A copy of the applicable mandatory licensing conditions must be readily available upon request by an authorised officer or client.

How to comply – This copy can either be a hard copy or a copy easily retrievable on the computer, iPad or similar mobile device. The point is that a local authority officer or client can read the conditions upon request.

(3) The special procedure licence must not be altered in any way and must remain legible.

How to comply – The special procedure licence is in two parts: the photocard and the A4 paper copy. Both parts must not be changed or amended and must be easy to read.

This is the responsibility of the LH even if it is altered by a third party or becomes illegible through no fault of their own.

(4) In the event of the special procedure licence becoming mislaid, stolen or damaged, the licence holder must apply, within a reasonable period, to obtain a replacement from the issuing local authority.

How to comply – The special procedure licence is in two parts: the photocard and the A4 paper copy. Therefore, if either of these are mislaid, stolen or damaged, the LH must get a replacement from the local authority.

A “reasonable period” would be determined by the circumstances the photocard or A4 paper copy licence became mislaid, stolen or damaged. This time period may vary but it would be considered reasonable for the LH to request a replacement immediately they become aware that the licence has been mislaid, stolen or damaged.

(5) If the licence holder is convicted of a relevant offence during the licence period, the licence holder must immediately notify the issuing local authority of the conviction. This notification must be in writing and must include the date of the conviction, details of the relevant offence, sentence or penalty imposed (including the duration of any sentence) and any other information that the issuing local authority may reasonably require.

How to comply – You are **only** required to notify the local authority if the conviction is for a relevant offence, that is an offence:

- under **Part 4** (special procedures) or **Part 5** (intimate piercing) of the Public Health (Wales) Act 2017, or
- involves violence, is of a sexual nature, or relates to sexual material or images,
- involves tattooing a child under the age of 18,
- relates to health and safety at work or involves a failure to comply with the licensing scheme or special procedure regulations.

This is unlikely to include convictions for a speeding offence or drink-driving for example.

“Immediately” means ‘without delay’ and therefore requires you to notify the local authority who issued your licence as soon as you have been convicted.

“In writing” can include e-mail or letter (sent by post or hand delivered to the local authority). You are advised to keep a copy of this correspondence.

The local authority may require more details about the conviction of the relevant offence – you must provide this information.

(6) On the expiry of the special procedure licence, the expired licence must be returned to the issuing local authority in accordance with the instructions provided by that authority.

How to comply – This can be returned by post, be hand delivered or given directly to the local authority officer.

You are advised to keep a copy of the correspondence accompanying the licence you return to the local authority.

3. The Client and Client Consultation

Condition 3 is made up of 7 parts and focuses on the requirements for the client consultation and aftercare process.

The Licence Holder can refer to Annex 3, 4 and 6 which contain a template client consultation form, declaration form, guidance on managing client consultation and a template aftercare leaflet.

(1) The licence holder must not undertake a special procedure on a client if they suspect the client is not fit and well.

How to comply – The LH should assure themselves that the client feels well enough to have the procedure. For example, the client may feel ‘off colour’ or perhaps not their usual self (if a regular client). It may be obvious that the client is unwell if they have a fever or cough/cold, equally a client may not have any specific physical or mental symptoms and just doesn’t feel up to having the special procedure. The LH is prioritising the health of their client and can reschedule the appointment.

(2) The licence holder must not perform a special procedure on an individual who is or appears to be intoxicated, whether by virtue of drink, drugs or by any other means.

How to comply – The client consultation form should include a signed declaration from the client that they are not intoxicated. If LH suspects that the client is intoxicated or is not convinced by the signed declaration that the client has provided, the special procedure should not be performed at that time.

Some features of intoxication include:

- Depressant drug and alcohol signs which include lack of co-ordination, loss of inhibition, distinct smell, slurred speech, drowsiness.
- Signs of stimulant drugs use might be recognised by widened pupils, dry mouth, more alert and energetic and gurning.

(3) The licence holder must undertake a consultation with the client and, where the licence holder considers it appropriate, with the parent or legal guardian of the client, before performing the special procedure. This consultation must be by way of a written client consultation form which must include the following:

- (a) full name of client,
- (b) a statement confirming that the licence holder has verified the client’s age,
- (c) contact details of the client,
- (d) a full explanation of the process, risks and contraindications of the special procedure,
- (e) an explanation of the social impacts of a special procedure performed on the client’s face or neck (if applicable),

- (f) a relevant medical history of the client, including significant or relevant health conditions such as heart disease, epilepsy, diabetes, conditions that compromise immunity, allergies, pregnancy and details of prescribed medication including anticoagulants,
- (g) a record of whether a client has applied a topical anaesthetic to themselves prior to the special procedure (and if so, confirmation that the licence holder is satisfied the topical anaesthetic is approved and authorised by the Medicines and Healthcare Products Regulatory Agency), and
- (h) an explanation of the aftercare advice for the special procedure being performed.

How to comply – The LH can use the template form provided in **Annex 3** or adapt this template to meet the needs of their business. If the LH uses their own form or adapts the template form, they must be assured that it includes as a minimum all the information required in subsection (3) above.

The client can complete the form in advance of receiving the special procedure, but the LH must review the completed form with the client and assure themselves that the client has had time to discuss any concerns they have before the procedure is performed.

The client can also complete the form in the presence of the LH who is readily available to answer queries, or the form can be completed by the LH under the direction of the client (e.g. where the client is unable to read or write).

The LH should verify the age of the client and declare this in the client consultation form.

Contact details should include a telephone number and ideally an e-mail address for the client.

The LH must explain how the special procedure is performed, potential risks associated with infection, allergies, and common contraindications. The template client consultation form will help steer this conversation.

Where a client is having a tattoo on their face or neck, the LH has to advise the client of the potential social impact of this decision. Ultimately, this is the decision of the client, however, the client needs to be aware that their decision could impact their employment opportunities, for example.

The LH should be prepared to answer any questions the client has.

- (4) The completed client consultation form must be signed by the licence holder and countersigned by the client, or where the licence holder considers it appropriate, the parent or legal guardian of the client.

How to comply – Signatures can either be electronic or manual and should be accompanied by the date of signing. The parent or legal guardian should be prepared to provide documentary evidence of the relationship with the client if requested by the LH.

(5) Where any contraindications are identified during the client consultation, the licence holder must not perform the special procedure unless the licence holder is satisfied that the special procedure can still be performed safely. If the licence holder has any concerns regarding the health of the client, the licence holder must not perform the special procedure until they are in receipt of medical advice or approval from the client's GP or medical consultant. A copy of this information must be included in the licence holder's written records in relation to the client.

How to comply – Where contraindications are identified the LH can refer to the 'Managing Client Consultation' protocol (see [Annex 4](#)) and talk in more detail with the client.

Where the LH has any doubts regarding the client's condition and the potential health impact, they should not carry out the procedure, and provide the reasons in writing to the client. The client should be advised that, should they wish to have the procedure, they will need to seek advice from their GP (this might be a GP* within the NHS medical practice with which the client is registered or a private GP*) or medical consultant* and provide this in writing.

The template in [Annex 5](#) can be used for this purpose.

The practitioner should ensure that any advice provided by the GP/medical consultant should be copied and kept on file.

* **PLEASE NOTE:** NHS GPs, private GPs or medical consultants are not obliged to provide written advice of this kind and may refuse. Anyone consulting a private GP should ensure their chosen doctor is registered with the [General Medical Council](#) before making contact with them.

(6) Before and after the special procedure is performed the licence holder must give the client or, where the licence holder considers it appropriate, the parent or legal guardian of the client, the opportunity to ask any questions relating to the special procedure and the aftercare advice.

How to comply – The LH can expect to answer questions before, during and after the special procedure and in the case of aftercare this could extend to several days after the special procedure has been performed. [Annex 6](#) provides an example aftercare leaflet.

Where the LH is unable to answer the question, it is acceptable that their response is either delayed while the LH obtains the correct information or that they refer them to a relevant third party.

