


Public Health (Wales) Act 2017

Special procedures

To be covered:

- ▶ The Public Health (Wales) Act 2017
 - ▶ Intimate piercing
 - ▶ Special procedures:
 - How common are they?
 - Why we need a licensing system
 - The aims of the new system and key points
 - How competence will be defined
 - How Practitioners can evidence that they are competent
 - How Practitioners can become competent
 - Supporting implementation
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Background – Public Health (Wales) Act

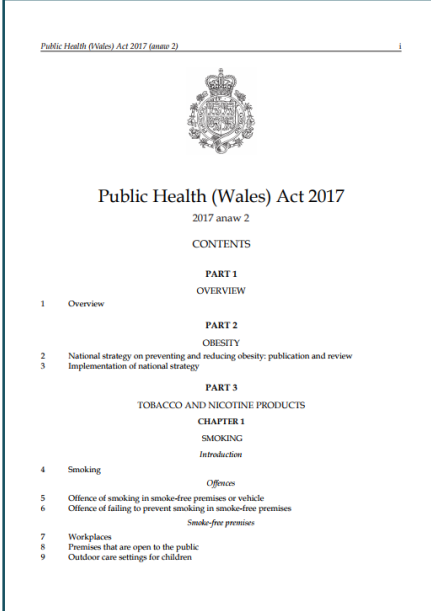
Public Health (Wales) Act received royal assent in July 2017

Part 2: national strategy on tackling obesity


Part 3: tobacco and nicotine products

Part 4: licensing of special procedures

Part 5: intimate piercing



Public Health (Wales) Act 2017 (anaw 2)



Public Health (Wales) Act 2017
2017 anaw 2

CONTENTS

PART 1
OVERVIEW

1 Overview

PART 2
OBESITY

2 National strategy on preventing and reducing obesity: publication and review
3 Implementation of national strategy

PART 3
TOBACCO AND NICOTINE PRODUCTS

CHAPTER 1
SMOKING

Introduction

4 Smoking

Offences

5 Offence of smoking in smoke-free premises or vehicle
6 Offence of failing to prevent smoking in smoke-free premises
Smoke-free premises

7 Workplaces
8 Premises that are open to the public
9 Outdoor care settings for children

Background – Public Health (Wales) Act


Part 6: health impact assessments

Part 7: pharmaceutical needs assessments

Part 8: local toilets strategy

Part 9: fixed penalty receipts for food hygiene rating offences

Public Health (Wales) Act 2017 (anaw 2)



Public Health (Wales) Act 2017
2017 anaw 2

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OBESITY

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Background

Intimate piercing:

- ▶ Includes piercing of the nipples, breast, genitalia, buttocks or tongue
- ▶ Previously no age restriction in Wales
- ▶ Set at 18 years
 - In line with other public health age-related regulations e.g. sale of alcohol and cigarettes
 - Allows Practitioners to continue to refuse 16–17 year olds
 - WHO definition of FGM now includes piercing of genitalia for non-medical purposes
- ▶ Training will be made available

Background

Special procedures:

- ▶ Working with WG on special procedures (Part 4)
(tattooing, body piercing, acupuncture and electrolysis)
- ▶ Timescales much longer – many regulations still to be written!
- ▶ No grandfather rights – will need to provide plenty of time to get Practitioners ready



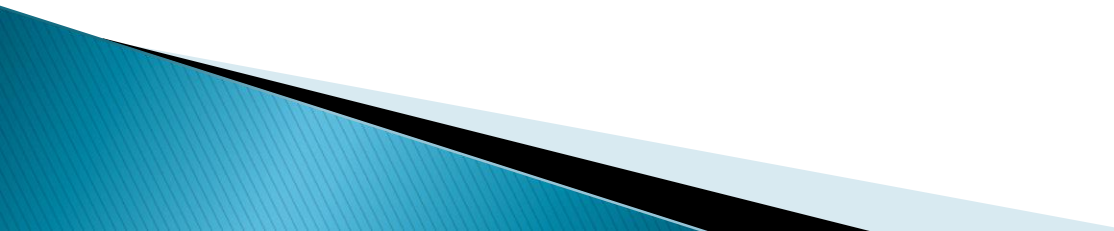
Background

Special procedures:

- ▶ 1,044 premises registered for special procedures in Wales (June 2015)
- ▶ Estimated 10% of young people thought to have a body piercing – over 250,000 young people in Wales
 - ▶ Around 19% of adults thought to have a tattoo – around 283,000 tattoos undertaken in Wales each year
 - ▶ No estimates for acupuncture or electrolysis



Special procedures: why do we need a licensing system?

