

Personal Service Businesses

Guidelines for setting up and registering

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Purpose of this guide

This guide provides an overview of the requirements for anyone wanting to set up and register a personal care business. The information provided in this document is based on the Infection prevention and control guidelines for hair, beauty, tattooing and skin penetration industries, authored and published by the Department of Health (DH). By satisfying the structural requirements, infection prevention and control will be easier to achieve because your premises will be suitable for the procedures you will be doing.

When starting a business you need to consider other local restrictions, including Planning regulations, legal, tax and insurance obligations and associated costs. It is important to note that it is your responsibility to determine and meet all the requirements and obtain all the necessary permits. Banyule Council has a dedicated Economic Development Team that provide a range of small business support services to assist your business to establish and grow in our municipality. For further information on this support visit www.banyulebusiness.com.au.

A good beginning for anyone wanting to set up a small business can be found through the Business Victoria website www.business.vic.gov.au.

Definitions

Disinfect means to carry out a process which –

- a) is intended to inactivate or remove pathogenic micro-organisms

Personal service means any of the following –

- a) beauty therapy;
- b) applying cosmetics that does not involve skin penetration or tattooing;
- c) hairdressing;
- d) colonic irrigation;
- e) tattooing;
- f) ear piercing, body piercing or any other process involving skin penetration.

Sterilise means all microorganisms on the surface of an article are destroyed to prevent disease transmission associated with the use of that item.

The Act means the *Public Health and Wellbeing Act 2008*

The Regulations means the *Public Health and Wellbeing Regulations 2019*

Do I need to register with Council?

Under the *Public Health and Wellbeing Act 2008* (the Act), all businesses that involve personal service must register their premises with Council. Registration must be obtained from Council's Public Health Protection prior to commencing operation of your personal service business or if you take over an existing premises, you need to transfer the registration into your Company, partnership or individual name (proprietor) before you can start trading. Operating a personal service business without the required Council registration is an offence and penalties may be applied. Before registering a business, Council must be satisfied that all the requirements for registration have been met.

If your business involves beauty therapy (that does not involve skin penetration or tattooing), applying cosmetics or hairdressing only, you may conduct a 'mobile' business, but you must register your principle place of business.

Scope of Registration

You may conduct several different 'scopes of registration' from the one premises. The scope of registration fits under 6 broad headings and further broken down into processes.

Beauty Therapy includes:

- Hair removal (all) (incl. waxing, plucking, threading, laser, IPL, electrolysis)
- Eyelash extensions
- Manicure / pedicure
- Foot spas
- Tattoo removal
- Facials (incl. peels, exfoliation, microdermabrasion, laser, IPL)

Colonic irrigation.

Skin penetration includes:

- Derma rolling (micro-needling)
- Ear piercing
- Dry needling
- Body piercing

Tattooing (including cosmetic tattooing)

- Microblading
- Feathering

Hairdressing (including barbering)

- Once off - ongoing registration (unless combined with other scopes of registration)

Applying cosmetics includes:

- Once off - ongoing registration (unless combined with other scopes of registration)
- Spray tanning
- Eyelash tinting
- Temporary make-up

What are the requirements for personal service businesses?

Personal service businesses should provide professional, competent, safe and hygienic practices in clean premises. Unsafe and 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. Businesses have a legal responsibility to provide a safe service.

Businesses registered under the Act are legally required to comply with the *Public Health and Wellbeing Regulations 2019* (the Regulations). The 'Infection prevention and control guidelines for hair, beauty, tattooing and skin penetration industries' document has been developed by DH to assist businesses design and construct personal service premises to comply with the Regulations. The guidelines can be obtained from the DH web site. <https://www2.health.vic.gov.au/about/publications/policiesandguidelines/infection-prevention-control-guidelines-hair-beauty-tattooing-skin-penetration-industries>.

Plans and specifications

Prior to undertaking any construction on proposed or existing premises, we recommend you submit plans (to scale 1:100) and specifications to Public Health Protection, and you will receive a report endorsing your proposal. This will ensure your business complies and avoids costly construction changes, and delay with your business' registration and opening. *This is optional.*

The Plans should present the following details:

- a) The plans must be drawn accurately to a scale of not less than 1:100.
- b) The proposed layout of the premises, showing the purpose of each area and its intended use. The layout of the premises should also show the positions of equipment, appliances and other fixtures. (Refer to Figure 1: Sample floor plan on page 10).
- c) A checklist/key is to be provided, detailing the types of equipment and their finishes in the premises, demonstrating that the premises meets the requirements outlined below.