(7) The licence holder must ensure that aftercare advice is provided to the client or, where the licence holder considers it appropriate, to the parent or legal guardian of the client. This advice must be provided using plain language and in an easy-to-understand format. It must be given verbally and in written form to the client, or where the licence holder considers it appropriate, to the parent or legal guardian of the client, and must include the contact details of the licence holder who performed the special procedure. A copy of the advice must be included in the licence holder's written records in relation to the client.

How to comply – Aftercare advice must meet the needs of the client; therefore, a range of formats should be available, in diagram form or written, electronic or hard copy. Reference to webpages is acceptable if agreed by the client. See [Annex 6](#) for an example template.

The LH's contact details must be included in the aftercare advice and the LH should be expected to answer any follow up queries the client has.

4. Record Keeping

Condition 4 is made of 4 parts and relates to the keeping of specific documents and the recording of certain information:

(1) The licence holder must retain written records in relation to the client for 3 years beginning with the day on which the special procedure is performed. These records must include a copy of the completed and signed client consultation form.

How to comply – Client written records should be stored securely, either electronically or manually for a period of three years from the date of the most recent procedure. The completed and signed client consultation form should be included in this information along with documents from medical professionals relating to any contraindications that were identified.

(2) The licence holder must keep and maintain a register of incidents associated with the performance of special procedures by the licence holder. This register must include:

- (a) the date of the incident,
- (b) details of the incident,
- (c) the name and contact details of the client or other person (which can include the licence holder) who raised the incident, and
- (d) any remedial actions taken by the licence holder to prevent a recurrence.

How to comply – An incident for the purposes of this licensing scheme is an event or occurrence, whether real or alleged, which has the potential to cause harm to human health. For example, a product recall, equipment failure such as an autoclave, allegation of infection or other ill health, or a client complaint following the performance of a special procedure.

An incident register does not imply liability but acts as a form of due diligence which enables the LH to provide evidence of the action they took, either in response to the incident or in an effort to prevent a recurrence. Records of the incident should be kept for three years. The incident register can be either electronic or hard copy.

(3) The licence holder must register the incident and take any remedial actions within a reasonable period.

How to comply – The incident register should be completed by the LH for all incidents. The register enables a LH to record evidence of that incident and the actions that they have taken to respond to it and where appropriate take remedial action.

An example of an incident register can be found in [**Annex 7**](#).

(4) The licence holder must have in place insurance cover at all times during their licence period. Evidence of valid insurance cover must be readily available for inspection by any authorised officer.

How to comply – Valid policy cover must be issued by an authorised insurer to insure the LH in respect of any liability which may be incurred by them, in respect of illness, infection, injury and/or non-infectious adverse health effects such as allergic reactions, arising from the performance of a special procedure the LH is licensed to perform.

The insurance cover can be cover which the LH has acquired and covers:

- the procedures that they perform and the place/s they work from
- OR the LH can be included within their employer's policy
- OR the policy that covers the premises/business you work at.

"Any authorised officer" would include officers from either the issuing local authority or the local authority where the LH is operating from.

5. Safety and Hygiene Practices of the Licence Holder

Condition 5 contains 16 safety and health practices which LHs are expected to implement:

(1) The licence holder must continue to develop, update and maintain their knowledge of infection prevention and control and their skills for each special procedure that they are licensed to perform. The licence holder must maintain a written record of how they have met this requirement.

How to comply – This can be achieved by the LH accessing the recorded online **Webinars and e-learning packages** on the Public Health Wales website or other reputable public health or health protection services, by reading public health or trade journals, by attending trade shows, exhibitions or events or by subscribing to trade or public health associations, online groups, journals or magazines.

A written record (electronic or hard copy) including attendance certificates must be maintained as evidence of compliance.

The expectation is that the licence holder has a good working knowledge of the special procedure they are licensed to perform, and they are aware of developments in relation to associated products and equipment and they are able to maintain (at a minimum) a knowledge of basic infection prevention and control principles in relation to the special procedure they perform. In this way they can better provide hygienic and safe procedures and good advice to their clients.

LHs can also demonstrate developing their knowledge and skills by undertaking further relevant regulated qualifications.

(2) The licence holder must not perform a special procedure on an individual where the performance is, or is likely to be, compromised due to their own intoxication by virtue of drink, drugs or any other means.

How to comply – Under no circumstance should the LH perform a special procedure if they themselves are intoxicated with alcohol or drugs.

If the LH is taking prescribed or ‘over the counter’ medicine which could impair their ability to perform the special procedure safely and hygienically, they **should not** perform the special procedure. If they are uncertain of the impact the medication could have on their ability to perform the special procedure, they should seek advice from a healthcare professional.

(3) The licence holder must not smoke, vape, consume food or drink in the special procedures work area.

How to comply – Food and drink can be consumed outside the special procedures work area.

(4) The licence holder must practise regular and thorough hand hygiene.

How to comply – Hand hygiene includes:

- (i) handwashing using liquid soap and water, and
- (ii) the use of alcohol-based hand rub.

Hand washing (which includes thorough drying of the hands) should be used when the hands are visibly dirty or where they are or could be contaminated with blood, body fluids, non-intact skin or mucous membranes. Alcohol-based hand rubs can be used in all other circumstances.

The use of hand rubs should never replace handwashing.

LHs may find it helpful to refer to section 4 of the [**Public Health Wales IP&C Guidance**](#) for further information.

(5) The licence holder’s nails must be clean and free from nail extensions, varnish and decoration.

How to comply – The LH must maintain clean nails without any extensions, varnish or decoration while performing special procedures.

Nail extensions and coverings have been found to harbour more bacteria than natural nails and some extensions and decorations can prohibit effective hand hygiene and increase the chance of glove perforation.

(6) The licence holder must cover any open wounds, cuts, or boils on an exposed part of their body with an impermeable dressing.

How to comply – “Open wounds” include any skin which is not intact such as grazes and abrasions. “Impermeable dressings” mean a dressing that prevents moisture entering the wound it is covering. The dressing should cover the wound area and where the wound is on the hand it must remain intact under gloves.

Clean waterproof adhesive dressings are acceptable.

(7) Any single use, disposable personal protective equipment must be changed in between each client or when there is a break in performing the special procedure.

How to comply – A break of any duration requires the LH to change any single use, disposable personal protective equipment (PPE) they were previously wearing, even if it is for the same client.

PPE routinely includes the use of gloves and aprons. LHs may find it helpful to refer to section 7 of the [**Public Health Wales IP&C Guidance**](#) for further information.

(8) If a razor is required in the course of performing the special procedure, the licence holder must ensure that only single use disposable razors are used.

How to comply – The LH must only use single use, disposable razors.

(9) The licence holder must carry out a visual assessment of the condition of the client’s skin where the special procedure is to be performed and decontaminate the skin before performing the special procedure.

How to comply – The LH must ensure that the skin is clean before the special procedure is performed. The LH should decontaminate the skin using a single swab 70% isopropyl alcohol or 2% chlorohexidine gluconate in 70% alcohol, ideally as a single use application.

LHs may find it helpful to refer to section 5 of the [**Public Health Wales IP&C Guidance**](#) for further information.

(10) The licence holder must not perform a special procedure on skin that is not intact or where there is evidence of damage, abrasion or infection.

How to comply – Skin that is not intact, that is, it is broken or damaged, could allow microorganisms to enter and cause an infection. Eczema and psoriasis affect the integrity of the skin. With eczema in particular, clients often carry more bacteria on the skin and for example tattooing or performing semi-permanent make-up on an affected area would increase the chance of introducing bacteria or viruses into the skin. Skin affected by psoriasis would carry a small increased risk of infection.

A visual assessment of the skin by the LH will confirm if the skin is intact and therefore confirm that the special procedure can be performed safely.

(11) The licence holder must not supply or apply topical anaesthetics to a client before, during or after a special procedure.

How to comply – The LH must not supply or apply topical anaesthetics to a client. “Supply” means giving, selling or making available to a client and “apply” includes administering and using.