- ▶ Becoming much more popular e.g. tattooing
 - ▶ Known health risks include: infections; potential spread of BBV; complications such as bleeding, swelling and physical injury; nerve damage and scarring
 - ▶ Newport outbreak – clients left with serious skin infections requiring in-patient care and reconstructive surgery
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Special procedures: why do we need a licensing system?

- ▶ Current enforcement uses ‘the 1982 Act’
 - Only able to refuse an application for registration if the applicant has been found guilty of an offense
 - Enforcement relies on being able to prove a person is ‘carrying on a business’
 - There is no ‘competency test’ to check Practitioners are safe



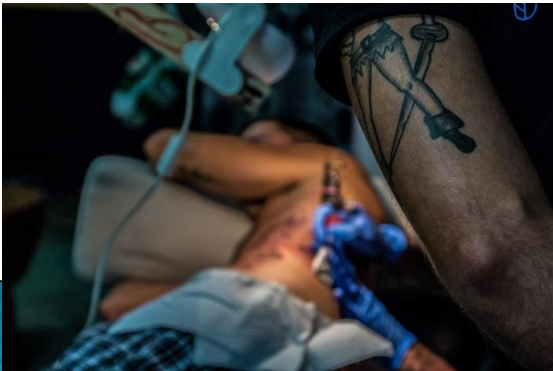
Special procedures: the aim

Aim: to repeal the 1982 Act provisions and replace it with a compulsory, national licensing system for practitioners of specified special procedures in Wales.

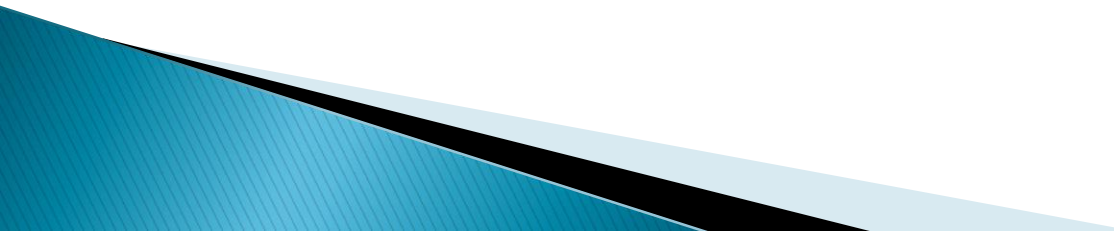
- ▶ To perform a special procedure Practitioners must be licensed and the premises or vehicle from which they operate approved
- ▶ Individual licences and approvals will be valid for 3 years
- ▶ Temporary licences and approvals will be available for exhibitions and events

Special procedures: the aim

- ▶ To ensure that Practitioners practice to appropriate standards (for example relating to hygiene, record keeping and age verification)
- ▶ To ensure that special procedures are only carried out in suitable environments
- ▶ To keep the legislation up to date and effective against new procedures through secondary legislation



Points to note

- ▶ Members of specific professions (e.g. doctors, dentists and nurses) will not need to be licensed
 - ▶ Members of other specified professions can be exempted via regulations, subject to the affirmative procedure
 - ▶ LAs will be required to keep a register of licenses issued – this will be made open to the public
 - ▶ The licensing scheme will apply across Wales
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Points to note

- ▶ LAs will be able to issue 'stop notices' to prevent a Practitioner undertaking a special procedure anywhere in Wales
- ▶ Also able to issue 'remedial action notices' to order specific action and steps to be taken to rectify the issue within 14 days



Special procedures: where are we now?

