

## Appendix 1

### The Tattooing Hygiene Rating Scheme [THRS] Guidance

#### The Rules

The rules of the THRS are as follows:

1. All operators of premises offering tattooing within Portsmouth City Council's administrative area shall be eligible to apply to participate in the THRS. Application to join the scheme constitutes acceptance of the rules of the scheme.
2. Irrespective of any other services offered at the premises, the THRS shall apply to the tattooing procedure only.
3. Tattooing premises will be rated by the inspecting officer in accordance with the rating scheme following a programmed or initial inspection carried out under the Local Government (Miscellaneous Provisions) Act 1982 (hereinafter called 'the Act').
4. Following inspection, premises will be rated for a year.
5. Where the inspecting officer requires remedial works or action to be taken in consequence of conditions found at the time of the initial inspection, at the request of the operator, the rating may be deferred to allow the works or action to be undertaken and the premises shall only be rated upon the completion of the works.
6. Upon the THRS rating being awarded, Portsmouth City Council shall give the operator of the premises a THRS Certificate indicating the date of the rating inspection and the rating awarded, and a THRS self clinging window sticker indicating the rating awarded. The operator of the premises may display these within the premises to which it relates and may display the window sticker in a prominent position on a window, door or other entry to the premises to which it relates where it will be readily seen by potential purchasers. Additionally, registered accredited practitioners will be given formal identification issued by Portsmouth City Council.
7. The THRS certificate, window sticker and accredited practitioner identification cards remain the property of Portsmouth City Council and must be returned to Portsmouth City Council on demand.
8. Portsmouth City Council retains the intellectual rights to THRS logo. The usage of the logo remains absolutely in the control of Portsmouth City Council and must not be used without permission. Operators of premises with a THRS rating may refer to or display their current rating on advertising material and their websites should they wish to do so but only with consent from Portsmouth City Council.

9. A list of all premises having a rating awarded under the THRS will be maintained on the Portsmouth City Council website. A list of all accredited practitioners will also be maintained on the Portsmouth City Council website.
10. Portsmouth City Council may display the rating of tattoo premises within Portsmouth City Council's area on its website or, from time to time, in any publication chosen by it.
11. Portsmouth City Council reserves the absolute right to remove an applicant's details at any time.
12. Rating the business and detailing establishments on the Portsmouth City Council website in no way guarantees the quality or consistency with respect to the services it offers.
13. Where an operator of premises displays a THRS certificate or sticker that is no longer valid through it being superseded or claims in any advertising material display or manner to be the holder of a THRS rating that is incorrect or makes any claim with regard to the scheme that is misleading in any material particular, he shall be liable to prosecution under the Consumer Protection from Unfair Trading Regulations 2008.
14. Operators of premises holding current THRS rating may apply to be re-rated but may not do so until three months after the most recent inspection under the Local Government (Miscellaneous Provisions) Act 1982 inspection and THRS rating visit has elapsed. A charge will be applied.
15. Operators of premises may ask Portsmouth City Council to re-rate their premises where they are of the view that the rating currently awarded to the premises no longer reflect the conditions existing there. Portsmouth City Council may not re-rate the premises within three months of a rating visit carried out under the Act and may at its discretion decline to re-rate a premises where the request to re-rate is received within 2 months of a programmed inspection under the Act being due. A charge will be applied.
16. Where an operator of premises is aggrieved by the tattoo hygiene rating awarded to his premises, he may appeal to Portsmouth City Council. The grounds under which an appeal may be made are:
  - That the rating allocated to the premises does not properly reflect conditions existing within it at the time of the rating visit; OR
  - That the rating criteria were incorrectly applied.
17. The appeal must be made in writing within 28 days of the notification of the THRS rating and must state the grounds upon which the appeal is founded. The appeal shall be determined in accordance with Portsmouth City Council's appeal mechanism which will be communicated to the operator at the same time as the THRS rating is communicated, and the determination shall be binding on both parties.

18. Appeals must be made in writing within 28 days of notification of the THRS rating and must state the grounds upon which the appeal is founded. Appeals must be made to the Environmental Health Manager, Environmental Health Portsmouth City Council. The decision of the appeal will be binding. There is no mechanism for further appeal.

#### **Fees and inspection frequencies:**

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- Premises under the scheme will be inspected annually;
- Application and initial inspection £110;
- Request for a revisit to re-score £110;
- Annual inspection £110.

