

Public Health Division

Public Health (Wales) Act 2017 - Special Procedures

A summary of the main requirements of the licensing system for practitioners

The Public Health (Wales) Act received Royal Assent in July 2017. Part 4 of the Act requires a mandatory licensing scheme for practitioners and businesses carrying out 'Special Procedures' in Wales. 'Special Procedures' include those practices currently requiring registration under the Local Government (Miscellaneous Provisions) Act 1982, namely tattooing including semi permanent skin colouring, cosmetic piercing, acupuncture and electrolysis.

The aim is to introduce the licensing scheme by April 2020. The main requirements include:

- Practitioners must be licensed to carry out special procedures (it will be an offence to carry out special procedures without a licence);
- Business premises or vehicles must be approved (it will be an offence for a practitioner to perform any procedures from premises or vehicles that are not approved);
- A full licence will last for 3 years, and a temporary licence will last for 7 days (this is to accommodate events and conferences). It will be a requirement to display the licence in the premises where the special procedure is undertaken.
- Licence conditions will relate to the competence of practitioners, the premises where practitioners work, the equipment and practices used, advice given before and after the special procedure and the records kept by practitioners;
- Competence will relate to infection control and first aid in context of the special procedure practised. The level of competence will relate to the level of risk linked to the special procedure, for example ear lobe piercing would not require the same level of competence as body piercing. Knowledge of the requirements of the Act will also be required.
- Current registered practitioners will need to transition to the new mandatory system and time will be allowed for those practitioners (and their premises) to be assessed by local councils and moved on to the new licensing system;
- Local councils will be responsible for enforcing the licensing requirements and for keeping up to date a public register. There will be greater powers to enforce this legislation than those currently in place, as well as the ability to revoke a licence and immediately stop unsafe practices. Fines will also be unlimited upon successful prosecution;

- In order to ensure the legislation remains up to date as new special procedures evolve in the future, the Act includes a provision to make further legislation to amend/add to the list of special procedures.

The Welsh Government is liaising with practitioners, professional associations and interested stakeholders to develop bespoke accredited infection control courses and up to date bespoke industry guides, as well as considering the development of a more bespoke structured career path for practitioners of special procedures in Wales. If you wish to be part of this process or have any queries, please contact Dr Sarah Jones, Sarah.Jones058@gov.wales