(12) The licence holder must not perform the special procedure if:

- (a) the licence holder has been made aware that the client has applied a topical anaesthetic to themselves prior to the special procedure, which is not approved and authorised by the Medicines and Healthcare Products Regulatory Agency, or
- (b) the client has applied a topical anaesthetic to themselves prior to the special procedure and the licence holder has not received sufficient evidence that the topical anaesthetic is approved and authorised by the Medicines and Healthcare Products Regulatory Agency.

How to comply – Details of topical anaesthetics approved and authorised by the Medicines and Healthcare Products Regulatory Agency (MHRA) are published on their [Website](#).

The LH can also request that the client brings the product and packaging including the Patient Information Leaflet (PIL) to enable them to confirm MHRA approval.

(13) The licence holder must ensure that their workstation is effectively cleaned and disinfected in between each client where there is, or is likely to be, contamination from blood or bodily fluids.

How to comply – The workstation contains:

- a bed, chair or similar for the client,
- a chair or stool for the LH if required,
- a work surface for use and storage of instruments and products to perform the special procedure, and
- it is part of the special procedures work area.

LHs may find it useful to refer to section 12 of the [Public Health Wales IP&C Guidance](#) which provides more detail on how and when to clean and disinfect a workstation.

(14) All special procedures must be undertaken in conditions of privacy appropriate to the special procedure being performed.

How to comply – The LH should discuss matters of privacy with the client before the procedure is performed. Appropriate privacy should consider the site of the procedure and the client’s wishes.

(15) The licence holder must only permit a client to be accompanied by another individual if the presence of that other individual during the special procedure does not present an increased risk of infection.

How to comply – Workstations and the special procedures work area are restricted in terms of space. Only the LH and client should be permitted in the area of the workstation. If the client has requested the presence of another individual, for example a parent or guardian or care worker, during the special procedure, the LH must only allow this if there is sufficient free space in the special procedures work area, that the individual will not impede the LH from performing that special procedure safely and hygienically and thereby not increase the risk of infection.

(16) The licence holder must not allow animals into the special procedures work area other than registered assistance dogs accompanying a client.

How to comply – Only registered assistance dogs are permitted. An assistance dog has undergone specific training and is defined under section 173 of [The Equality Act 2010](#).

6. Fixtures and Fittings

Condition 6 is made up of 2 requirements relating to fixtures and fittings.

‘Fixtures’ include any object fixed or attached to the structure of the approved premises or vehicle, for example windows, doors, lights, cupboards etc.

‘Fittings’ are free standing objects for example furniture, chairs, mobile storage units etc.

(1) Any fixture or item of furniture used by the client during the performance of the special procedure is to be covered by a disposable paper sheet, towel, or equivalent and changed between each client where contamination from blood or bodily fluids is likely.

How to comply – This refers to the chair, bed or similar used by the client during the special procedure and where a towel or equivalent is used this should be disposable.

LHs may find it helpful to refer to section 12 of the [Public Health Wales IP&C Guidance](#) for further information.

(2) The licence holder must ensure that all fixtures, fittings and items of furniture associated with their workstation are of a non-porous material and in good order and repair to enable effective cleaning and, where contamination from blood or bodily fluids are likely, disinfection.

How to comply – A “non-porous material” is one that does not allow liquid or air to pass through it. Examples include hard plastic, metal, glass and ceramic. These materials are easier to clean and disinfect but only if they are in good repair.

The LH must assure themselves that their workstation fixtures and fittings are of a non-porous material and that the material is in good repair to enable effective cleaning and where necessary effective disinfection.

7. Equipment and Instruments

Condition 7 comprises of 10 parts and relates to equipment and instruments:

(1) All equipment, instruments and products used by the licence holder must be:

(a) used and maintained in accordance with the manufacturer's instructions, and

(b) appropriately serviced and validated in accordance with the manufacturer's instructions, and all service and validation records must be kept and maintained for inspection by an authorised officer.

How to comply – The LH must follow the manufacturer's instructions for the use and maintenance of any equipment, instruments or products they use in the preparation or performance of a special procedure.

Some equipment, instruments and products will require servicing and validation. This must follow manufacturer's instructions, and the LH must keep all these records up to date and available for inspection by an authorised officer. It is recommended that records are kept for at least three years.

(2) All instruments and equipment used by the licence holder must be of a non-porous material that can be easily cleaned, disinfected and, where appropriate, sterilised.

How to comply – A non-porous material is one that does not allow liquid or air to pass through it, examples include hard plastic, metal, glass and ceramic. These materials are easier to clean and disinfect and where necessary sterilise.

LHs may find it helpful to refer to section 12 of the [**Public Health Wales IP&C Guidance**](#) for further information.

(3) Instruments and equipment must be maintained in good order and repair to enable effective cleaning and must be used and stored in a way that minimises the risk of contamination.

How to comply – The LH must keep their instruments and equipment in good condition. Damaged and poorly maintained equipment/instruments will not be able to be cleaned and disinfected effectively.

The LH must use their instruments and equipment for the purpose for which they were intended, and these items should be stored in an environment that is clean and protected from contamination.

(4) The licence holder must never reuse or reprocess single use items.

How to comply – Single use items, for example needles, razors, gloves and aprons must only be used once.

(5) Only sterile, single use, disposable needles may be used by the licence holder.

How to comply – The LH must only use sterile, single use, disposable needles.

(6) The licence holder must ensure that any equipment which is not disposable, cannot be sterilised and is likely to come into contact with bodily fluids or the site of the special procedure, is protected from such contact. Such equipment must be thoroughly cleaned and disinfected after each use.

How to comply – Such equipment which would include tattoo machines, clip cords, machine wires etc must be effectively protected from contact with the site of the special procedure and possible blood or body fluid contact by using sheaths or similar non-porous coverings. After use the LH should remove and safely dispose of the covering(s) and must effectively clean and disinfect the equipment before covering and using the equipment on another client.

(7) If non-disposable instruments are used in the performance of a special procedure and are likely to come into contact with bodily fluids or the site of the special procedure the licence holder must after using them clean and treat the instruments. The instruments must be cleaned and treated with fit for purpose cleaning, disinfection and sterilisation equipment such as ultrasonic cleaners, instrument baths and autoclaves and autoclave pouches. This does not apply to needles (see paragraph 7(5)).

How to comply – The LH must ensure that all instruments that are non-disposable and come into contact with the site of the special procedure or body fluids can be sterilised and are cleaned, disinfected and sterilised after use. The equipment used for cleaning, disinfecting and sterilising must be fit for purpose. Decontamination includes cleaning, disinfection and sterilisation.

“Fit for purpose” means that equipment is used for the purpose that it was intended according to manufacturer’s instructions.

LHs may find it helpful to refer to section 12 of the [Public Health Wales IP&C Guidance](#) for further information.

This condition does not apply to needles as they are prohibited from re-use.

(8) Any instrument, equipment, jewellery, or object that is attached to, implanted or inserted in, the client’s skin or mucous membrane must be sterilised.

How to comply – The LH should keep records to this effect. If the LH has any doubt that sterilisation has been compromised, for example the expiry date for sterilisation has been reached, the packaging is damaged or torn or the seal is defective, the instrument, equipment, jewellery or object should not be used and either safely disposed of or re-sterilised following manufacturer’s instructions.

(9) Any instrument, or equipment used to remove jewellery or an object that is attached to, implanted or inserted in the client’s skin or mucous membrane must be sterilised.

How to comply – The LH should keep records to this effect and if there is any doubt regarding sterilisation or there is evidence that sterilisation could have been compromised the instrument or equipment used to remove the jewellery or object should not be used and either safely disposed of or re-sterilised following manufacturer’s instructions.

(10) The licence holder must have access to a suitably stocked, readily accessible first aid kit to meet the first aid needs of the special procedure performed.

How to comply – The LH must ensure that they have access to a first aid kit, that it is suitably stocked and meets the needs of the special procedure they are licensed to perform. The **Health and Safety Executive (HSE)** provides further advice on first aid that LHs may find helpful to consider.

8. Waste

Condition 8 relates to waste and comprises of 2 requirements:

(1) All sharps must be disposed of in a sharps bin. The sharps bin must be kept and used within the special procedures work area.

