

The Sunbeds Act created a duty on all sunbed businesses to ensure that no person under 18:



- Uses a sunbed;
- Is offered use of a sunbed, whether for payment, included in a membership, or complimentary;
- Is present within a restricted zone.

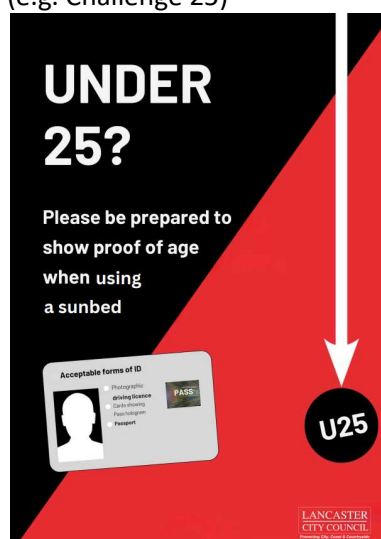
**Sunbed business include:** sunbed salons, beauty salons, gyms, hotels and any other business premises offering sunbeds to members of the public.

#### What are the penalties?

Failure to comply is a criminal offence, and could result in an unlimited fine and criminal record. It is a strict liability offence, meaning that the presence of even one under 18 in a restricted zone means an offence has been committed. However, there is a 'due diligence' defence to show that all reasonable steps were taken to prevent the offence.

#### What are 'reasonable steps' that I can take?

- Ensuring that the sunbed use is supervised & managed by a trained member of staff at all times. *(If the entrance to Sunbed cannot be seen by staff it should be locked and opened when users request access e.g via a key)*
- Clear and prominent posters at the entrance to the premises and at till points, stating the age policy of the business (e.g. Challenge 25)



Available to download for free at [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)

- Clear and prominent posters displayed on all restricted zones.



Available to download for free at [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)

- Training staff on age requirements, make a written record of staff training.

FOOD AND SAFETY TEAM      Sunbeds Regulation Act 2010 Training Record      LANCASTER CITY COUNCIL

Name of Business: \_\_\_\_\_

Under the sunbeds Regulation Act, it is a criminal offence to:

- 1) Let anyone under the age of 18 use a sunbed, even for free.
- 2) Offer to let anyone under the age of 18 use a sunbed (e.g. sell them sunbed tokens)
- 3) Allow anyone under the age of 18 to enter a restricted zone.

**If found guilty the business can be subject to an unlimited fine in Court.**

**UNDER 25?**

Please be prepared to show proof of age when using a sunbed.

In this company we operate a challenge 25 policy, this means if you are not satisfied that someone looks over the age of 25 you **MUST** ask them for identification.

Acceptable forms of identification are:

- 1) Identity card bearing the PASS hologram
- 2) Photo card driving licence
- 3) Passport
- 4) Military ID

If the individual in question is unable to provide one or more of these forms of ID, you must refuse to allow them on the Sunbeds. It is not acceptable for another person to vouch for their age, e.g. a parent or older friend.

All refusals must be recorded in the refusals register, even if you don't know the name of the individual.

**IF IN ANY DOUBT REFUSE THE SALE**

As an employee I understand that I must not:

- 1) Let anyone under the age of 18 use a sunbed, even for free.
- 2) Permit an older person to purchase a sunbed for a person under the age of 18 to use (also known as a proxy sale).
- 3) Offer to let anyone under the age of 18 use a sunbed, even for free.
- 4) Allow anyone under the age of 18 to enter a restricted zone.
- 5) I must ask for an acceptable form of ID for anyone who looks under the age of 25.
- 6) I must refuse to allow anyone on the sunbeds if they cannot produce an acceptable form of ID.
- 7) I must complete the refusal register if I refuse a sale.

I confirm I have read points 1 to 7 above and I understand the legal responsibilities and my role as an employee in protecting the business from criminal liability.

