

West Lothian Council
Civic Government (Scotland) Act 1982
Section 44(1)(b), 2 and Schedule 1
Licence of Skin Piercing and Tattooing
Conditions – Ear Piercing

CONDITIONS APPLICABLE TO A BUSINESS PROVIDING ONLY EAR PIERCING WHERE THE ACTIVITY IS TO BE CARRIED OUT WITHIN A DESIGNATED AREA OF THE PREMISES

1. The Licence holder must surrender the Licence if and when called upon to do so by the Licensing Authority for the purpose of alteration in accordance with any decision of the Licensing Authority.
2. The Licence holder shall notify the Licensing Authority in writing within 30 days of any change from the information provided in the original licence application.
3. The Licence holders shall ensure that they are covered by an adequate policy of Third Party Liability Insurance with a reputable company and an appropriate certificate shall be displayed at all times on the premises or, where the activity is not carried out mainly from a premises, be available for inspection.
4. The Licence holder shall ensure that any client who presents a condition that is a contra-indication to the ear piercing procedure be asked to seek medical advice from their GP prior to the treatment being carried out. Written authorisation from the client's GP shall be provided prior to any treatment being undertaken. A copy of this information shall be retained with the written records of the client's personal details.
5. The Licence holder shall ensure that a pre-treatment questionnaire is completed for each client, which has been signed by the operator and countersigned by the client.
6. The Licence holder shall ensure the following written records of the clients personal details are retained for a period of 2 years:
 - (1) Name, address and contact telephone number,
 - (2) Date of birth
 - (3) Relevant medical history
 - (4) Name of the practitioner who carried out the ear piercing,
 - (5) Date and time when the skin piercing was undertaken.
 - (6) Details of any reported problems associated with the ear piercing.
7. The Licence holder shall ensure that written information is provided to each client explaining the appropriate aftercare requirements for the ear piercing. This must include the contact details of the operator.
8. The Licence holder shall ensure that every operator is capable of demonstrating that they have sufficient knowledge, skill, training and experience commensurate with the ear piercing activities they carry out. The Licence holder shall retain a record of the information provided.
9. The Licence holder shall ensure that persons undergoing training or practical experience in ear piercing shall remain under the direct supervision of a competent person at all times.
10. The Licence holder shall ensure that all operators maintain an acceptable standard of personal cleanliness.

11. The Licence holder shall ensure that the ear piercing is carried out by an operator wearing disposable non-latex gloves with sufficient protection for the task being undertaken. The gloves must be changed for each client and as necessary during the procedure.
12. The Licence holder shall ensure that an ear piercing gun and a sterile cartridge is used.
13. The Licence holder shall ensure that only pre-sterilised jewellery supplied in packaging and which is intended for use with the ear piercing gun is used.
14. The Licence holder shall ensure that where applicable supplies of the following items are available at all times –
 - (1) Disposable non-latex gloves;
 - (2) Appropriate cleaning, disinfection and sterilisation products.
15. The licence holder shall ensure that all jewellery is compliant with the Dangerous Substances and Preparations (Nickel) Safety Regulations.
16. The Licence holder shall ensure that all equipment used in conjunction with ear piercing are stored in such a way as to ensure their cleanliness.
17. The Licence holder shall ensure that prior to ear piercing all operators shall thoroughly wash their hands with a suitable soap and hot water and dry with clean disposable paper towels.
18. Prior to any treatment being carried out, the area of the body to be treated shall be cleaned using an appropriate skin safe antiseptic.
19. The Licence holder shall ensure that suitable recorded risk assessments are undertaken of their activities.
20. A first aid kit, which is readily available and appropriately stocked, shall be provided.
21. The Licence permits the use of the Premises specified therein as a place for the carrying on of a business, which provides skin piercing or tattooing, as defined in the Licence. The Licence must be exhibited in the Premises in such a place and in such a manner as to be easily read by the public.
22. The Licence holders or, in the absence of the Licence holders, a person authorised by them, must be in charge of the premises during licensed activities and must not be engaged in duties which might prevent the exercising of general supervision of the premises.
23. The Licence holder shall ensure a full-face photograph of each operator is clearly displayed in the waiting area so that all customers may easily identify him or her.
24. The Licence holder shall ensure a general-purpose sink with hot and cold running water is provided on the premises for cleaning and sterilisation purposes, separate from the required wash hand basin. This should be located out-with the treatment area wherever possible.
25. The Licence holder shall ensure that the accommodation and facilities within the premises are maintained in good repair and in a good state of cleanliness appropriate to the activities undertaken.
26. The Licence holder-undertaking ear piercing with the use of an ear-piercing gun shall ensure that a separate area with a washable chair with disposable paper sheet has been designated for the carrying out of that activity within the premises.
27. The Licence holders shall ensure that they display notices in the designated area of the premises:-
 - (1) advising that ear piercing will not be carried out on any person under the influence of alcohol or drugs;

- (2) advising that ear piercing will not be carried out on any child under the age of 16 unless accompanied by a person who has parental rights and responsibilities in respect of that child and who has also given their consent in writing to the ear piercing; and
 - (3) listing the names of licensed and authorised practitioners.
 - (4) advising of the risks associated with ear piercing
28. The Licence holder shall ensure a full-face photograph of each operator is clearly displayed in the designated area so that all customers may easily identify him or her.
29. The Licence holder-undertaking ear piercing only shall ensure that the premises has the following facilities conveniently located to the designated area:
- (1) a wash hand basin with hot and cold running water;
 - (2) a paper towel holder containing paper towels,
 - (3) a soap dispenser containing soap,
 - (4) a dispenser containing alcohol solution for cleaning purposes,
 - (5) a waste bucket with a pedal operated lid
30. The Licence holder shall ensure that the designated area is effectively ventilated and illuminated for the purposes of ear piercing.