

Appendix 1

Nottinghamshire County Council Act 1985 (Part IV)
Licensing of Premises for Massage and/or Special Treatments

Part 1 – Conditions applicable to Establishments offering Massage and Special Treatments

In these conditions:

“Council” or “Local Authority” means the Local Authority who may issue a massage and special treatments licence.

“Establishment” means and includes any premises used or represented as being or intended to be used for the reception or treatment of persons requiring massage or special treatment.

“Licence Holder” means the holder of this Licence issued by the Council under Part IV of the Nottinghamshire County Council Act who is responsible for compliance with these conditions

“Massage and Special Treatment or Licensable Treatment” means and includes (a) massage, or (b) electric treatment or radiant heat, light, electric vapour or sauna or other baths for therapeutic treatment or (c) other similar treatment that requires a licence from the Local Authority under Part IV of the Nottinghamshire County Council Act 1985.

“Operator” means any person providing a licensable treatment on behalf of the Licence Holder.

“Premises” means the premises identified in the body of this licence as the place from which the Licence Holder operates.

“User(s) or Client(s)” means any person receiving the massage or special treatment provided or operated by the Licence Holder.

1. This licence relates only to Licensable Treatments of the kind specified at the Establishment listed on this licence.
2. The Licence Holder shall notify the Council in writing of all new Operators engaged in giving treatment with their names, addresses and qualifications within 28 days of those Operators commencing treatment.
3. An application for the grant or renewal of a licence shall be made on the official form supplied by the Council, which shall be properly completed and signed by the person or persons actually proposing to or carrying on the Establishment.
4. Unless the licence is previously revoked, the licence will expire twelve months from the date of issue.
5. The Council may on application of the Licence Holder, or of any person to whom he wishes to assign the licence, transfer the licence to that person after receipt of a completed application form and payment of the appropriate fee.

Documents

6. The Licence Holder shall set a list of fees and charges for all Licensable Treatments given at the Establishment. The list of fees and charges shall be displayed in a prominent place in the Establishment for Clients to see and on any website for the Establishment.
7. The Licence Holder shall not, suffer or permit in the Establishment, any act of an indecent or disorderly character and shall take all necessary steps to exclude from the Establishment a Client or any other person who has committed such an act in the Establishment.
8. Unless the Licence Holder has written consent from the Council, the Licence Holder shall not employ anyone at the premises whose licence has previously been revoked or who has been refused a licence because they were unsuitable to hold a licence or employ anyone at the premises where the Council has previously considered that individual to be unsuitable because of misconduct.

Practitioners and Clients

9. All Operator(s) shall be adequately trained and competent or supervised by a competent Operator.
10. The Licence Holder shall prepare and maintain a register of all Operators including trainees who carry out Licensable Treatments at the Establishment. The register shall include the following:
 - a. Name and home address
 - b. Date of birth
 - c. A photograph of the Operator
 - d. A list of licensable treatments the operator can carry out
 - e. Details of their qualifications and training including any copies of certificates

11. Trainee and newly qualified Operators shall be supervised until the Licence Holder is satisfied that they are competent to practice. Trainees can only carry out Licensable Treatments under the supervision of an Operator who has attained the relevant qualification and/or experience for that Licensable Treatment.
12. The Licence Holder shall ensure all Operators employed in the Establishment shall be decently and properly dressed at all times, except for those persons receiving treatment in accordance with the conditions of this Licence.
13. The Licence Holder shall ensure all Operators complete a consultation form for all Clients prior to treatment that shall include:
 - a. Their name, date of birth and contact details
 - b. Nature of the treatment
 - c. Relevant medical history, health related questions and assessment including contraindications to treatment
 - d. Name of the operator giving the treatment.
 - e. A declaration that the risks associated with the treatment have been explained to the Client and understood.
14. The Licence Holder shall ensure that all Clients are provided with verbal and written aftercare advice that can be made available to them following the treatment. Evidence that Clients have received written aftercare advice shall be retained.

Premises

15. All internal walls, doors, windows, partitions, floors and floor coverings, ceilings shall be kept clean and in good repair as to enable them to be cleaned effectively.
16. All treatment rooms shall ensure the privacy of Clients at all times.
17. All treatment rooms that are provided with door locks shall be capable of being opened from the outside in the case of an emergency.
18. The premises, all furniture, instruments and equipment used for treatment purposes shall be kept clean, fit for purpose and in such good repair as to enable them to be cleaned effectively.
19. All tables, couches and seats used by Clients in the treatment areas shall have a smooth impervious surface and be cleaned and disinfected between each Client's use or have such suitable covering which shall be changed and where appropriate disposed of after each Client's use.
20. Operators shall ensure that any article or instrument used in the 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 any other Client unless it consists of a material which can be and has been adequately cleaned and,

so far as is appropriate, sterilised.

21. The Licence Holder shall provide suitable and sufficient washing facilities to enable hygienic practices by all Operators including:
- a. A wash hand basin located to minimise the risk of cross contamination
 - b. Hot and cold running water at the wash hand basin
 - c. Drainage to the wash hand basin
 - d. Antibacterial soap
 - e. Drying facilities

All waste material and other litter from the treatment shall be placed in a suitably covered receptacle with adequate facilities provided for the disposal of the waste.

REFERENCE