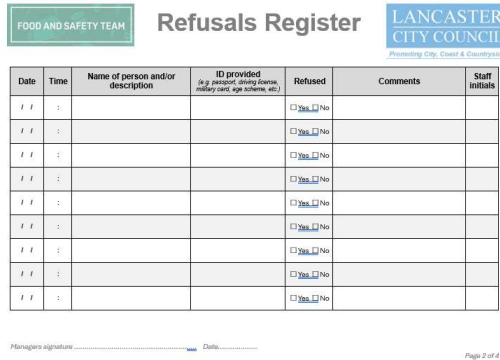
Employee Name (Print): \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Trainer Name (Print): \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Available to download for free at [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)

- Training staff on acceptable forms of ID.
  - Passports
  - Driving licence
  - Proof of Age Standards Scheme (PASS)
  - Military ID

- Adopting and using a refusals register. The importance of the refusals register is two-fold. Firstly, it may enable you to demonstrate to the authorities that a particular member of staff who has made a sale to someone under the age of 18 has a proven history of refusing service on a regular basis. Secondly, it enables the management at the premises to review the register on a regular basis to make sure that all staff members are refusing service.



The form is titled 'Refusals Register' and includes logos for 'FOOD AND SAFETY TEAM' and 'LANCASTER CITY COUNCIL'. It contains a table with the following columns: Date, Time, Name of person and/or description, ID provided (e.g. passport, driving licence, military card, age scheme, etc.), Refused, Comments, and Staff initials. The 'Refused' column has checkboxes for 'Yes' and 'No'. Below the table, there are lines for 'Managers signature' and 'Date'. At the bottom right, it says 'Page 2 of 4'.

Available to download for free at [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)

- Implementing till prompts to verify age of users.
- Ensuring sunbeds are explicitly excluded from membership packages of under 18s, and access cards/keys for under 18s do not work for sunbed rooms.

All resources can be downloaded free from our website: [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)



Gary Lipman, Chair of The Sunbed Association said there was “absolutely no excuse” for salons to allow under 18s access to sunbeds. “It is the clear responsibility of the salon to ensure they have the appropriate protocols in place to prohibit underage use.”



The Sunbed Association and the Chartered Institute of Environmental Health both encourage sunbed operators to run Challenge 21 or Challenge 25 schemes. This means if a person appears to be under 21 or 25 years old they are asked to verify that they are 18 or over by showing valid ID.



At Lancaster City Council we strongly recommend that sunbed businesses operate a Challenge 25 policy, this means if a person looks under 25 you should ask them to show you acceptable identification.

**What are restricted zones?**

A restricted zone is an area around a sunbed which no person under 18 can be present.

Any wholly or partially enclosed space reserved for sunbed users is a restricted zone, including a private sunbed room, a changing cubicle, or a booth. The restricted zone can be behind a drawn screen or curtain.

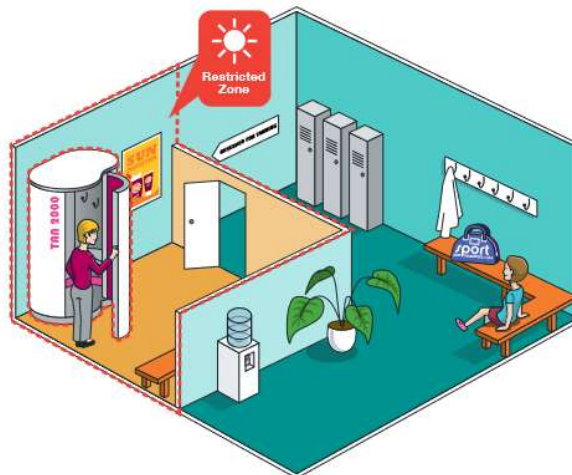
What is considered a restricted zone will depend on the layout of your premises and the design on the sunbeds available. The following examples provide guidance as to what would be considered a restricted zone. If you are unsure, contact us via our website: [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)

#### Contained cubicle:



The cubicle sunbed is a wholly or partly enclosed space within the canteen and is therefore a restricted zone.