How to comply – “Sharps” includes objects or instruments which are able to cut, graze, puncture or cause injury to the skin and includes all types of needles and single use razors. Blades and items with a sharp point or edge would also be included.

The “sharps bin” means a rigid, specialised container that complies with the EWC code 20 01 99 designed to safely dispose of sharps associated with the performance of special procedures.

The LH must ensure the sharps bin is kept in the special procedures work area and is easily accessible from the workstation.

LHs may find it helpful to refer to section 10.4 of the **Public Health Wales IP&C Guidance** for further information.

(2) The licence holder must ensure that domestic and clinical, non-hazardous waste is appropriately segregated into the correct coloured bags. The licence holder must make arrangements for the disposal of those coloured bags.

How to comply – “Make arrangements” in this context includes organising, preparing and planning for the disposal of the coloured bags and could include having a formal waste contract.

LHs may find it helpful to refer to section 10 of the **Public Health Wales IP&C Guidance** for further information.

Chapter 7

Mandatory licensing conditions: Tattooing and Semi-Permanent Make-up

Reference: Regulation 7(3) of The Special Procedure Licences (Wales) Regulations 2024 (conditions set out in Schedule 3)

Condition 1 places 4 general requirements on the licence holder (LH)

The licence holder is prohibited from inserting ink or pigment into the eyeball of any individual.

How to comply – The LH is strictly prohibited from performing this practice.

Condition 2 outlines requirements relating to gloves

The licence holder must wear gloves when performing the special procedure. The gloves worn by the licence holder must provide the best fit, dexterity and comfort and afford good barrier protection. Where latex gloves can be worn, the latex gloves must be low-protein and powder free. If the client has a known allergy to latex, the licence holder must wear gloves that are a suitable latex free alternative.

How to comply – The LH should assure themselves that the gloves they use while performing tattooing effectively:

- protect them from exposure to blood and bodily fluids,
- enable them to perform tattooing safely, and
- do not result in an allergic reaction to either the client or themselves.

The fitting and composition of the glove should not impede the movement of hand and fingers during the practice of tattooing.

Latex gloves are permitted where there is no likely or known allergy to latex.

LHs may find it helpful to refer to section 7.1 of the [**Public Health Wales IP&C Guidance**](#) for further information.

Condition 3 outlines requirements relating to the use of gloves

Gloves must be removed and disposed of immediately after the special procedure is finished. Gloves must be removed, disposed of and replaced where there is a break in the period of time during which the special procedure is performed.

How to comply – A “break in the period of time” means any break no matter how short in the special procedure for example, to use the toilet or to eat or drink.

LHs may find it useful to refer to sections 7.1.3 and 7.1.4 of the [Public Health Wales IP&C Guidance](#) for further information on donning and doffing gloves.

Condition 4 outlines requirements relating to the use of disposable aprons

The licence holder must wear a single use disposable apron when performing the special procedure. The apron must be removed and disposed of immediately after the special procedure is finished. The apron must be removed, disposed of and replaced when there is a break in performing the special procedure.

How to comply – The apron should be secured when worn to protect clothing from contamination from blood or bodily fluid.

A “break in the period of time” means any break no matter how short in the special procedure for example to use the toilet or to eat or drink.

Condition 5 relates to products used while performing tattooing

All products used in the course of performing the special procedure (for example, petroleum jelly, lubricating gel and tattoo stencils) must be single use or dispensed using a clean, single use instrument to a clean, single use receptacle.

How to comply – When using products that are to be applied to the skin the LH may wish to decant the product into a clean single use receptacle immediately before use and then use a single use spatula to apply the product.

Tattoo stencils and similar items (as listed in the condition above) must be single use.

Condition 6 outlines requirements for labelling of these products

Products used in the course of performing the special procedure must be labelled with the date of opening and disposed of in accordance with the manufacturer’s instructions.

How to comply – This applies to all products including inks, pigments, gels, creams, lubricants. Once the product container is opened, the date should be clearly labelled on the container. Manufacturer’s instructions on the use, storage and disposal of that product must be followed.

Condition 7 relates to requirements relating to inks and pigments

Inks and pigments must be sterilised. Any material or substance added to the ink or pigment must also be sterilised.

How to comply – The LH should assure themselves that the inks and pigments they use are sterilised and they should have evidence to this effect. If any product is added to the ink or pigment for whatever purpose this must also be sterilised and evidence of this should be maintained.

Condition 8 relates to the use of inks and pigments

Inks and pigments used in the course of performing the special procedure must be dispensed into clean, single-use receptacles or pre-packed in single use vials and must be used and disposed of in accordance with the manufacturer's instructions.

How to comply – The LH must follow manufacturer's instructions on the use and disposal of inks and pigments and any ink or pigment remaining after the tattooing session should be safely disposed of and not reused.

Condition 9 requires the use of sterile water

Only sterile water may be used to dilute inks and pigments and to rinse instruments and equipment while tattooing is being performed.

How to comply – Distilled, ionised, boiled, tap or bottled water is not acceptable. If the LH wishes to dilute the ink or pigment or rinse the instruments and equipment during tattooing, sterile water must be used.

Condition 10 – Sterilisation of equipment using a vacuum autoclave

The licence holder must ensure that equipment with hollow cavities, equipment wrapped or enclosed in pouches, or porous loads are sterilised using an appropriate vacuum autoclave that is deemed appropriate for that purpose by the manufacturer.

How to comply – Some equipment that is not single use and disposable will require sterilisation. Where the equipment has hollow cavities, is wrapped or enclosed in pouches or there are porous loads, sterilisation should take place in a suitable vacuum autoclave. The LH can confirm the suitability of this process by following the manufacturer's instructions.

LHs may find it helpful to refer to section 12.7 of the [**Public Health Wales IP&C Guidance**](#) for further information.

Condition 11 – requirement to record ink/pigment details on the client’s records

The brand, colour code and batch code of each ink or pigment used on a client must be recorded in the licence holder’s written records in relation to the client at the time the special procedure is being performed.

How to comply – The LH can record this information as part of the client consultation process. The template client consultation form provides a section on inks/pigments (see **Annex 3**).

Chapter 8

Local authority powers, offences and enforcement

8.1 Local authority powers

Sections 83-92 of the Act set out the powers available to local authorities for enforcement purposes, and the terms under which these powers must be exercised.

The powers are applied to any premises at which special procedures have been, are currently, or likely to be carried out at that premises, or any material or equipment intended for use in special procedures is stored or prepared at the premises.

These sections define authorised officers for the purpose of the Act and deal with powers relating to the investigation and enforcement of special procedures, including:

Authorised officers (Section 83) – Confirms authorised officers (“AO”) in sections 84 to 92 of the Act are to any person authorised to exercise functions of a local authority (LA), whether or not they are an officer of the local authority.

Powers of entry (Section 84) – Enables an AO to enter premises (excluding premises used wholly or mainly as a dwelling) at any reasonable time, if AO has reason to believe the special procedure has been, is being, or is likely to be performed at the premises, or that material equipment relating to a SP is stored or prepared at the premises. The power to enter premises does not enable the AO to enter by force. If required, an AO must before entering the premises, show evidence of their authorisation. The power of entry also applies to a vehicle. AOs must have regard to the PACE (Police and Criminal Evidence Act) Code of Practice B when exercising their enforcement functions.

Warrant to enter dwelling (Section 85) – If access to premises which are wholly or mainly used as a dwelling is necessary for enforcement, the LA must make a written application to a justice of the peace (“JP”). A JP can issue a warrant, thereby authorising an AO to enter the dwelling, if needs be by force. A warrant will be in force for 28 days beginning on the date it was signed by the JP. This also applies to a vehicle.

Warrant to enter other premises (Section 86) – If access to premises that are not only used wholly or mainly as a dwelling is necessary, this section enables a JP to issue a warrant authorising any AO to enter the premises, if needs be by force. The premises to which entry is being sought must be used for business purposes or for both business and as a dwelling. If premises used wholly or mainly as a dwelling, then section 85 applies. For a warrant to be issued, one or more of the requirements must be met. These include a request to enter the premises has been, or is likely to be, refused and notice of intention to apply for a warrant has been given; an application for admission, of the giving of notice of an intention to apply for a warrant is likely to defeat the purpose of entry; the premises

are unoccupied; or the occupier is temporarily absent and awaiting their return is likely to defeat the purpose of entry. A warrant will be in force for 28 days beginning on the date it was issued by the JP. This section also applies to a vehicle.