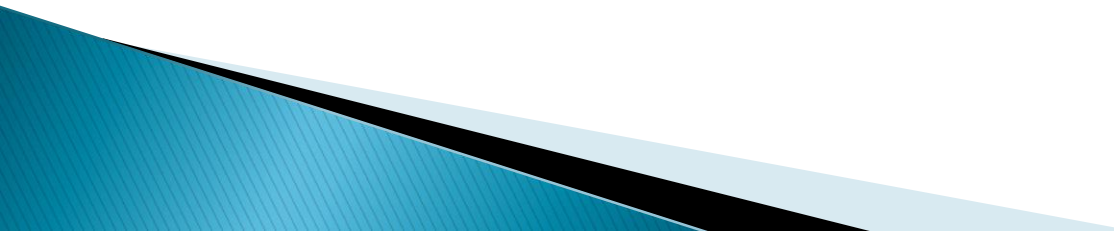
1. Writing the regulations to support the act

e.g. what is body piercing?

'the perforation of an individual's skin or mucous membrane, with a view to enabling: (a) jewellery, or (b) an object of a description prescribed in or under regulations, to be attached to, implanted in, or removed from the individual's body'

2. Defining 'competence'

What is competence?

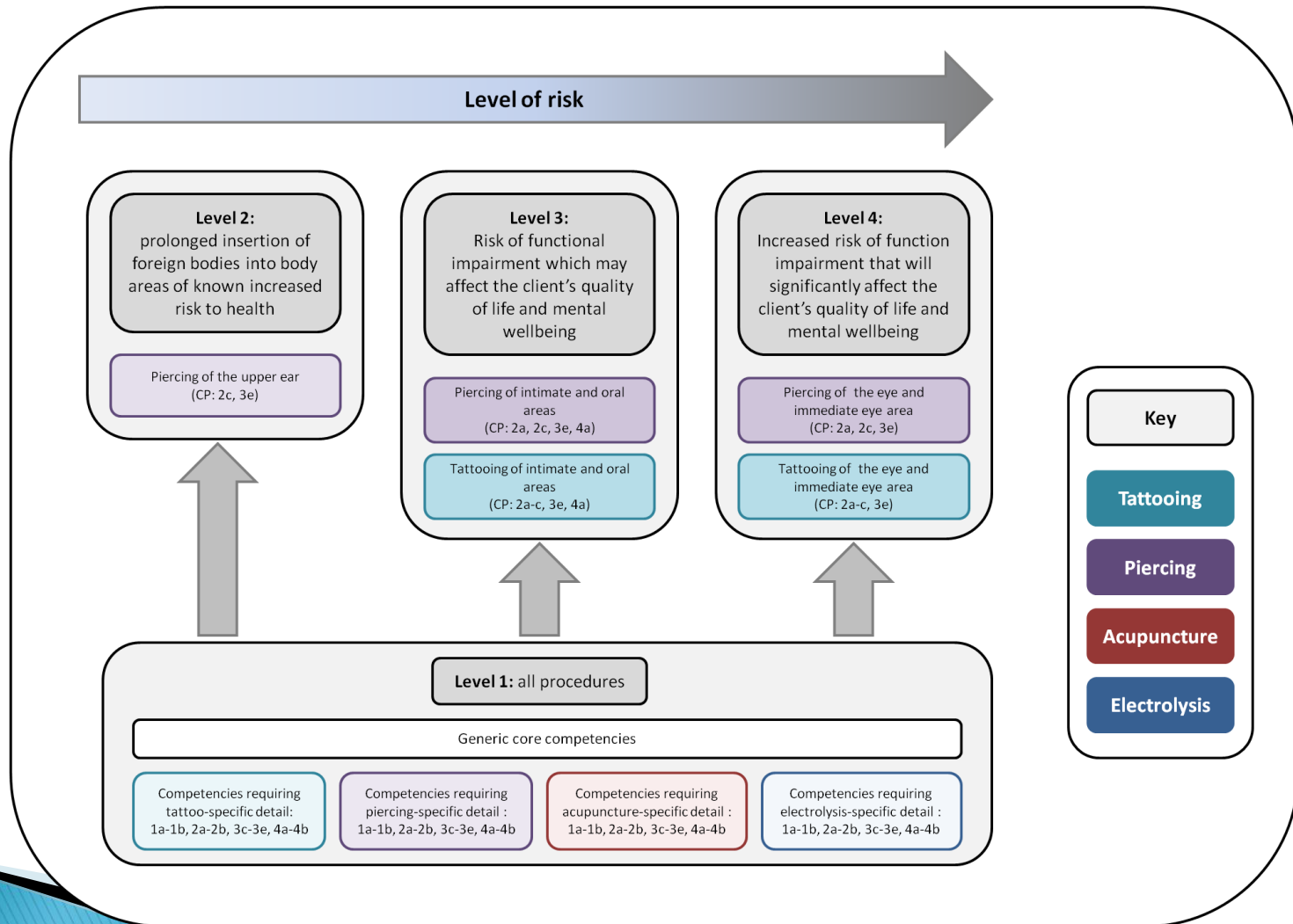
1. Defining what competence means
 2. How Practitioners can show that they are competent
 3. What training is available to support Practitioners to become competent
 4. Supporting implementation of the new system
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1. Defining competence