Structural requirements for personal service businesses

The following structural requirements are based on the Act, the Regulations and the 'Infection prevention and control guidelines for hair, beauty, tattooing and skin penetration industries'. These requirements should be taken into consideration when designing premises that undertake personal service processes.

Equipment, furniture & fittings

- To be constructed of materials suitable for the procedures undertaken;
- Surfaces that require regular cleaning or disinfection should be constructed of a durable, sealed and non-porous material that can be effectively cleaned and disinfected;
- There should be sufficient bench space for good working practices.

Floors, walls and ceilings

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

Lighting

There should be good natural or artificial light throughout the premises for the procedures undertaken.

Ventilation

Provide adequate natural or mechanical ventilation throughout the premises, to reduce the risk of exposure to hazardous chemicals.

Hand-washing facilities

All premises must ensure that accessible hand washing facilities are available for staff.

Hand washing facilities should be:

- Clearly designated for the sole purpose of washing hands;
- Located within areas where staff work and where procedures are being undertaken, such as in the treatment room;
- Located within areas where staff are cleaning and reprocessing instruments and equipment;
- Located within and close to staff and client toilet facilities;
- Supplied with liquid soap and single-use paper towel;
- Supplied with 70-90% alcohol-based hand rubs (for use when hands are not visibly dirty);
- Permanent fixtures;
- Connected to a supply of warm running drinking water through a single outlet;
- Hands-free where tattooing, skin penetration and colonic irrigation procedures are performed (for example, foot, knee or elbow operated or electronically controlled);
- Made of hard, durable, non-scratch material and be easy to clean;
- Of a size that allows easy and effective handwashing and will prevent splashing into the adjacent environment;
- A splash back area constructed of a smooth, impervious, washable material, such as tiles or stainless steel sheeting, is to be provided behind the hand washing facility.

Equipment reprocessing area

If your business reprocesses instruments and equipment, you must provide an area dedicated to this task. The size of the area will depend on the processes you perform in your business and the amount of equipment that require reprocessing.

The equipment reprocessing area:

- Can be a separate room or a dedicated part of a treatment area;
- Designed to ensure the workflow follows the sequence of
 - used/dirty → cleaning → disinfection or sterilisation
- Should have two sinks: a 'dirty' sink for washing and a 'clean' sink for rinsing;
- Each sink is to be supplied with hot and cold water through a single outlet;
- The area should have sufficient space for good working practices eg. sufficient bench space on either side of the sinks for the storage of dirty and clean equipment and any other devices used in processing such as autoclave, ultrasonic cleaner etc.
- Must have separate hand washing facilities in addition to equipment cleaning sinks.
- A splash back area constructed of a smooth, impervious, washable material, such as tiles or stainless steel sheeting, is to be provided behind the sinks.

Note: UV cabinets are not considered an approved method of cleaning and/or sterilisation.

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 container should also be provided for soiled linen, towels and protective clothing.

- A separate cupboard is to be provided for the storage of personal belongings.
- Clean implements and instruments must be stored in a clean, dry environment such as inside a drawer or a separate container (off the floor).
- Separate containers are to be provided for dirty instruments, labelled 'Instruments for Cleaning' and 'Instruments for Sterilisation'.

Storage of chemicals

Obtain safety data sheets (SDS) from the manufacturers or suppliers for all chemicals and products used within the business and provide an appropriate area for storage according to the information received.

Waste (general, clinical, liquid)

- Provide a bin with a tight-fitting lid, lined with a plastic bag for general waste labelled "General Waste". General waste includes hair, nails, wax.
- Provide a bin with a tight-fitting lid, lined with a yellow biohazard bag for clinical waste labelled "Clinical Waste" (waste from skin penetration activities or tattooing). Clinical waste includes human blood, body fluids and tissue. Clinical waste must be disposed of according to Environment Protection Authority (EPA) legislative requirements.
- Liquid waste to be disposed of via the sewer. It is best to provide a 'cleaners sink' or designated 'dirty' sink.
- Sharps containers must be provided in all procedure areas where sharps are generated and must be easily accessible to enable immediate disposal of sharps. Sharps containers used must comply with Australian Standard AS 4031:1992.