Obtaining of warrants to enter a dwelling or other premises (Section 87) – Enables an AO entering premises under sections 84, 85 or 86 to take with them any other persons or equipment as the officer considers appropriate, e.g. equipment used to examine electronic records. If the occupier of premises that an AO is authorised to enter under section 85 or 86 is present at the time the AO seeks to execute the warrant, the occupier must be told the officer's name; the officer must produce documentary evidence that the officer is an AO; the officer must produce the warrant and supply the occupier with a copy of it. If the premises are unoccupied or the occupier is temporarily absent, the AO must leave the premises as effectively secured against unauthorised entry as the officer found them. The provisions in this section also apply to a vehicle.

Powers of inspection and examination of items on the premises (Section 88) – Once an AO has gained entry to premises, they may undertake inspections and examinations for the purposes of the LA's functions in relation to special procedures. Includes inspecting and examining the premises, viewing and retaining CCTV records and obtaining copies of documents such as procedure records and consent documents. The AO may require the production/take possession of anything and retain it for as long as necessary to exercise those functions. An AO must leave a statement at the premises listing what has been taken and identify the person to whom a request for the return of property may be made. The AO may also require any person to provide them with information or afford facilities and assistance including providing an account of events or supplying information stored on a computer. This section also applies to a vehicle.

Obstruction etc of officers (Section 89) – A person commits an offence if they intentionally obstruct an AO from exercising their functions under sections 84-88 of the Act; if they without reasonable cause, fail to provide or comply with requirements under section 88 of the Act. A person will be committing an offence if they fail to comply with particular matters relevant to section 88(1) of the Act and do so without reasonable cause. This may include failure to provide facilities or assistance, produce items for inspection or provide information commits an offence. If found guilty, liable on summary conviction to a fine not exceeding level 3 on the standard scale which is currently £1,000.

Power to make test purchases (Section 90) – An AO may make purchases and arrangements and secure the provision of services if the officer considers it necessary for the purpose of the LA's functions. Includes enlisting the assistance of a person to ascertain if a special procedure is being performed from a premises or vehicle contrary to requirements.

Retained property: appeals (Section 91) – Additional safeguard relating to the powers of entry and inspection provisions. Enables a person with an interest in anything taken from the premises by an AO under section 88(1)(c) of the Act to apply to a magistrates' court for an order requesting the release of the property.

Appropriated property: compensation (Section 92) – A person affected by the taking possession of property under section 88(1)(c) of the Act may apply to a magistrates' court for compensation. The court may order the LA to pay compensation i.e. if person has suffered loss or damage as a consequence and the loss or damage is not due to their neglect or failure to act.

8.2 Offences

Section 82 of the Act outlines the offences related to various contraventions of the provisions for special procedures licensing and approvals. The offences are:

- Contravention of section 58 – performing a special procedure specified in the Act without having a special procedure licence when they are not exempt.
- Contravention of section 61 (3)(c) – performing a special procedure specified in the Act when there is a prohibition in place.
- Contravention of section 69(2) – performing a special procedure specified in the Act in a premises or vehicle that does not have the appropriate premises/vehicle approval certificate (without reasonable cause).
- Continuing to perform special procedures or to operate from a premises or vehicle without the relevant licence/premises approval certificate when a stop notice under section 77 is in place (without reasonable cause).
- Contravening (without reasonable cause) a licence holder remedial action notice served under section 78.
- Contravening (without reasonable cause) a premises/vehicle remedial action notice served under section 79.
- Making a false or misleading statement (either knowingly or recklessly) when making an application for the issue, variation or renewal of a special procedure licence or for approval of a premises/vehicle approval certificate.
- The false or misleading statements are in relation to anything that would otherwise cause the local authority to not grant the licence/certificate, variation or renewal (for example, making a false statement about being convicted of a relevant offence).

A person who commits an offence under section 82 of the Act is liable on summary conviction to an unlimited fine.

8.3 Actions available to local authorities where offences are identified

Section 61 Designation of individual for the purposes of section 58(3) – Enables a LA to give notice to an individual designating them as a person requiring a special procedure licence if they intend to perform a specified special procedure, providing that the condition in section 61(2) of the Act is met.

There are a number of components:

- that the person is likely to perform the special procedure on someone else in Wales,
- that the procedure as likely to be performed by the person, presents or could present significant risk of harm to human health, and
- in order to remove or reduce that risk, it is appropriate to designate the person as needing a licence.

The LA's ability to designate the person does not rely on the special procedure being performed in the course of a business; therefore, a person performing a special procedure in any circumstances and for any purpose (e.g. from home and not for money).

Section 77 Stop notices – If LA is aware of an individual performing a special procedure without a licence or is carrying on a business from a premises or vehicle that has not been approved, the LA may issue that individual with a stop notice. The aim of which is to prohibit the carrying out of the special procedure specified in the notice. Breach of the stop notice is an offence (section 82(4)). This will apply anywhere in Wales and be effective until the person obtains the relevant licence or approval.

Section 78 Special procedure licences: licence holder remedial action notices – If LA becomes aware that a licence holder is breaching a mandatory licensing condition, may issue licence holder with a remedial action notice (RAN). The prohibition may relate to the performance of the special procedure in an area of Wales (e.g. the LA's area) or may extend to all of Wales. Contravention of the remedial action notice is an offence (section 82(5)). In addition to a RAN, the LA may also revoke a licence if the licence holder fails to comply with an applicable mandatory licensing condition.

Section 79 Approved premises and vehicles: premises remedial action notices – A LA may issue a RAN to a person in respect of an approved premises or vehicle if satisfied the person is breaching a mandatory condition of approval. The LA must take reasonable steps to bring the notice to the attention of anyone who is likely to be affected by it (e.g. licence holders listed as operating from the premises/vehicle) to ensure people who perform special procedures from the premises or vehicle do not inadvertently commit an offence by breaching the prohibition. Contravention of the RAN is an offence (section 82(6)). In addition to a RAN, the LA may also revoke a premises or vehicle approval if the person fails to comply with a mandatory approval condition.

Section 80 Completion certificate – If a LA is satisfied steps taken in a RAN (sections 78 or 79 of the Act) must provide a completion certificate discharging the notice. LA must take reasonable steps to bring the completion certificate or notice to the attention of anyone it thinks is likely to be affected. A person subject to a RAN may apply to the LA for a completion certificate at any time. If LA refuses the application, it must give notice to that person (including reasons for the refusal and information about the appeals process as set out in section 81).

Section 81 Appeals – Section 81 of the Act sets out a person's right to appeal to the magistrates' court against a LA's decision under sections 77, 78 or 79 of the Act, as well as an appeal against the LA's decision to refuse an application for a completion certificate (section 80(5)). An appeal to the Crown Court may be made by either the person or the LA against a decision of a magistrates' court.

Annex 1 – Exempted Individuals

Section 60 of the Act outlines the circumstances in which an individual regulated by certain professional bodies is exempt from the requirement to obtain a special procedure licence to perform the four named special procedures (acupuncture, body piercing, electrolysis and tattooing). These healthcare professional bodies are listed below:

- (a) the General Medical Council
- (b) the General Dental Council
- (c) the General Optical Council
- (d) the General Osteopathic Council
- (e) the General Chiropractic Council
- (f) the General Pharmaceutical Council
- (g) subject to Section 26(6), the Pharmaceutical Society of Northern Ireland
- (ga) the Nursing and Midwifery Council.

The Special Procedures Exempted Individuals (Wales) Regulations 2024 **defines** each of those healthcare professions and provides detail about whether or not they are exempt from performing special procedures with a special procedure licence:

Not Exempt

If you are one of the following professions (as **defined** in the Regulations):

- A dispensing optician
- An optometrist
- A pharmacist
- A pharmacy technician
- A student dispensing optician
- A student optometrist
- A student pharmacist
- An unlicensed medical practitioner.