- ▶ Based on a risk assessment of known risks and the potential to cause harm
- ▶ Defined four levels of risk:

Level	Definition	Examples
1	Moderate or low risk of mild adverse events and low or very low risk of serious adverse events	Ear lobe piercing, acupuncture, electrolysis
2	Any procedure with an extended healing period due to prolonged insertion of a foreign body, performed on a body area with a known increased risk of serious adverse events	Piercing of upper ear cartilage
3	Risk of functional impairment which may negatively affect the client's quality of life and mental wellbeing	Piercing and tattooing of intimate and oral areas
4	Risk of functional impairment that will negatively affect the client's quality of life and mental wellbeing	Piercing and tattooing of the eye and immediate eye area

1. Defining competence



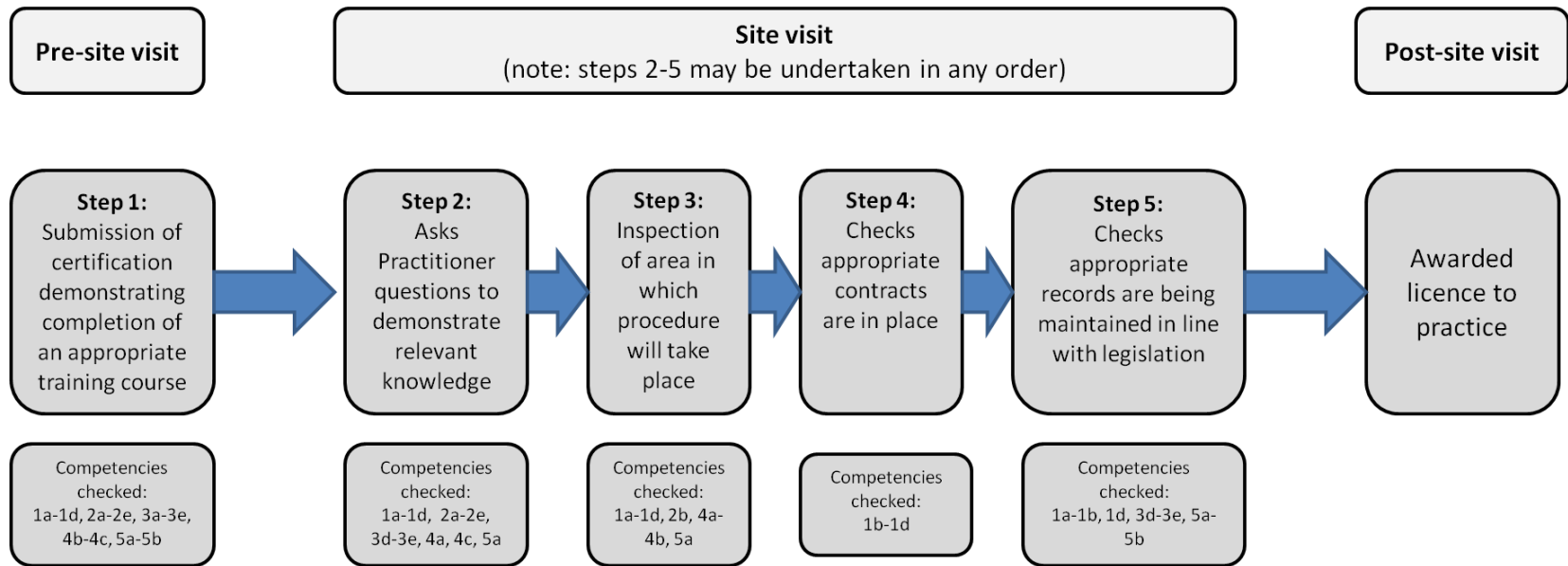
1. Defining competence

Should be competent to:	Need	Examples of competence expected
1) Create an appropriate environment	Knowledge of, and undertakes, infection control practices to create an appropriate environment	Appropriate cleaning and sterilisation or disposal of instruments and equipment
