

**CITY OF
BALLARAT**



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PUBLIC HEALTH AND WELLBEING ACT INFORMATION KIT

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This guideline has been developed to provide new and existing personal care and body art premises with a summary of their responsibilities under the Victorian *Public Health and Wellbeing Act 2008*.

To assist in reading this document it is broken into the following sections:

- A. Relevant Legislation
- B. Registration requirements
- C. Approval process for new businesses
- D. Construction and fit out requirements

The requirements outlined in this guide are in relation to Council's Environmental Health Unit only.

A. Relevant Legislation

Legislation: *Public Health and Wellbeing Act 2008 (PHWA 2008)*

Regulations: *Public Health and Wellbeing Regulations 2009 (PHWR 2009)*

The Victorian *Public Health and Wellbeing Act 2008* and regulations apply to all businesses that undertake the following activities:

Premise Type	Activities Undertaken
Hairdressing (including hair ups and hair extensions)	Including any activities to maintain, alter or enhance a person's appearance in relation to their face or hair.
Beauty Therapy (including threading, shellac)	Including facial or body treatment; application of cosmetics; manicure or pedicure; nail treatments and epilating.
Skin Penetration	Including piercing, dry needling and tattooing.
Acupuncture	Includes myotherapy and acupuncture activities that are not registered under the <i>Chinese Medicine Registration Act 2000</i>
Colonic Irrigation	Bowel cleansing and detoxification by non-natural methods.

Guidelines: *Health Guidelines for Personal Care and Body Art Industries* The guideline for personal care and body art industries has been developed by the Department of Health to assist people with compliance. The guidelines can be obtained from the Department of Health website:

<http://ideas.health.vic.gov.au/guidelines/personal-care-body-art-industries.asp>

B. Registration Requirements

Unsafe or unhygienic practices can lead to the spread of infectious diseases that can affect the health of the client as well as jeopardise the health of the operator. Illnesses such as Hepatitis B, Hepatitis C and HIV/AIDS can spread by blood to blood contact so it is essential to undertake the proper processes.

Every business that involves personal care or skin penetration activities must register under the *Public Health and Wellbeing Act 2008 (PHWA 2008)* with their local Council.

It is an offence under the *PHWA 2008* to operate a personal care and/or body art premise without registration.

Council may issue infringements and/or prosecute any person/company that operates without registration.

Registration with City of Ballarat authorises operation of the premises under the *PHWA 2008* from the 1st January to the 31st December each year unless you are hairdressing and/or application of makeup only, then you will have an ongoing registration. A new business registration will commence only after a pre-opening inspection has been completed and Council's Environmental Health Officer is satisfied that you meet all relevant requirements.

Registration must be renewed each year. Proprietors who fail to renew their registration and continue to operate will be committing an offence under the *PHWA 2008*. A renewal application will be sent to each proprietor at least one month prior to the expiry of the current registration. All premises registered under the *PHWA 2008* are required to be inspected at least once per registration period for compliance with the *PHWA 2008* and relevant regulations. (Hairdressers & makeup businesses are exempt from annual inspections however inspections can be done at officer's discretion.)

Tiered Fee System – Registration Renewal

The annual renewal process aims to support businesses as much as possible however the onus for compliance is still with businesses.

The due date for the submission of registration renewal application and payment is approximately two weeks prior to the expiry of registration. The specific date will be outlined within your registration renewal documentation along with instructions on how to complete.

This works in tandem with an incentivised payment system to encourage proprietors to submit their completed renewal on time; thus ensuring continuity of registration for your business.

Despite Council's best endeavours, applications submitted on or near the registration expiry date may not be able to be processed prior to the registration expiring; operation without current registration is an offence.

An appeal process has been established to cater for exceptional circumstances beyond your control however we encourage businesses to observe the due date, pay a lower fee and avoid putting their businesses at risk of operating unregistered.

