

<b>Title of Report:</b>	<b>Response to Request for Better Regulation of Cosmetic Treatments</b>
<b>Committee Report Submitted To:</b>	<b>Environmental Services Committee</b>
<b>Date of Meeting:</b>	<b>8<sup>th</sup> November 2022</b>
<b>For Decision or For Information</b>	<b>For Information</b>

<b>Linkage to Council Strategy (2021-25)</b>	
Strategic Theme	Cohesive Leadership
Outcome	Establish key relationships with Government, agencies and potential strategic partners
Lead Officer	Head of Health & Built Environment

<b>Budgetary Considerations</b>	
Cost of Proposal	N/A
Included in Current Year Estimates	N/A
Capital/Revenue	N/A
Code	N/A
Staffing Costs	N/A

<b>Screening Requirements</b>	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals		
Section 75 Screening	Screening Completed:	Yes/No N/A	Date:
	EQIA Required and Completed:	Yes/No N/A	Date:
Rural Needs Assessment (RNA)	Screening Completed	Yes/No N/A	Date:
	RNA Required and Completed:	Yes/No N/A	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	Yes/No N/A	Date:
	DPIA Required and Completed:	Yes/No N/A	Date:

## **1.0 Purpose of Report**

- 1.1 The purpose of this report is to update members on the response from the Minister of Health to a letter sent by Council asking for better regulation of the cosmetic industry in Northern Ireland.

## **2.0 Background**

- 2.1 Further to committee report ES220614 and CM220630 it was agreed that Council would send a letter to the Minister of Health to ask for better regulation of cosmetic treatments in Northern Ireland, along with the introduction of a licensing scheme for non-surgical cosmetic procedures.
- 2.2 A copy of the letter sent to the Minister of Health is attached as Appendix 1.
- 2.3 A copy of the response received from the Minister of Health is attached as Appendix 2.

## **3.0 Recommendation**

- 3.1 It is recommended that the Environmental Services Committee note the above.



REF: SMcA/HBE/ES/232/smcl

28<sup>th</sup> September 2022

Minister Robin Swann  
Department of Health  
Castle Buildings  
Stormont  
Belfast  
Northern Ireland  
BT4 3SQ

Dear Minister Swann

**Re: Regulation of Cosmetic Industry in Northern Ireland**

I write on behalf of Causeway Coast and Glens Borough Council in relation to a request for better regulation of cosmetic treatments in Northern Ireland and the introduction of a licensing scheme for non-surgical cosmetic procedures.

In recent years there has been a significant rise in the number and type of non-surgical aesthetic procedures available in Northern Ireland with many practitioners performing treatments without being able to evidence appropriate training and the required standards of oversight and supervision.

Environmental Health Officers in Northern Ireland District Councils can regulate a limited number of cosmetic treatments through local byelaws however these powers do not extend to the large number of newer, invasive treatments now available to the public. Councils have few powers to refuse registration for the cosmetic treatments covered by byelaws irrespective of the practitioner's competence or qualification.

General health and safety powers are also available to District Councils to regulate the sector however these powers cannot be used for mobile or home-based practitioners as enforcement responsibility for these lies with HSENI.

The existing legislation available to Environmental Health Officers to regulate this sector is therefore considered no longer fit for purpose.

The UK Government recently confirmed its intention to introduce a licensing regime for non-surgical cosmetic procedures to better regulate the cosmetic industry in England. This licensing scheme in England will introduce consistent standards that individuals carrying out non-surgical cosmetic procedures such as lip fillers, botox etc must meet, as well as hygiene and safety standards for premises. It will focus on those cosmetic procedures which, if improperly performed, have the potential to cause harm.

In addition, in October 2021, legislation came into force in England making it illegal to administer botox or a filler by way of injection for a cosmetic purpose to a person under 18 years of age.

No such law exists in Northern Ireland and no licensing scheme (similar to that being introduced in England) exists in Northern Ireland.

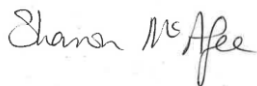
Causeway Coast and Glens Borough Council recognises that the gaps in the regulation of this sector and lack of appropriate enforcement tools available to regulators poses a threat to public health.

In the interests of protecting public health and making the cosmetics industry in Northern Ireland safer Council respectfully requests better regulation of cosmetic treatments and the introduction of a licensing scheme for non-surgical cosmetic procedures similar to that soon to be introduced in England.

In recent years the Chartered Institute of Environmental Health have successfully campaigned for better regulation and a licensing scheme for the cosmetic industry in England and are equally supportive that similar be introduced in Northern Ireland.

I trust you will give this important issue due consideration.

Yours sincerely



**Sharon McAfee**

Head of Health and Built Environment

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## FROM THE MINISTER OF HEALTH



Sharon McAfee,  
Head of Built Environment,  
Causeway Coast and Glens Borough Council

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Your Ref:

Our Ref: CORR-1507-2022

Date: 12<sup>th</sup> October 2022

Dear *Sharon*,

Thank you for your correspondence of 29 September 2022 in relation to a request for better regulation of cosmetic treatments in Northern Ireland and the introduction of a licensing scheme for non-cosmetic procedures.

Under the Independent Health Care Regulations (Northern Ireland) 2005, the Regulation and Quality Improvement Authority (RQIA) regulate clinics providing certain laser or intense pulsed light cosmetic treatments and these providers are required to undergo the appropriate training etc. However, those carrying out non-surgical cosmetic procedures/treatments such as Botox or dermal fillers are not required to register with RQIA. There are no qualifications legally required to administer Botox or dermal fillers.

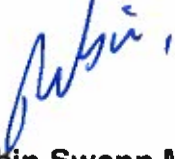
My Department's Medicines Regulatory Group (MRG) carried out an enforcement and compliance programme into the provision of Botox over a 6 month period. Initial investigations and assessments have been conducted into over 200 individual providers of Botulinum Toxin Type A. Shortcomings in prescribing processes and breaches of advertising legislation have been identified. Those in breach of legislation have been issued formal advice and warning notices where appropriate and have moved into legal compliance in the vast majority of cases investigated. In addition, formal referrals have been made to professional bodies, e.g. GMC where appropriate. The MRG continues to monitor the situation.

My Department is aware of the changing health and social care environment, notably around cosmetic treatments, and has carried out a fundamental review of health and social care regulatory framework. My officials have developed a new draft regulatory policy that includes the principles of regulation, along with the broad scope of services to be regulated and the proposal that the regulator should have wider powers of enforcement etc.

This work has been the first phase of the process before moving on to phase 2. As part of my Department's response to the pandemic the launch of the consultation on phase 1 was delayed. Before a draft policy is consulted upon it will be subject to further review taking into account any additional lessons from the pandemic and any other regulatory and quality issues that have emerged over the past few years.

It is my intention that a Review of Regulation will be taken forward during the current mandate of the Assembly. This Review of Regulation will also include an assessment of current standards in order to consider whether any further assurances are required.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Robin Swann', written over the typed name.

**Robin Swann MLA**  
**Minister of Health**