#### Private room or enclosed space:

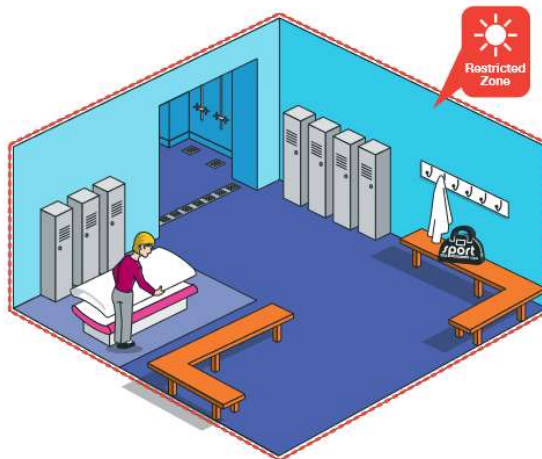


The private room is an enclosed space reserved for users of that sunbed and so the whole of the private room and the cubicle-type sunbed inside it are a restricted zone.

This is a familiar set-up in businesses such as a gym's. If under 18's are permitted into the changing room you must have a way to prevent access to the restricted zone, for example keeping the door locked,

until an adult requests access. A trained member of staff can then undertake the necessary checks and grant access. Controlling by way of tokens is not a suitable control measure as tokens can be purchased from the internet and that does not prevent the first offence of an under 18 entering a restricted zone.

#### Entire room:



The sunbed is not within a wholly or partly enclosed space within the changing room so the whole changing room is a restricted zone.

#### Sunbed Act FAQ's:

##### What about staff who are under 18?

Staff members under the age of 18 can enter a restricted zone when providing a service to the business, for example cleaning. However, they cannot use or test the sunbed as part of this access.

##### What is a sunbed?

The law applies to any “electrically-powered device designed to produce tanning of the human skin by the emission of ultra-violet radiation”, including:

- Lie-down sunbeds,
- Canopy sunbeds,
- Vertical stand-in sunbeds,
- Sun showers,
- Portable sun lamps.

##### Am I a sunbed business?

The law applies to any business which has sunbeds available for use on-site, including:



- Sunbed parlours,
- Beauty salons,
- Leisure centre gyms,
- Sports and fitness clubs,
- Hotels,
- Holiday camps.

### What about medical treatments?

The law provides exemptions where sunbed use is specifically for the purpose of medical treatment, but **only** where the sunbed is:

- Provided by a registered medical practitioner, and
- Only available for medical treatment, and
- Within or provided by a healthcare establishment.

### What about unmanned salons?

If you operate an unmanned salon you cannot control who uses your sunbeds and are therefore very likely to attract under age users. The Council would take a very dim view of any unmanned salons and seek to take formal action.

### What about remote sunbed rooms?

You must have a way of controlling unauthorised access to restricted zones in rooms that cannot be actively monitored. This may include a sunbeds room that is directly accessed from a changing room in which under 18's are permitted. Just allowing an under 18 in a restricted zone is an offence. Tokens to operate sunbeds can be purchased on-line, therefore distributing tokens from a reception is not a suitable control measure. We would recommend having restricted zones 'locked' in areas where under 18 are permitted. It is not up to the parent to prevent the child entering the restricted zone, it is the businesses.