Steps for Taking Over an Existing Personal Care or Body Art Business

- Ensure the premise has a current registration.
- Apply to transfer the registration of the premises before taking over its operation.
- Ensure your certificate of registration is issued prior to operating.

Mobile Operators

- No mobile skin penetration procedures are permitted to be conducted in Victoria (e.g. Tattooists etc.).
- All mobile personal care operators must register their principal place of business. The principal place of business is the place at which the business calls are received.
- Mobile Operators must follow the same obligations as a fixed premise.

C. Approval process for New Businesses

Starting Up a Personal Care or Body Art Premises

Once you have decided to go ahead with your personal care or body art premises, discuss your business proposal with the Environmental Health Unit.

Contact should be made with the following additional departments and organisations to ensure all other approvals and permits are obtained.

Within Council

- Statutory Planning for all planning requirements including parking and signage
- Building for all building permit and toilet requirements
- Local Laws for footpath signs
- Rates office for details on the rates and charges that are likely to apply

Phone: 5320 5500

External Contacts

Property Owner - If you do not own the property you are proposing to operate your business from, it is your responsibility to seek the approval of your landlord/agent.

- Business Victoria Phone: 13 22 15
- Consumer Affairs Victoria Phone: 1300 55 81 81
- Contact the appropriate industry association for advice.

It is strongly recommended that infection control/prevention and sterilisation training is undertaken as a way of reinforcing the correct principles and procedures for competent, safe and hygienic practices. Environmental Health Officers can provide you with different training options that are available upon request.

Registration Process

An application must be lodged with Council that includes the following:

- A fully completed application form;
- A detailed floor plan* of the proposed interior layout; and
- Payment of the prescribed fee (pro rata fees apply depending on when you set up and begin trade).

* **Note:** The floor plan must meet the following requirements:

- Drawn accurately to a scale of not less than 1:100;

- Include the location of equipment, appliances and other fixtures such as cleaning sinks and hand wash basins; and
- Include a checklist detailing the types of finishes in the premises and adequate information to demonstrate that the premise meets the requirements outlined in this guide.

An example of an acceptable floor plan can be found on Page 7 of this guide.

The application fee that is paid for the initial registration contains a surcharge that covers inspections, approval of the plans and administrative costs associated with the application.

Your application will be processed once all required information and full payment is received. An Environmental Health Officer will assess your plans and respond in writing detailing proposed alterations and amendments within 5-7 working days.

An approved copy of the plans will be returned for your records. **Please note:** Council is unable to approve plans that fail to provide the necessary information.

Once written plans approval from Council's Environmental Health Unit is provided you can commence any required work on the premises.

Once all works are completed, contact the Environmental Health Unit to arrange an inspection.

An inspection of your premise **MUST** occur prior to opening of the business. It is the responsibility of the owner to request this inspection and a minimum of 48 hours notice is required.

Registration commences once the inspection has been completed and the registration certificate issued.

D. Construction and Fit out Requirements

Before operating a personal care or body art business the proprietor/operator has to consider a number of compliance issues. The following items must be addressed in order to gain registration.

Note: The following structural requirements are based on the 'Health Guidelines for Personal Care and Body Art Industries'. These guidelines are to be adhered to when designing a premises and undertaking any

construction on a proposed or existing personal care or body art premise as they are considered best practice.

Floors, Walls and Ceilings

The floors, walls and ceiling of every room in the premises shall be:

- Constructed of a smooth, durable and impervious material;
- Constructed without cracks or open joints;
- Capable of being readily cleaned; and
- Unable to provide harbourage of pests.

An appropriate splash back should be installed behind all plumbing facilities, e.g. tiles, steel sheeting or other approved finishes.

Furniture and Equipment

Shelves, benches and tables are to be made of a durable, smooth and impervious material that is easy to clean.

Lighting

There should be sufficient natural or artificial lights for the activities conducted.

Ventilation

Adequate ventilation shall be provided to ensure that any odours/fumes generated are effectively dispersed.