And you perform any of the four designated special procedures (acupuncture, body piercing, electrolysis and tattooing) you are **not exempt and will therefore require a special procedure licence to perform any of the four designated special procedures.**

NB: *Student pharmacists in Great Britain will be required to obtain a licence to perform special procedures because they are not regulated by the General Pharmaceutical Council and therefore fall outside the scope of the Regulations. Student pharmacists in Northern Ireland are regulated by their regulator (the Pharmaceutical Society of Northern Ireland) but they will also be required to obtain a licence to perform special procedures as they will not be exempt from obtaining a licence under the Regulations. The intention and legal effect is the same for students in Northern Ireland and Great Britain.*

Exempt with conditions – Acupuncture, Body Piercing, Electrolysis, Tattooing

If you are one of the following professions (as **defined** in the Regulations):

- A dental care professional
- A dentist
- A licensed medical practitioner
- A registered midwife
- A registered nurse
- A registered nursing associate.

And you perform any of the four special procedures in:

- (i) a regulated independent healthcare establishment; and
- (ii) you are not subject to any conditions, restrictions or sanctions on your professional registration in relation to fitness to practise

you are exempt from the requirement to get a special procedure licence.

Exempt with conditions: Acupuncture

1. If you are a chiropractor or an osteopath (as **defined** in the Regulations) and you perform acupuncture in:

- (i) a regulated independent healthcare establishment, and
- (ii) you are not subject to any conditions, restrictions or sanctions on your professional registration in relation to fitness to practise,

you are exempt from the requirement to get a special procedure licence to perform acupuncture.

2. If you are a chiroprapist, physiotherapist or podiatrist (as **defined** in the Regulations) and you perform acupuncture in:

- (i) a regulated independent healthcare establishment, and
- (ii) you are not subject to any conditions, restrictions or sanctions on your professional registration in relation to fitness to practise,

you are exempt from the requirement to get a special procedure licence to perform acupuncture.

Regulated independent healthcare establishment

The Special Procedures Exempted Individuals (Wales) Regulations 2024 **defines** the meaning of a “regulated independent healthcare establishment” for the purposes of special procedures.

A “Regulated Independent Healthcare Establishment” is a healthcare establishment which is:

- (a) an independent clinic
- (b) an independent hospital
- (c) a private dental practice

..... AND which is registered with and regulated and inspected by Healthcare Inspectorate Wales (HIW).

(a) **An independent clinic** is a setting/establishment that is defined by section 2(4) of the **Care Standards Act 2000**; and prescribed by **Regulation 4** of the Independent Health Care (Wales) Regulations 2011.

Examples include clinics within which services are provided by medical practitioners. Services, treatments and procedures provided by such clinics may also include one or more of the four designated special procedures.

(b) **An independent hospital** is a setting/establishment that is defined by section 2(2) and section 2(3) of the **Care Standards Act 2000**; and prescribed by **Regulation 3** of the Independent Health Care (Wales) Regulations 2011.

Examples may include independent hospitals within which a wide range of services, treatments and procedures are provided by medical practitioners/healthcare professionals such as acute hospitals, hospices, dental hospitals, maternity hospitals and hospitals providing cosmetic surgery. These hospitals may also offer one or more of the four designated special procedures.

(c) **A private dental practice** is a setting/establishment that is defined by **Regulation 3(1)** of the Private Dentistry (Wales) Regulations 2017.

Examples include private dental practices which undertake completely private work in Wales. These practices will be registered with, regulated and inspected by HIW for the provision of private dental services by dentists employed there. Acupuncture may be offered/provided by such dental practices for the purpose of pain relief for patients undergoing dental procedures.

NHS establishments

NHS establishments and NHS work are inspected and regulated by HIW. NHS settings and NHS work do not form part of the licensing scheme for special procedures and therefore a special procedure licence is not required to undertake this work whether within the confines of an NHS building or while working in the community. For example, if you are a community physiotherapist working in your capacity as an NHS community physiotherapist you do not require a licence.

If you work for the NHS but also perform a special procedure(s) privately in addition to your NHS work you will require a special procedure licence to continue with this work.

Performance of acupuncture in a client's dwelling/home

Acupuncture is the only special procedure permitted to be performed in a client's dwelling/home (which can include a care home or hospice) and the client's dwelling/home is not required to be approved by the local authority for that procedure. However, the practitioner will need to have a valid special procedure licence to provide the acupuncture in this case.

Annex 2 – Preparing for an application interview

An officer from the local authority will undertake the interview at your place of work at a mutually agreed date and time.

During this interview the officer may ask to see records and documentation associated with you performing tattooing or semi-permanent make-up. This could include any of the following:

- The client consultation form
- Aftercare advice
- Details of the suppliers you use for all products and equipment
- Your incident register
- Your waste contract
- Any service or maintenance records, for example, autoclave contracts.

The officer will ask you questions on the topics below, here are some examples of the types of questions/matters that may be asked/discussed:

Infection control and first aid in the context of the special procedure you intend to perform:

- Explain how you would respond to a needlestick injury.
- What would you do if your client felt faint?
- Show how you wash your hands.
- Show how you don and doff your gloves.
- Can you explain when you would wash your hands and when it is acceptable to use an alcoholic hand rub?
- Can you show how you decontaminate your instruments after you have completed the special procedure?
- How do you use the autoclave?

Your duties as a licence holder under Part 4 of the Act:

- Name some of your duties as a licence holder.

The mandatory licensing conditions:

- Can you give me some examples of when you should not perform tattooing/semi-permanent make-up on a client?
- Your client has recently been diagnosed with epilepsy, what action would you take?
- A new client wants to have a tattoo on their neck, what advice would you give them?
- Your client wants you to apply a topical anaesthetic before applying semi-permanent make-up to their eyebrows, what is your response?
- Give examples of single use items that can be used by your industry. What are the benefits of using these products?
- Show and explain to me how you would set up your workstation.
- Identify what wash hand basin you will use while working. Where should your workstation be located?
- What products and instruments do you use that are sterilised? Why must they be sterilised?
- Show your nails.
- What animals are permitted to accompany a client while they are having a special procedure?
- What type of materials should the fixtures and fittings be made of and why?

The implications of non-compliance with the mandatory licensing conditions:

- What action can the local authority take against a licence holder who is found in breach of the mandatory licensing conditions?

Annex 3 – Client Consultation

Tattooing and Semi-Permanent Make-up Client Consultation Form

Name of practitioner:

Telephone number of licence holder/business:

Email address of practitioner/business:

Address of premises:

Client details

Client name:

Client address:

Client email:

Client telephone number:

Client date of birth:

Client age verified by licence holder (licence holder signature and date required): Yes / No

.....

Date completed by client:

Details of Procedure – to be completed by the licence holder

Include:

- date/s and duration of appointments,
- site of tattoo,
- design,
- inks used (brand, colour, batch numbers, expiry dates),
- details of dilutants if used,
- details of aftercare advice.

Medical History of Client

Actions: If any question answered ‘Yes’, refer to the Client Consultation Management Guidance and discuss the matter in more detail with the client before making a decision on what should happen next. Record the discussion and decision in section 11.