Plumbing

- Plumbing must conform with Victorian Building Authority requirements and Standards Australia;
- Premises should have an adequate supply of drinking water for all activities conducted at the premises that require the use of water;
- Hot water installations should have sufficient capacity for the business being undertaken;
- Premises should be able to effectively dispose of all waste water.

Toilet facilities

- Ensure that adequate toilet facilities are available for staff;
- A hand wash basin must be installed in the immediate area of the toilet.

New personal service businesses

Before setting up your business, we recommend you submit plans (to scale 1:100) and specifications to Public Health Protection, and you will receive a report endorsing your proposal. This will ensure your business complies and avoids costly construction changes, and delay with your business' registration and opening. This is optional.

Steps for setting up and registering a new personal service business

1. Consult with Council's Public Health Protection Unit to discuss the proposal (preferably before selecting a site).
2. Contact Council's Planning Department, to determine whether a planning permit is required.
3. Complete and submit the request for plans assessment form, along with detailed plans of the interior layout, to Council's Public Health Protection Unit for assessment and endorsement (see 'Plans and Specifications', on page 5).

Note: Your plans should be assessed by Council's Public Health Protection Unit before commencing work on a premises.

4. Organise a final inspection from Council once works are completed.
5. Complete and submit an Application for Registration (with fee), to register the premises under the *Public Health and Wellbeing Act 2008*.

For general small business information and advice, it is recommended that you contact Small Business Victoria and your appropriate industry association.

Buying an existing personal care business

If you are buying an existing personal service business, arrange a Pre-Purchase Inspection of the premises prior to taking over the business to disclose any structural/maintenance deficiencies or future upgrades, prior to purchase. *This is optional, however, any outstanding requirements will become your responsibility once you take over ownership of the business, possibly delaying registration being issued in your business name.*

1. Ensure the premises has a current registration under the *Public Health and Wellbeing Act 2008* with Council's Public Health Protection Unit.
2. With the permission of the current proprietor, organise to have a 'Pre-purchase Inspection' of the premises conducted, to ensure any outstanding concerns/items are identified prior to purchase.
3. Complete and submit the application to transfer registration form (together with the relevant fee), before taking over its operation and advise Council of any changes in current business services or procedures.

Complete the following if you are also proposing to alter the premises structurally:

4. Consult with Council's Public Health Protection to discuss the proposal.
5. Complete and submit the request for plans assessment form, along with detailed plans of the interior layout, to Council's Public Health Protection for endorsement (see 'Plans and Specifications, below).
Note: Your plans should be assessed by Council's Public Health Protection Unit before commencing works on a premises.
6. Organise a final inspection from Council once works are completed.
7. Complete and submit an *Application for: Transfer of Registration* (with appropriate fee) to transfer the registration of the premises, before taking over its operation.

Once registered

Notice to be displayed - Scope of registration

You must display a notice about the scope of registration for the class of business your premises are registered for. The notice that is to be displayed can be found on the DH website health.vic.gov.au/public-health/infectious-diseases/personal-care-body-art-industries/client-information-sheets .

The notice must be placed in a prominent position in the entry to the premises.

Client information sheets

If you do tattooing, body piercing or any other process involving skin penetration you must provide particular written information to each client about the potential risks associated with these procedures. The information sheets that are to be used have been written by the department and can be found on the DH website health.vic.gov.au/public-health/infectious-diseases/personal-care-body-art-industries/client-information-sheets

Client records

If you do tattooing, body piercing or any other process involving skin penetration (except for ear piercing and dry needling), you must keep client records, such as name, address and telephone number of each client. Records must be kept for 12 months after the procedure, they must be stored at the premises where the business is conducted, and you must take reasonable steps to protect the information.

Other requirements

Liquor licence

If, as part of your service, you wish to sell liquor at your premises, you are required to apply for, and obtain a Liquor Licence. To apply for a Liquor Licence contact Council's Planning Department on 9457 2298.

Liquor is classified as food and any premises that sells, stores or prepares food must be registered under the *Food Act 1984*. For more details on *Food Act 1984* registration, contact Council's Public Health Protection on 9457 9965.

Animals

Animals, other than guide or service dogs should not be permitted in the procedure areas. In general, we do not recommend allowing animals into your premises, particularly if your business undertakes tattooing or skin penetration procedures.