Hand wash Basin

All premises must provide a permanently fixed hand wash basin located in all treatment rooms. An adequate supply of hot and cold water is to be provided through a single outlet mixer tap set-up.

The hand wash basin is to be sealed to the wall and provided with an impervious splashback.

The hand wash basin must be supplied with liquid soap and single use paper towel.

Where higher risk activities are performed, the hand wash basin must be hands free. This device may be foot/knee/elbow operated or electronic tap.

Council's Environmental Health Unit will determine the type of hand wash basin required, based on your activities.

Equipment sink

A sink, separate to the hand wash basin, equipped with hot (not less than 70°C) and cold water through a

single outlet must be provided for the purpose of washing equipment and instruments only.

This sink must not be used for any other purpose, i.e. cleaning kitchen utensils such as coffee cups. Should you require a sink to clean food utensils you must install a double bowl sink.

Cleaning sinks are to be located in the cleaning area, separate to all treatment rooms.

Storage Facilities

All clean linen, towels and clothing must be stored in a clean environment (off the floor) to reduce the likelihood of contamination. A washable leak-proof receptacle should also be provided for soiled linen, towels and protective clothing.

Clean instruments must be stored in a clean, dry environment such as inside a drawer or a separate container (off the floor).

A separate cupboard/area is to be provided for the storage of personal belongings.

Rubbish Storage

An adequate number of plastic, bag lined, washable bins with tight fitting lids, are to be provided for the disposal of hair, paper and other trade waste.

Animals

Animals, other than guide dogs for hearing or sight impaired clients are not permitted in treatment areas.

Records

Accurate records of every treatment carried out on each client should be maintained.

Cleaning

When cleaning items, personal protective equipment (gloves, face mask, plastic apron etc.) should be worn.

Clean items as soon as possible after use.

Clean items using warm water, a detergent, a non abrasive scouring pad and brushes.

Suitable disinfectants must be used for items that cannot be immersed in water (scissors, tweezers etc.). They must be disinfected using a chemical solution as per manufacturer's instructions.

Note: Immersing items in disinfectant for long periods of time is not recommended.

Colonic Irrigation

Further requirements are needed for colonic irrigation premises. For more information contact the Environmental Health Unit.

Skin Penetration

Where skin penetration (electrolysis, tattooing, body piercing etc.) is performed, the hand wash basin must be hands free. This device may be foot/knee/elbow operated or electronically operated.

Storage of sterile stock is to be clean, dry, dust free, dedicated to sterile stock only, stored off the floor and not in direct sunlight.

Separate containers are also to be provided for dirty instruments used during skin penetration procedures and be labelled 'Instruments for Cleaning' and 'Instruments for Sterilisation'.

Accurate records must be kept of each client. These must include name, address, treatment date, phone number and sterilisation information relevant to the instruments used. Information of the procedures completed should also be included.

A double bowl sink must be installed to ensure adequate pre-cleaning of items is undertaken. This must be located in the cleaning room separate to all treatment rooms.

Clinical Waste

Clinical and related waste, such as blood stained swabs and gloves must be placed into a plastic, bag lined, washable bin with a sealable lid. 'Infectious Waste', must be disposed of according to the Environment Protection Authority (EPA).

Sharps are also considered to be clinical waste and a suitable sharps container that complies with Australian Standard 4031:1992 must be available on-site.

Note: You cannot legally transport and/or dispose of your own clinical or infectious waste.

The only acceptable disposal method for clinical and infectious waste is through a licenced medical waste contractor. To find a licenced medical waste contractor search Yellow Pages under 'Waste Reduction & Disposal Services'. Your licenced medical waste contractor will supply suitable sharps containers for

you to use.

Further information regarding the management of clinical and related waste is available on the EPA website <http://www.epa.vic.gov.au/business-and-industry/guidelines/waste-guidance/clinical-waste-guidance>.

Cleaning

Ultrasonic cleaner – uses high energy sound waves to dislodge contaminants. It cleans but does not disinfect or sterilise. Instruments need to be rinsed thoroughly after cleaning and water needs to be changed regularly.

