

Accredited Registers Impact Assessment

Accredited Register: Joint Council for Cosmetic Practitioners (JCCP)

Type of Review: Full renewal assessment

Period under review: 2022

Date Approved for Panel: 1 March 2023

Introduction

Before we make a decision about accreditation, we undertake an impact assessment to understand likely effects on different groups, and the wider health system. We begin to gather the information required for the impact assessment when a Register first applies for accreditation. We consider any changes to impacts when we renew accreditation, and when taking other decisions that affect accreditation status such as imposing Conditions or suspension.

A key part of the impact assessment is consideration of equalities. The Equality Act 2010 imposes a legal duty, the Public Sector Equality Duty on all public bodies to consider the equality impact of its policies and decision making. The duty is known as the Equality Duty and it requires a public authority, in the discharge of its function to consider the following three aspects which form the basis of the duty:

- Consider the impact and eliminate unlawful (direct or indirect) discrimination and any other conduct prohibited under the Equality Act 2010.
- Advance equality of opportunity between people with protected characteristics and those who do not share these characteristics
- Foster good relations between people with protected characteristics and those who do not share these characteristics.

This means that public bodies must consider equality impact on individuals protected under the Equality Act 2010 in carrying out their work. The Authority, therefore, needs to be always mindful of the public duty when carrying out its oversight role which includes the approving of registers. It needs to have 'due regard' to the needs to balance the three aspects which make up the Equality Duty when achieving its goals.

The Equality Impact Assessment is an important tool/mechanism for demonstrating 'due regard' through the consideration of evidence and analysis, actual and potential to identify positive and/or adverse impacts. The key groups we need to consider when making our decisions are, sex, age, ethnicity, disability, religion and belief, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy, and maternity.

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Equalities impacts – summary

The Joint Council for Cosmetic Practitioners (JCCP), in collaboration with the government and the cosmetic interventions industry, has collected information on the use of nonsurgical cosmetic procedures and hair restoration surgery among different patient groups, including protected and non-protected groups. In particular, the JCCP contributed to the Health and Social Care Committee report, 'The Impact of Body Image on Mental and Physical Health,'¹ which highlights the potential impacts of cosmetic treatments on vulnerable groups.

The report, and the linked evidence it draws from, outlines the reasons why protected and non-protected groups may be induced or feel pressured to seek nonsurgical cosmetic treatments, and the potential risks of receiving inappropriate or poor treatment. The JCCP has developed policies and taken part in campaigns to address issues related to specific groups, and its standards have been developed to address such risks.

During our review, we did not find any evidence of potential negative or adverse impact on any of the protected characteristics as a result of JCCP's policies. However, in order to ensure that their policies are effective and equitable the JCCP could collect and analyse public data on these characteristics in relation to nonsurgical cosmetic treatments. This would allow for a more thorough understanding of any potential disparities or barriers that may exist, and would help to inform ongoing efforts to promote equality, diversity, and inclusion in the industry.

Proposals to introduce a new EDI Standard for Accredited Registers during 23/24 should provide an opportunity for building on this.

¹ <https://committees.parliament.uk/publications/23284/documents/170077/default/>

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Impacts on groups with protected characteristics

Age

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
Positive	Under 18s	<p>Body dissatisfaction is increasing for both teenage boys and girls which may lead them to seek treatment inappropriately².</p> <p>The JCCP Code of Practice states that treatments may not be performed on children under 16 years of age without specific, medical, indications. Even if a young person has capacity to consent to a treatment, the JCCP encourages the involvement of the parents in such decisions.</p> <p>The JCCP highlighted its contribution to 'The Botulinum and Cosmetic Fillers (Children) Act' effective from 1st of October, 2021. The JCCP will report any practitioners it becomes aware of</p>		

² <https://committees.parliament.uk/publications/23284/documents/170077/default/>

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	Young adults	<p>in breach of this legislation to legal enforcement.</p> <p>Body image issues may develop in girls and young women 'made to feel that how they look is the most important thing about them³. Boys and men may similarly be under pressure to meet 'macho male stereotypes'. Both may be influenced by factors such as reality tv and social media which promote 'the idea that cosmetic procedures such as lip fillers and Botox are light-hearted and simple.⁴</p> <p>In line with the above, JCCP registrants commit to not treating patients without appropriate consultation, referral where required and informed consent.</p>		
	Mature Adults	<p>'Evidence – both from the UK and globally – suggests that body dissatisfaction persists into mid and</p>		

³ <https://committees.parliament.uk/writtenevidence/42858/pdf/>

⁴ <https://committees.parliament.uk/writtenevidence/43007/pdf/>

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		later-life and may even be exacerbated by age-related physiological changes. ⁵ Older people could also benefit from the assurances provided by seeing practitioners on an accredited register.		
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Disability

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
Positive	People with physical and/or mental disabilities	<p>Some research suggests that disabled people are more likely to report body dissatisfaction than individuals without a disability.⁶</p> <p>The JCCP mitigates risk of people seeking inappropriate treatments through their standards, requirements for consultation, and to refer where necessary.</p>		