## Health and Safety in your sunbed premises

### Risk assessment:

- You have a legal duty to assess risks in your workplace, including those from exposure to UV radiation from sunbeds, and take measures to control these risks as far as is reasonably practicable.
- While not exhaustive, your risk assessment should consider:
  - Risks including:
    - Burns
    - Skin dryness and itching
    - Eye irritation and conjunctivitis
    - Entrapment
    - Skin cancer
    - Cataracts
    - Premature ageing of skin



**Managing your Sunbed Business**  
**Sunbeds (Regulation) Act 2010**



- People at risk including:
  - Employees
  - Maintenance staff
  - Customers
  - Other members of the public on your premises

For more information on salon safety see [www.lancaster.gov.uk/beauty](http://www.lancaster.gov.uk/beauty)

**Examples of suitable control measures:**

- Sunbeds should be properly maintained, in line with information provided by the manufacturer.
- Having properly trained staff present while customers are using sunbeds.
- Ensuring Sunbeds are adequately cleaned and sanitised by staff between customers.
- When replacing UV tubes, you should ensure the correct type of bulb is fitted, and reassess the exposure requirements of your customers as new bulbs generally emit more UV.
- Providing eye protection for all customers
- Provide information to customers, e.g. The UV tanning equipment poster from the HSE, in waiting areas and restricted zones.

**UV tanning equipment**

**Important warning:** There are health risks associated with using ultraviolet (UV) tanning equipment – skin cancer, cataracts, premature ageing of the skin, sunburnt skin, dryness and itching, bumps, rashes, and eye irritation/conjunctivitis. Any exposure to UV radiation from tanning equipment is potentially harmful. Please consider the following information when deciding whether to use this equipment or not.

**Don't use UV tanning equipment if your skin is particularly sensitive to sunlight.**

Based on World Health Organization (WHO) and Department of Health advice, you should not use UV tanning equipment if you:

- have had sensitive skin that burns easily or turns itchy or poorly;
- have a history of sunburn, particularly in childhood;
- have a large number of freckles and/or red hair;
- have a large number of moles;
- are taking medicines or using creams that sensitize the skin to sunlight;
- have a medical condition that is worsened by sunlight;
- or anyone in your family has had skin cancer in the past;
- already have extensive skin damage due to sunlight.

The Sunbeds (Regulation) Act, effective from April 2011, makes it illegal for you to use UV tanning equipment if you are under 18.

The International Commission on Non-ionizing Radiation Protection (ICNIRP) has recommended not to use UV tanning equipment for non-medical purposes.

**Know your skin**

Skin is broadly classified as being one of six types:

- **Type I** - Often burns, rarely tans. Tends to be freckled, red or fair hair, blue or green eyes.
- **Type II** - Usually burns, sometimes tans. Tends to be light hair, blue or brown eyes.
- **Type III** - Sometimes burns, usually tans. Tends to have brown hair and eyes.
- **Type IV** - Rarely burns, often tans. Tends to have dark brown eyes and hair.
- **Type V** - Naturally brown skin. Often has brown eyes and hair.
- **Type VI** - Naturally brown/black skin. Usually black brown eyes.

Your UV tanning equipment operator should advise you on your skin type and guide you on how many sessions you should attend per session to. The EU Scientific Committee on Consumer Protection has stated that people with skin types I and II should not be advised to use UV tanning equipment. If you have skin types III, IV, V or VI your operator should guide you on how many sessions to attend per session to.

**Important points for you, the customer, to consider before you decide to use UV tanning equipment**

**Skin cancer.** In the UK, the incidence of malignant melanoma is increasing at a faster rate than any other cancer except prostate. Using UV tanning equipment when young increases the risk of suffering from skin cancer in the future.

**Premature ageing of the skin.** In the longer term, too much use of UV tanning equipment will make your skin look coarse, leathery and wrinkled.

**Sunburnt skin.** Spending too long on UV tanning equipment can cause your skin to become painful and red, and it may blister and peel. Burning the skin with UV exposure can double your risk of skin cancer in the future.

**Protect your eyes.** Never use the UV tanning equipment without eye protection. In-built goggles are not worn by you may suffer eye irritation or conjunctivitis in the short term, and cataracts (clouding of the lens of the eye) in the long term. Do not rely on closing your eyes or using cotton wool.