Questions	Response
Are you fit and well to receive treatment today? (coughs, colds, “under the weather” etc)	YES/NO
Section 1 – Heart conditions Do you have any heart conditions such as angina or blood pressure problems? Do you have a prosthetic heart valve/congenital heart disease? Do you have a pacemaker in situ?	YES/NO YES/NO YES/NO
Section 2 – Epilepsy Do you have epilepsy?	YES/NO
Section 3 – Blood clotting disorders Do you have haemophilia or blood clotting disorders? Are you taking anticoagulants to prevent blood clots?	YES/NO YES/NO
Section 4 – Diabetes Do you have diabetes?	YES/NO
Section 5 – Skin conditions and/or scars Do you have any skin problems such as psoriasis or eczema/dermatitis? Do you have ‘lumpy’ raised scars (hypertrophic/keloid scars)?	YES/NO YES/NO
Section 6 – Allergies Have you ever had an anaphylactic reaction (requiring hospitalisation and/or adrenaline)? If YES, what was the trigger? Are you allergic to latex? Do you have any known allergies to plasters/creams/metals/iodine/shellfish/foodstuffs/other? If YES, please state what	YES/NO YES/NO YES/NO

Questions	Response
Section 7 – Immunocompromised Do you take any medication that affects your immune system such as “immunosuppressive treatments” (e.g. cancer treatment such as chemotherapy), high dose steroids or treatment used for inflammatory conditions. If YES, please state what	YES/NO
Section 8 – Pregnancy and breastfeeding Are you pregnant or breastfeeding?	YES/NO
Section 9 – Fainting attacks Are you prone to ‘fainting attacks’? If YES, please state trigger	YES/NO
Section 10 – Additional medical information Is there anything else not previously mentioned that you would like to inform your licence holder about? If YES please provide details Have you applied a topical anaesthetic in advance of receiving the special procedure? – if YES please provide details to the licence holder of the product you have used: 	YES/NO YES/NO
Section 11 – Discussion where medical conditions identified Briefly record the discussion, any actions and final decision 	

Declaration

- ☐ I understand and confirm that the licence holder has given me a full explanation of:
- the tattooing/semi-permanent make-up process,
 - the risks and potential contraindications associated with this procedure,
 - the social impacts associated with having a tattoo on the face or neck (if applicable).
- ☐ I confirm that the information I have provided on my medical history and my age is correct to the best of my knowledge and that I am not currently under the influence of alcohol or drugs.
- ☐ I confirm that I have/have not **(delete as appropriate)** applied a topical anaesthetic to myself.
- ☐ I understand the aftercare instructions that have been explained to me and I confirm that I have received information on aftercare, including the licence holder's contact details.
- ☐ I agree that it is my responsibility to follow the aftercare advice given to me.
- ☐ I declare that I give my full consent to tattooing/semi-permanent make-up being carried out by the named licence holder.

To be completed by the client

Name of client (please print):

Signature of client:

Date:

To be completed by the parent/legal guardian/carer (if applicable)*

Name of parent/legal guardian/carer (please print):

Signature of parent/legal guardian/carer:

Date:

* Although tattooing/semi-permanent make-up is prohibited for any person under the age of 18, there may be circumstances in which a client over the age of 18 needs the assistance of any of these above-named people to understand the requirements of the procedure or aftercare (such as in cases of disability). The licence holder may ask the accompanying adult to sign to confirm that they have understood the information given, NOT that they consent to the procedure on the client's behalf.

To be completed by the licence holder

Licence holder name (please print):

Licence holder signature:

Date:

Where the client has applied a topical anaesthetic – the licence holder should delete the statement that does not apply:

I the licence holder can confirm that I am satisfied that the topical anaesthetic used by the client is approved and authorised by the MHRA.

I the licence holder am unable to confirm that the topical anaesthetic used by the client is approved and authorised by the MHRA. The appointment will therefore be rescheduled.

Annex 4 – Managing Client Consultation

Managing Client Consultation: Guidance for Tattooing and Semi-Permanent Make-up

Actions: The ‘client consultation outcome record’ provided at [Annex 5](#) or an adapted version can be used alongside this annex in cases where consideration needs to be given as to whether it is safe to proceed when the client has identified existing health issues.

Purpose

This guidance is to help you review the client responses in the consultation and to decide on the appropriate action.

Client’s age

Where there is any doubt that your client is under the age of 18 years, the licence holder must request proof of age. This can be in the form of a passport, photographic driving licence or acceptable ID (card bearing the PASS hologram). A copy of this proof of age is to be kept with the client’s consultation form.

Client’s medical history

Asking additional questions that are not deemed necessary could be considered discrimination. For example, it is illegal to treat someone less favourably because of their HIV status under the Equality Act 2010.

Application of standard infection prevention and control practices by licence holders while performing tattooing will help mitigate the risk of microbial infection.

Section 1 – Heart conditions

Does the client suffer from any heart conditions (e.g., angina, blood pressure problems, prosthetic heart valve, heart valve disease).

This is to check the stability of the client’s symptoms such as chest pain and breathlessness. Clients should ensure they take their medication as prescribed and bring any treatment with them (such as sprays and inhalers).

There are over forty different types of congenital heart disease and tattooing can put you at risk of an infection which increases your risk of bacterial endocarditis (infection of the lining of the heart and valves). Potentially, microorganisms (germs) can grow around the site of the tattoo/semi-permanent make-up site and travel in the blood to the heart.

Microorganisms are present on the skin normally, cutting the skin provides entry of bacteria into the blood or microorganisms could be introduced from contaminated instruments or hands. Endocarditis is a life-threatening condition. At the time of producing this guidance document the incidence in the UK is rising, and a considerable percentage of cases are caused by Staphylococci which lives on the skin.

Please see links below for further information:

Endocarditis – BHF

Caring for Children and Young Adults with Heart Conditions

Endocarditis – NHS

Section 2 – Epilepsy

Epilepsy is a spectrum; clients should be asked:

- 1) How their epilepsy presents (what happens)
- 2) Frequency of seizure
- 3) Any pre seizure warning signs

There is no contraindication to having a tattoo/semi-permanent make-up for people with epilepsy, but clients and licence holders may want to consider the risk if a seizure occurred whilst having a procedure. Licence holders should be aware of what to do during a seizure. It is important to stay with the client to ensure they are safe and recovered. If you are concerned, you should call for an ambulance.

Further information: See links:

Epilepsy Action

Epilepsy Society

Section 3 – Blood clotting disorders

Individuals with severe bleeding disorders are advised to consult their medical consultant specialist for advice, as with invasive procedures, there is a risk of prolonged excessive bleeding and complications.

Anticoagulants are used to slow down how fast the blood clots and are used to treat conditions such as deep vein thrombosis/pulmonary embolism or atrial fibrillation. Anticoagulants should not be stopped as there is a risk of blood clotting. Clients on these types of medication may experience bruising or bleeding which may lead to loss of pigment and a blurring of the tattoo/semi-permanent makeup. There may also be an added risk of an infection. Clients should speak to their GP or medical consultant for advice and provide a note for the licence holder.

Section 4 – Diabetes

The client should take precautions to avoid low blood sugar through their usual monitoring/testing system. They should consider the duration of the procedure and bring appropriate snacks/medication if necessary.

People with diabetes may also have problems with skin healing and infection risk. Avoid tattooing areas that are used for injection so you can clearly differentiate signs of infection which may be attributable to tattooing and not the injection site. Similarly, avoid areas where there is loss of sensation which could mask signs of infection.

Section 5 – Skin conditions and/or scars

Tattooing/semi-permanent make-up should only be performed on intact skin which is not affected by eczema/dermatitis or psoriasis. With eczema in particular, clients often carry more bacteria on the skin and tattooing on an affected area would increase the chance of introducing bacteria or viruses into the skin. Skin affected by psoriasis would carry a small increased risk of infection.

Psoriasis is common and present in 2% of the population. Clients with skin problems such as psoriasis also have a chance of “koebnerisation” occurring. This means that if a client has psoriasis (anywhere) there is a chance that psoriasis will occur in the tattoo, because of the physical trauma to the skin, this occurs in a third of people. This should be discussed with the client, so they are aware of risks and flaring.

The skin condition lichen planus (purple rash, usually on the wrist) can similarly ‘koebnerise’ into tattoos/semi-permanent make-up. There are other rare skin conditions that can also cause this.

Keloids are raised areas caused by an overgrowth of scar tissue.

Inflammation called a granuloma can form around the tattoo ink/semi-permanent make-up ink and in this situation advise clients to see their GP.

Avoid tattooing/performing semi-permanent makeup on anyone with lots of warts or other active virus (e.g. herpes simplex).

If clients are taking medication such as Isotretinoin/Roaccutane used for acne, the procedure should be delayed for six months after the full course of treatment is completed to avoid scarring.

Section 6 – Allergies

Tattooing/semi-permanent make-up should not be performed on anyone with anaphylaxis to any of the ingredients or excipients in inks as this is life threatening.