⁵ <https://committees.parliament.uk/writtenevidence/43155/pdf/>

⁶ <https://committees.parliament.uk/writtenevidence/43052/pdf/>

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		<p>Should there be concerns about a client's capacity to have properly informed consent, JCCP's Code of Practice (2020) states that practitioners must assess a person's capacity to make a particular decision at the time it needs to be made and must avoid treating patients that lack capacity.</p> <p>'In making decisions about the treatment and care of persons who lack capacity, you must:</p> <ul style="list-style-type: none">a) make the care of your person your first concernb) treat patients as individuals and respect their dignityc) support and encourage service users to be involved, as far as they want to and are able, in decisions about their treatment and cared) treat patients/clients with respect and not discriminate against them.'<p>The JCCP advises that any test or legal opinion from a psychiatrist</p>		
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		determining that the individual does not have capacity to consent means treatment may not be provided.		
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Gender reassignment

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
Positive	Trans and gender reassigned people	<p>'Societal stigma and prejudice often acts to invalidate trans young people's existence, which impacts on their mental health. Body image and societal perceptions of gendered bodies can often negatively impact trans young people, especially those young people that identify outside of the gender binary.⁷ Appropriately trained JCCP registrants should mitigate the risk of contributing to Body dysmorphic disorder (BDD) or similar conditions and not treat patients inappropriately.</p> <p>The JCCP is aware that Hair Transplant Surgery is commonly sought by male to female</p>		

⁷ <https://committees.parliament.uk/writtenevidence/42770/pdf/>

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		<p>transgender patients wanting to create a feminine hairline, and for other aesthetic/cosmetic indications. The JCCP standards align with legal requirements that Hair Restoration Surgery in England must be performed in a Care Quality Commission (CQC – the health and social care quality regulator in England) registered facility and the CQC licence should be clearly displayed for patients to see.</p> <p>In the devolved nations, Hair Restoration Surgery clinics should be registered with the corresponding regulatory bodies – Healthcare Improvement Scotland, Healthcare Inspectorate Wales, and the Regulation and Quality Improvement Authority in Northern Ireland. Patients in the devolved nations should be aware of Hair Restoration Surgery clinics that are not registered with the relevant regulatory body.</p>		
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Marriage and civil partnership

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
None identified.				

Pregnancy and maternity

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
Positive	Pregnant and postpartum women	<p>There is evidence to suggest having a history of eating disorders is a risk factor for experiencing eating disorders and concerns about their weight during pregnancy⁸.</p> <p>A study found that breastfeeding is of benefit to both the baby and the mother⁹, and exclusive breastfeeding was more likely in pregnant women with a higher body image, while those with body concerns had less intention to breastfeed or initiate breastfeeding.</p> <p>There is a risk that pregnant women and mothers may be vulnerable to</p>		

⁸⁸ <https://committees.parliament.uk/writtenevidence/43155/pdf/>

⁹ <https://committees.parliament.uk/writtenevidence/41284/pdf/>

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		seeking inappropriate cosmetic interventions, which should be mitigated by appropriate consultations with JCCP practitioners.		
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Race

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
None identified.				

Religion or belief

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
None identified.				

Sex

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
None identified.				

Sexual orientation

Type of impact (positive/neutral/negative)	Group(s) affected	Description	Actions required	Date identified
None identified.	LGBT people			

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Cost and market impacts – summary

JCCP registrants who provide nonsurgical cosmetic interventions and hair restoration surgery are often self-employed owner-operators. They may also work as part of small independent clinics or as part of larger chain clinics. NHS-funded treatment occurs only in exceptional circumstances.

The market for cosmetic interventions is noted as large, and increasing, for reasons such as societal or personal pressures and inducements. It is unlikely that the Authority's accreditation will impact on peoples' decisions to use these treatments however it could help direct them to choose practitioners belonging to registers that meet our high standards. We noted that the cost of registration would have an impact on practitioners, however choosing such practitioners may reduce incidents of harm, the worst of which may need to be treated within the NHS.

The JCCP has extensive standards and guidance regarding appropriate advertising. These are embedded within published standards for the five modalities which could help to assure the public are properly informed and less likely to have unrealistic expectations.

We highlighted in our assessment that issues regarding the JCCP's presentation of information which may affect the public's ability to make effective use of that register. The JCCP has launched a more public-facing website however this remains at early stages and refers back to the main website for core information.

There will also be impacts from recent and proposed legislative changes, for example the Health and Care Act 2022 gives the Government powers to introduce a licensing scheme for practitioners who operate in England. At the time of writing, proposals were still being developed and we will consider any future consultations on implementing such a scheme once published.

Take-up of the Accredited Registers quality mark by high profile providers may provide positive exposure that benefits all practitioners within the programme.

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Social and environmental impacts – summary

Expectations to fit a particular or unrealistic body image can drive people from all parts of society to seek cosmetic interventions. Both surgical and non-surgical cosmetic treatments have a risk of physical harm and may also contribute to or worsen mental health conditions. Greater recognition of registrants on Accredited Registers, who are appropriately trained and meet standards that address such issues, can help reduce risks of such harm.

Decision

The Panel noted the above, and the Condition and Recommendations issued as part of the assessment. The Panel highlighted that accessibility should be a key consideration during the review of the current JCCP website, development of the 'JCCP and Me' website, and other public facing materials.