#### **Withdrawal from the scheme:**

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Where an operator wishes to withdraw from the scheme they must write to Portsmouth City Council advising of their intention to withdraw. On withdrawal from the scheme, the operator should return the certificate and window sticker and Portsmouth City Council will remove the details from the database and website.

### **Rating Schedules**

Premises will be rated in accordance with the following criteria:

#### **Rating Level 1**

To achieve a rating of Level 1, the premises must achieve **all** of the following requirements :

#### ***Cleanliness of premises and fittings***

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For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor must ensure that:

- (i) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;
- (ii) any waste material, or other litter arising from treatment must be placed immediately, after use, in an appropriate waste receptacle with a pedal operated lid and be handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority;
- (iii) any needle, razor or other sharp item used in treatment is disposed of in a sharps container that is kept out of reach of clients and the general public in accordance with relevant legislation and guidance as advised by the local authority;

- (iv) any furniture, fitting or waste receptacle in the premises is kept clean and in such good repair as to enable it to be cleaned effectively;
- (v) any table, couch or seat used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment has a smooth impervious surface which is cleaned and disinfected—
  - (a) immediately after use; and
  - (b) at the end of each working day.
- (vi) any table, couch, or other item of furniture used in treatment with which the clients skin comes into contact is covered by a disposable paper sheet or plastic film wrap or similar material which is changed for every client;
- (vii) no eating or drinking is permitted in the treatment area and a notice or notices reading “No Eating or Drinking” is prominently displayed there; the only exception to this being drinking water provided for clients during the tattoo process;
- (viii) animals are prohibited from the treatment area except for animals used by the sight and/or hearing impaired.

### ***Treatment Area***

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- 1) A proprietor must ensure that the clinical treatment area is physically distinct from the nonclinical area/s within the premises, and that all treatments are conducted solely in the treatment area that shall only be used for this purpose.
- 2) A proprietor must ensure that the floor of the treatment area is provided with a smooth surface that is impervious to water.

### ***For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, materials and equipment***

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- 1) For the purpose of securing the cleansing and so far as is appropriate, the sterilisation of needles, instruments, materials and equipment used in connection with treatment, an operator must ensure that—
  - (i) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment:
    - (a) is clean and in good repair and, so far as is appropriate, is sterile;

- (b) has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilised.
- (ii) any needle or other sharp item used in treatment is single-use and disposable;
- (iii) any single-use needle, metal instrument, or other instrument or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;
- (iv) if petroleum jelly or lubricating gel is to be placed on a clients skin, enough for one client only should be removed from the stock container with a clean spatula, and placed in a container that is either disposed of at the end of each treatment or is cleaned and sterilised before re-use;
- (v) tattoo clip cords are covered with plastic which is renewed between clients and is disposed of appropriately;
- (vi) elastic bands or needle runners used on tattoo machines are changed between clients and are disposed of appropriately;
- (vii) tattoo stencils are single use and are appropriately disposed of after use;
- (viii) tattoo pens are never used on broken skin;
- (ix) for the purposes of tattooing or semi-permanent skin-colouring, only pigment/ink dispensed into single use pots or pre-packed in single use vials is used;
- (x) any container used to hold pigment/ink for tattooing or semi-permanent skin-colouring is used for only one client and disposed of together with any unused pigment/ink at the end of each treatment;
- (xi) plastic film wrap used to cover tattoos is clean and used straight from the pack and is secured by hypo allergenic tape;
- 2) For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, materials and equipment used in connection with treatment a proprietor must provide:
  - (i) adequate facilities and equipment for:
    - (a) cleansing and disinfection, including a general purpose sink with an adequate and constant supply of hot and cold running water on the premises, separate from the wash hand basin required

for operator personal hygiene. This general purpose sink should be located out of the treatment area wherever possible; and

- (b) sterilisation, unless only pre-sterilised items are used. All sterilisation equipment must be serviced in accordance with manufacturer's instructions and maintained at manufacturer specified intervals and periodically tested by the operator to ensure its efficient operation. Records of maintenance, servicing, testing and operating cycles must be retained at the premises until the date falling six months after the equipment is destroyed or disposed of.
- (ii) sufficient and safe gas points and electrical socket outlets;
- (iii) clean and suitable storage which avoids contamination of the articles, needles, instruments and equipment.