2) Protect self and client	Understanding of the need to, and takes appropriate action, to protect self and client	Uses personal protective equipment appropriately (including gloves, clothing, eye and face protection). Practices appropriate hygienic hand decontamination
3) Provide appropriate advice to minimise the risk of adverse events	Knowledge of the methods of transmission of infectious agents Knowledge of health risks associated with the procedure and appropriate aftercare	Understanding of what is a blood-borne virus and how infections can be spread Advises clients on appropriate aftercare

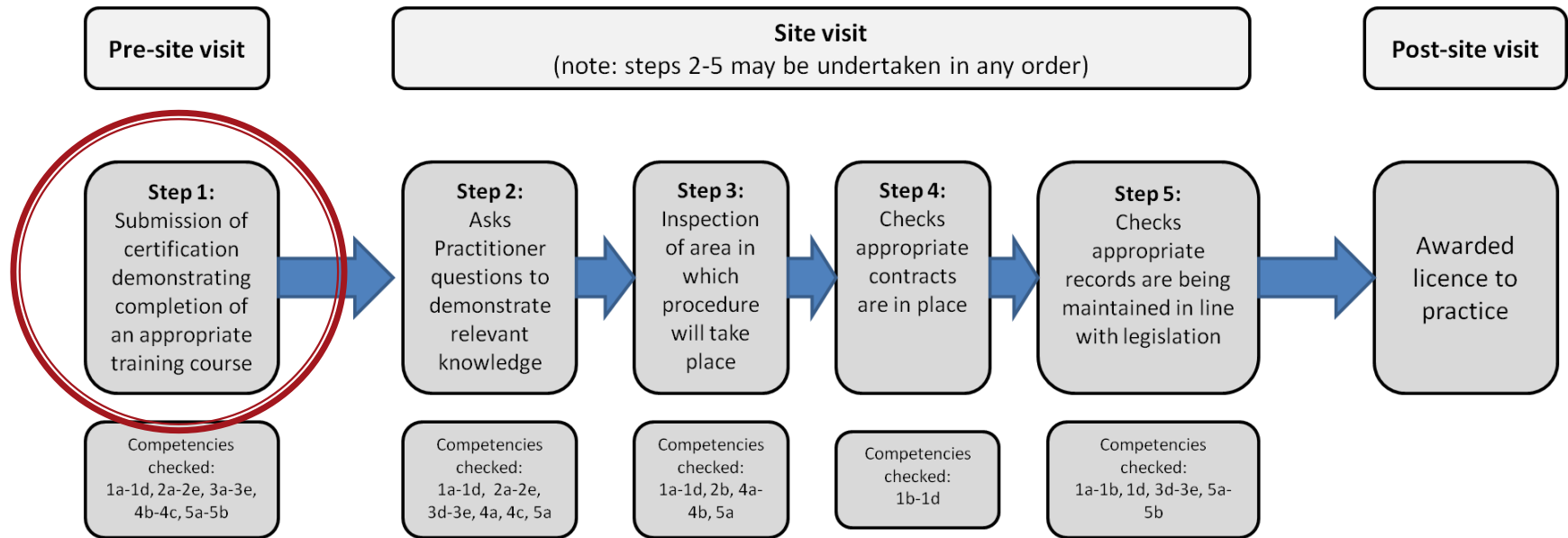
1. Defining competence

Should be competent to:	Need	Examples of competence expected
4) Take appropriate action to minimise the risk of adverse events	Management of the environment during the procedure Undertakes the procedures safely	Practices appropriate technique for minimising risk during the procedure
5) Ensure that they comply with legal requirements for practice and maintain appropriate records	Knowledge of legal requirements for practice and good practice for record-keeping	Acts in accordance with relevant legislation Keeps accurate records