**Don't use cosmetics, deodorants or sunscreens while tanning.** Wash off any such products on your skin before using the equipment and make sure the equipment is clean before using it.

**General health.** Make sure you are medically fit to use the UV tanning equipment, and that you are not taking any medication, including alternative medicine and therapies, that could increase the sensitivity of your skin. Some conditions can make you more susceptible to sunburn.

**Skin type.** Tell staff about your normal reaction to sunlight so they can advise you whether to use the equipment and if so for how long you can do so without burning (sunburn). Using UV tanning equipment carries health risks even if you do not burn. See [www.hse.gov.uk/sun](http://www.hse.gov.uk/sun) for further information.

**Check your skin.** If you notice any abnormal skin reactions during the tanning session stop exposure at once and do not use UV tanning equipment again before seeing a doctor. If you notice any abnormal skin reactions after the tanning session do not use again before seeing a doctor. Seek medical advice promptly if you notice an unusual skin growth or a change in the size, shape or colour of a mole that occurs over weeks or months.

**Stay safe.** Make sure you understand how to use the equipment, how to turn it off and to locate the emergency button you can help if there is no button.

**Protect your skin in the sun.** A tan obtained from UV tanning equipment provides very little protection against sunlight. Always protect your skin from excessive exposure to the sun.

**Useful information:** SunSmart, the UK's national skin cancer prevention campaign at [www.sunsmart.org.uk](http://www.sunsmart.org.uk)

This information for customers is issued jointly by the Health and Safety Executive and the Department of Health. This poster accompanies the Safety Advisory Leaflet (SAL) from the use of ultraviolet (UV) tanning equipment (SC201002).

Available to download for free at [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)

**Eye protection:**

Adequate **eye protection (e.g. goggles or disposable options such as WINK-EASE)** should always be provided to customers and staff while using or maintaining sunbeds.

Goggles provided should comply with BS EN 60335-2-27.

Re-usable goggles must be washed with soap and warm water and then soaked in a disinfectant like barbicide. Barbicide recommends soaking for no longer than 10 minutes. Prolonged exposure to disinfectants can damage the goggles.

Goggles should be dried before giving to customers.

Available to download for free  
at [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)

Gary Lipman, Chairman of The Sunbed Association: *"It is reprehensible that a sunbed user was allowed to use a sunbed without protective eyewear." "UV penetrates the skin, so it is insufficient either on a sunbed or when sunbathing just to close your eyes, as this will not protect them."*

**UV output from sunbed / tanning tubes:**

The General Product Safety Regulations 2005 (GPSR) require that businesses only supply safe products to consumers. This includes equipment made available to consumers for their use in the context of providing a service i.e. sunbeds & tanning equipment hired out to members of the public in salons, gyms, hairdressers, spas, etc.

BS EN 60335-2-27 sets a **maximum level of 0.3 W/m<sup>2</sup>** in respect of the ultraviolet (UV) irradiance that may be emitted by sunbeds and tanning equipment made available to members of the public. This limit applies to all sunbeds, regardless of when they were first installed in the premises and regardless of the type of business they are used in (be it a salon, gym, hairdressers, spa, etc.).

European experts have determined that if the UV irradiance level of a sunbed exceeds 0.3 W/m<sup>2</sup>, it could be deemed to be a dangerous product under GPSR. Trading Standards can take enforcement action in relation to dangerous products to prevent their continued supply.

In addition to possible breaches of GPSR, businesses must also consider their civil liability in relation to possible personal injury claims if sunbeds are knowingly operated in excess of the 0.3 W/m<sup>2</sup> limit. Businesses should consider whether their public liability insurance would be invalidated by providing non-compliant sunbeds to consumers.

In view of the above, we strongly advise all businesses operating sunbed and tanning equipment to take steps to ensure that the 0.3 W/m<sup>2</sup> limit is complied with.

For further information go to our website: [www.lancaster.gov.uk/sunbeds](http://www.lancaster.gov.uk/sunbeds)