### ***Client Record Keeping***

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- 1) For the purposes of controlling the spread of infection, a proprietor shall maintain a record of all clients treated in the premises which shall record:
  - i. Name of the client;
  - ii. Address of the client;
  - iii. Date of birth of the client;
  - iv. Nature of treatment (consultation, tattoo initial appointment, follow up appointment etc);
  - v. Relevant medical history, health related questions and assessment;
  - vi. Name of the operator giving the treatment which record shall be made available to the local authority on request.
- 2) The proprietor shall ensure that all clients purchasing a tattoo or tattoo treatment shall sign a consent form consenting to the treatment, which form shall be retained by the proprietor and which shall be made available to the local authority on request.
- 3) The proprietor shall record the details of what documents were used in 1iii) to confirm the age of the client (e.g. passport, driving licence etc.)
- 4) All client records will be available upon request of any appropriately authorised officer of Portsmouth City Council. The proprietor will agree to provide copies as necessary.

### **Cleanliness and personal hygiene of Operators**

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- 1) For the purpose of securing the cleanliness of operators, a proprietor must ensure that an operator:
  - (i) is instructed in appropriate hygienic hand decontamination techniques and washes their hands immediately before carrying out a treatment on each client;
  - (ii) is instructed in the correct use of Personal Protective Equipment (PPE);
  - (iii) keeps his/her hands and nails clean and his/her nails short;
  - (iv) does not wear wrist watches, stoned rings or other wrist jewellery whilst undertaking tattooing procedures;
  - (v) keeps any open lesion on an exposed part of the body effectively covered by an impermeable dressing;
  - (vi) wears disposable, well fitting, powder free surgical gloves that conform to European Community (EC) standards, are free from rips and tears and have not previously been used with another client;
  - (vii) does not wear natural rubber latex (NRL) gloves for tattooing procedures involving petroleum based lubricants;
  - (viii) does not smoke or consume food or drink in the treatment area.
- 2) For the purpose of securing the cleanliness of operators a proprietor must provide:
  - (i) suitable and sufficient wash hand basins with non hand operated taps appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, liquid soap and paper towels stored in a wall mounted dispenser next to the wash hand basin. Hand washing instructions should be clearly displayed at such basins;
  - (ii) suitable and sufficient sanitary accommodation for operators that shall be maintained in a visibly clean and hygienic condition.
- 3) It shall be the duty of all operatives to practise and maintain high standards of personal hygiene at all times.

### **Rating Level 2**

To achieve a rating of Level 2 the premises must achieve all the requirements of Rating Level 2 and all of the **additional** following requirements:

- 1) The method or form of identification used to verify date of birth of every client shall be recorded and kept of a period of 24 months.
- 2) The proprietor shall provide all clients purchasing a tattoo or tattoo treatment with written aftercare advice in a form that the client can retain and take away with them.
- 3) The proprietor shall ensure that they:
  - i) only buy ink from reputable suppliers and keep records of all inks purchased for a period of one year;
  - ii) only buy needles from reputable suppliers and keep records of all needles purchased for a period of one year;
  - iii) test the autoclave and ultrasonic cleaning devices daily and that records of such are kept for a period of 6 months;
  - iv) report poor practices in the industry to the council's enforcement officers and have, the records as mentioned within i) ii) and iii) above, available upon request of any appropriately authorised officer of Portsmouth City Council.
- 4) The proprietor shall refuse to tattoo any person considered to be under the influence of alcohol or any other drug which may impair their judgement.
- 5) The proprietor will discuss the following with any person wishing to be tattooed below the wrist or above the neck the following:
  - Whether they are a 'first time' tattooist and that they understand the implications for being tattooed on these parts of the body;
  - The implications in relation to employment (both current and future)
- 6) The proprietor shall seek to avoid tattooing 'first time' clients below the wrist or above the neck.

### Rating Level 3

To achieve a rating of Level 3 the premises must achieve all the requirements of Rating Level 3 and all of the **additional** following requirements:

- 1) The proprietor of the business and all tattoo artists practising from the premises shall be willing to work with trade or professional body whose aims and objectives include promotion of safe and hygienic tattooing practise;



- 2) Arrangements are in place to encourage staff to be immunised against Hepatitis B.

*The following records shall be kept:*

- i. Detailing that staff have been offered immunisation against Hepatitis B and that this has been declined;
  - ii. Where staff have been vaccinated, a copy of documentation of Hepatitis B vaccination;
  - iii. If a blood test is carried out post vaccination to check for antibodies, a copy of documented proof of protection against Hepatitis B.
- 3) The proprietor of the premises shall have a training programme (CPD or similar) in place for all staff. The programme shall be tailored to ensure that all staff have access to training that ensures that they are competent to practice at the level at which they operate.
- 4) Staff training records (or copies thereof) shall be retained at the premises and shall be made available to the local authority on request.