2. Evidencing competence

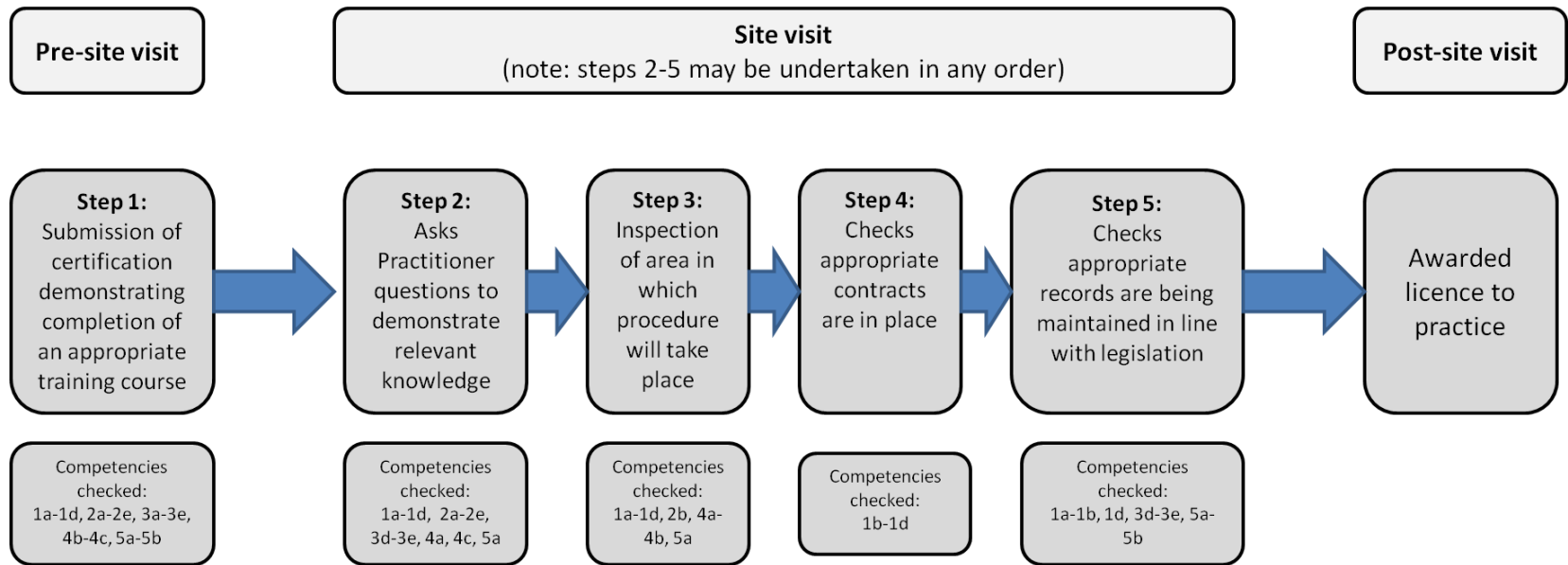


2. Evidencing competence



- ▶ How do you know if the training course is appropriate?

2. Evidencing competence



- ▶ Same process for renewal of licence every 3 years?

3. Achieving competence

- ▶ Currently looking at options for training of Practitioners to make sure they are competent
 - ▶ What's already available; what's missing; cost analysis of different approaches
- ▶ Key points:
 - Need to make sure training is always available for Practitioners in time to apply for a licence
 - Approach needs to be flexible so that LAs can do what works best for them
 - Training should be equally accessible for the range of Practitioners e.g. location, literacy levels
 - Training courses need to be financially feasible to enable providers to run them

3. Achieving competence

Questions:

1. Who should provide the training course?
2. Should it be available online?
3. Should training courses combine different risk levels and/or different special procedures?
4. Should Practitioners undergo the full training again every 3 years?



4. Supporting implementation

- ▶ Supporting LAs with training in the new system and how to assess competence
- ▶ Will be bringing out guidance for Practitioners



4. Next steps

- ▶ Keen to hear your thoughts – will be asking for feedback by email

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