Appendix A

Figure 1: Sample floor plan

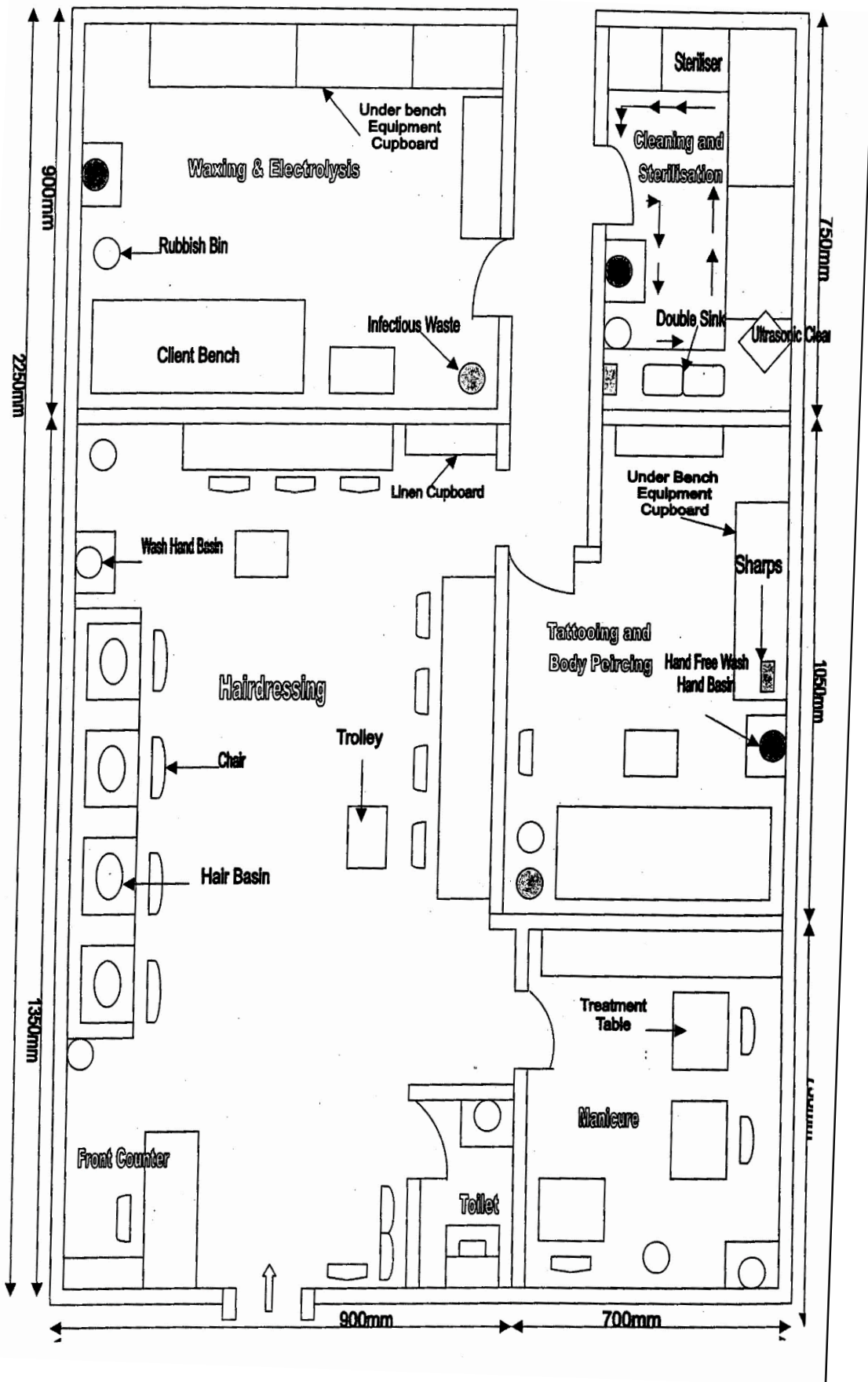






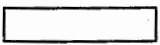
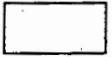





Figure 2: Key associated with floor plan

Rubbish Bin	
Infectious Waste Bin	
Hair Basin	
Hand Wash Basin	
Hands Free Hand Wash Basin	
Sharps Container	
Linen Cupboard	
Trolley	
Chair	
Double Sink	
Client Bench	
Treatment Table	