Licence holders should be aware that creams can have additives that contain essential oils which can contribute to allergic reactions and inflammation of the skin.

Hay fever or asthma is not a contraindication to a tattoo/semi-permanent make-up, clients should manage symptoms as discussed and instructed by their GP or pharmacist.

Section 7 – Immunocompromised

The relevance of immunocompromise status, is the associated increased risk of skin infection.

Section 8 – Pregnancy and Breastfeeding

Pregnancy and breast-feeding are not absolute contraindications to having a tattoo/semi-permanent make-up procedure. Consideration should be given to the site of the procedure and the impact of the changes to the body. For example, the quality of a tattoo on skin that is likely to be stretched during pregnancy. The client may wish to consult their midwife.

Section 9 – Fainting attacks

Ensure that the client reports any triggers to the licence holder and if a client feels faint, they are able to lie flat with legs elevated. They should also not get up too quickly.

Further information on first aid training can be accessed at the below:

St John Ambulance Cymru

Section 10 – Additional medical information

If the client provides additional medical information that the licence holder has concerns could present a contraindication, then the licence holder should advise the client to seek advice from their GP or medical consultant before the procedure takes place.

BBVs, asthma and hay fever are not contraindications for a tattoo.

The client may provide information on self-application of a topical anaesthetic. The licence holder should satisfy themselves that the product that was used by the client is approved and authorised by **MHRA**.

Annex 5 – Client Consultation Outcome Record

This template, or an adapted version, can be used by the LH where, as a result of the client’s health condition(s), they refuse to carry out the specified special procedure on the client. Please refer to paragraph 5 of Mandatory General Licensing Condition 3 for an explanation of the purpose and use of this template.

TEMPLATE: Client Consultation Outcome Record

Licence holder’s:

- name
- workplace address
- email address
- telephone number

Client name and address or date of birth

You attended a consultation for a tattoo/semi-permanent make-up
on [date]

Details of the tattoo/semi-permanent make-up:
.....
.....
.....

You reported that you have [state medical condition/symptoms/concern]
.....
and/or are taking/have been prescribed
[details of medication].

I advised that based on that health information and the concerns I have I am not prepared to proceed with the tattooing/semi-permanent make-up. I am prepared to reconsider my decision if you are able to provide me with either:

- (i) appropriate **written advice or evidence** from your GP* or medical consultant* that there is no specific risk of you having the specified procedure because of the medical issues I have set out above, or
- (ii) **written advice** from your GP* or medical consultant* that despite the health concerns referenced there is no reason why the procedure cannot be performed.

Signature of licence holder Date:

* **PLEASE NOTE:** NHS GPs, private GPs or medical consultants are not obliged to provide written advice of this kind and may refuse. Anyone consulting a private GP should ensure their chosen doctor is registered with the **General Medical Council** before making contact with them.

Annex 6 – Tattooing Aftercare Leaflet

Signs of infection	Tattoo-associated Skin Reactions	Contact information:
It is important to follow the aftercare advice you have been given. Signs of inflammation are part of normal healing in the first 0-3 days. Signs and symptoms of infection of the wound site include: • Swelling and redness. • Warm to the touch. • Pain/tenderness. • Discharge – pus coming from the wound. • Feeling unwell or have a high temperature. Contact your licence holder or seek medical attention if you develop any of these signs or symptoms.	Reactions can occur due to ink content and cause redness and swelling but these usually disappear after 2-3 weeks. Other skin reactions include: • Koebnerise skin reactions – new areas of an existing skin condition such as psoriasis or lichen planus occurring at the tattoo site. • Inflammatory skin reactions such as eczema – appears as an inflamed red rash or scaly/flaky skin. • Photo-aggravated reactions causing redness and swelling due to sunlight exposure and some pigment types. You should discuss any inflammation with your licence holder.	Tattoo Aftercare Leaflet

Taking Care of the Site of your Tattoo

While your tattoo heals it is important to keep it clean, this includes washing your hands with soap and water when you touch the area. Germs from your hands can be transferred to your tattoo site.

The time it takes to heal will depend upon the size and extent of the tattoo. Allow at least 2 weeks and avoid picking any scabs.

Your licence holder should apply a non-stick dressing or cover to the wound following the procedure. This should be clean or sterile and allow the wound to “breathe.” The dressing or cover can be left on until you get home and removed after 24 hours or as advised.

- ✓ **DO Keep it clean.** Use plain, non-fragrant soap and water, avoid direct jets of water to the area and avoid harsh rubbing. Pat dry following a shower.
- ✓ **DO Moisturise.** Apply a simple moisturiser to prevent dry skin and itchiness. Avoid any fragranced creams as this can irritate the skin.
- ✗ **DON'T Use antiseptic** on the wound as this can damage the skin.
- ✗ **DON'T Sunbathe.** Your skin will already be inflamed due to the tattoo needles and so further damage by sun exposure should be prevented until the skin is healed. Some inks can also cause sensitivity reactions when exposed to sunlight. You should avoid exposing your tattoo to sunshine and use a high factor sun protection cream.
- ✗ **DON'T Swim.** To allow your tattoo to heal, it should be kept clean and dry so avoid swimming in pools/lakes and avoid use of hot tubs or saunas.
- ✗ **DON'T Wear tight clothing.** This is to stop clothes sticking or rubbing the wound site.

Annex 6 – Semi-Permanent Make-up Aftercare Leaflet

Signs of infection	Reactions	Contact information:
It is important to follow the aftercare advice you have been given. Signs of inflammation are part of normal healing in the first 0-3 days. Signs and symptoms of infection of the wound site include: • Swelling and redness. • Warm to the touch. • Pain/tenderness. • Discharge – pus coming from the wound. • Feeling unwell or have a high temperature. It is important to contact your licence holder or seek medical attention if you develop any of these signs or symptoms to rule out an infection. It is usual to experience slight swelling, redness and scab formation.	Reactions can occur due to pigment dyes and cause redness and swelling but usually disappear after 2-3 weeks. Aftercare for swelling: • Apply an ice pack. • Do not pick or scratch. You should discuss any inflammation with your licence holder. Avoid using fragranced products that might irritate the skin and avoid wearing makeup. Gentle exercise is recommended as opposed to heavy. Ensure your pillowcase is clean or cover with a clean towel each night until healed.	Semi-Permanent Make-up (SPMU) Aftercare Leaflet

Taking Care of the Site of your Semi-Permanent Make-up

While your semi-permanent make-up (SPMU) heals it is important to keep the area clean, this includes washing your hands with soap and water when you touch the area. Germs from your hands can be transferred to the site of the SPMU.

The time it takes to heal will depend upon whether the eyebrows, eye line or lips are involved. Avoid picking any scabs.

The following daily care is recommended:

- ✓ **DO Keep it clean.** Use plain, non-fragrant soap and water, avoid splashing your face and avoid harsh rubbing. Pat dry following a shower.
- ✓ **DO Moisturise.** Apply a simple moisturiser to prevent dry skin and itchiness. Avoid any fragranced creams or lip balms as this can irritate the skin.
- ✗ **DON'T Sunbathe.** Some pigments can also cause sensitivity reactions when exposed to sunlight. You should avoid exposing your semi-permanent make-up to sunshine/use a high factor sun protection cream. Wear sunglasses to protect the eyes and wear a wide brimmed hat to protect the lips. Avoid sunbeds.
- ✗ **DON'T Swim.** Allow the area to heal, it should be kept clean and dry so avoid swimming in pools/lakes and avoid use of hot tubs or saunas. This includes hot showers or baths.
- ✗ **AVOID hot drinks.** This is specific to lip blushing as the area is sensitive. A straw may be used to drink.
- ✗ **AVOID contact with your hair.** While the face area heals, tie back hair.

An “incident” is an event or occurrence, whether real or alleged, which has the potential to cause harm to human health and is associated with the performance of a special procedure. This may include a product recall, equipment failure such as an autoclave, customer complaints regarding hygiene practices or poor service and allegations of infection or other ill health.

[illegible]