Class S autoclaves are required for tattooists and body piercers. Tattooists who use single use equipment are still required to sterilise their tattooing machine.

Autoclave – is the most cost effective means of sterilising instruments. The autoclave must comply with Australian Standard 2182. It must be serviced every 12 months and heat sensitive indicator strips must be used each time the autoclave is used (a class 4, 5 or 6 indicator must be placed in the load and one incorporated in the packaging).

The chemical indicators demonstrate that sterilisation has been achieved.

When sealing packed items, they can be taped with Class 1 indicator tape and 'Steripeel' bags can be self-sealed, heat sealed or folded (3 times) and taped with Class 1 indicator tape.

Label each pack with a non-toxic, water resistant, felt tip marking pen. The label must include batch marking to link the client with the instruments used. Batch marking requires the following information – steriliser identification code, date of sterilisation and cycle or load number.

Please see below the suggested layout of the cleaning room for skin penetration premises.

Single Use Equipment

Should you wish to only use single use equipment (e.g. tattoo grips, piercing clamps etc.) please contact the Environmental Health Unit to discuss the required set-up.

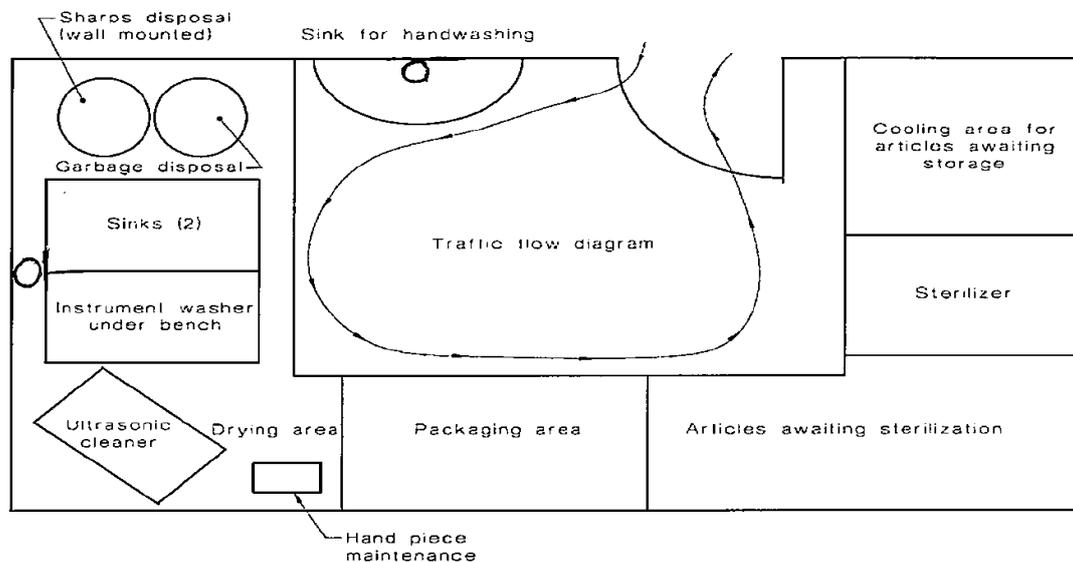


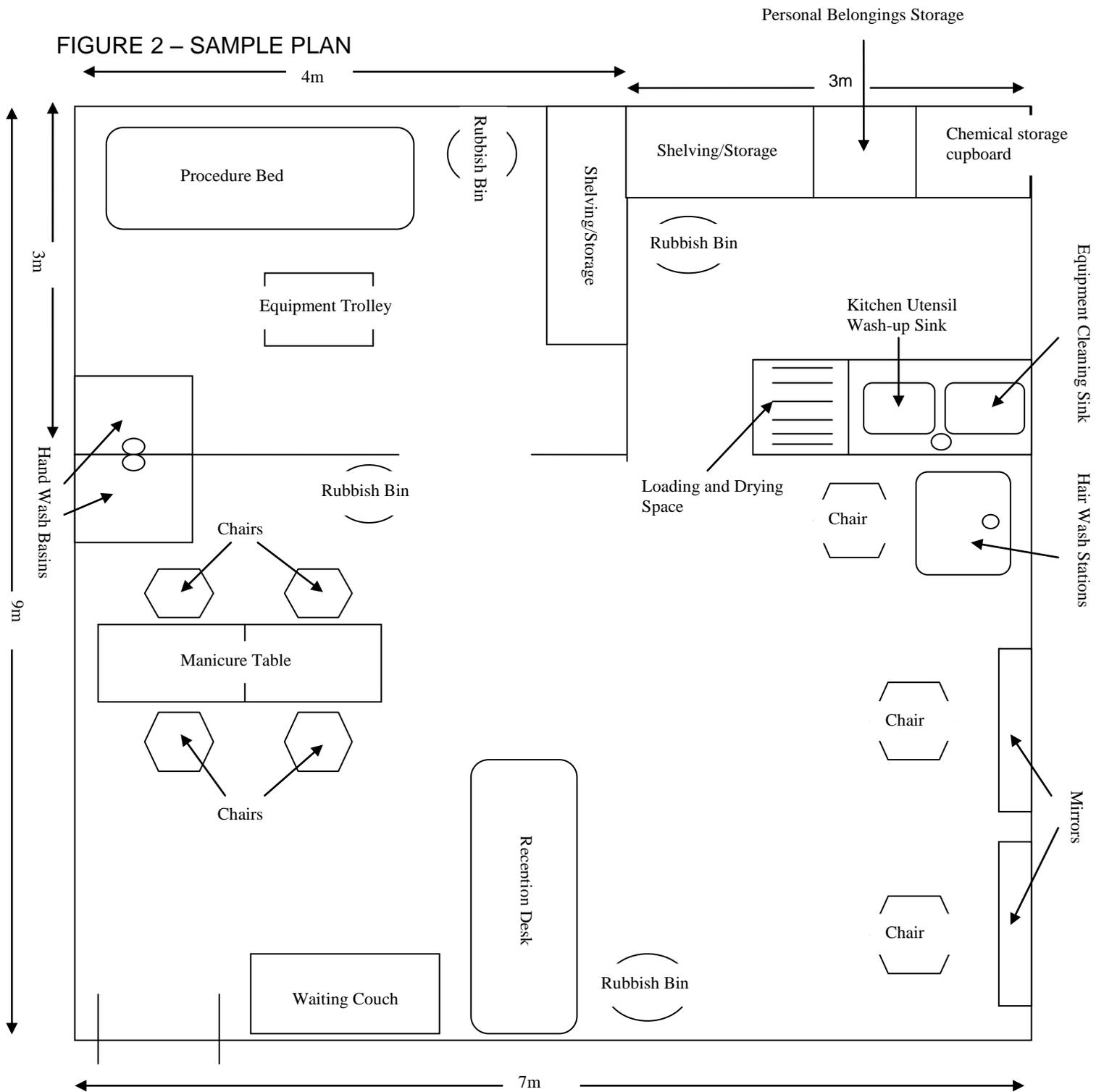
FIGURE 1 - SUGGESTED LAYOUT FOR A REPROCESSING AREA

Reference: AS/NZS 4815:2001

NOTES:

- 1 Arrow direction indicates the flow of instruments and equipment from dirty—clean—sterile.
- 2 Personnel working in the processing area should wash their hands—
 - (a) After handling soiled items and removal of gloves;
 - (b) Before handling clean items; and
 - (c) Before handling sterile items.

FIGURE 2 – SAMPLE PLAN



Finishes

Walls: Sealed plaster board with tile splashback in required areas

Floors: Commercial vinyl

Benches: Laminated

Ceiling: Sealed plaster board

Hand Wash Basin Tap: Mixer Tap