



WOKINGHAM
BOROUGH COUNCIL

ACUPUNCTURE GUIDANCE NOTES

WOKINGHAM BOROUGH COUNCIL

GUIDANCE NOTES

GUIDANCE NOTES by Wokingham Borough Council under Section 14 and 15 of the Local Government (Miscellaneous Provisions) Act 1982 and section 236 of the Local Government Act 1972 with respect to ACUPUNCTURE in the Borough of Wokingham.

1. Interpretation:

- a) In these byelaws, unless the context otherwise requires:—

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in the practice of acupuncture;

“The treatment area” means any part of the premises where treatment is given to clients.

“Sterilise” means to subject to treatment so as to render free from all organisms and “sterilised”, and “sterilisation” should be construed accordingly.

- b) The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.
2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that:
- a) all internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
 - b) the treatment area is used solely for giving treatment;
 - c) all waste material, and other litter, arising from the treatment is placed in suitable covered receptacles, which are washable and leak proof, or use a leak proof liner bag.

The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material

disposed of safely, Where liners are not used, the receptacles shall then be cleaned;

- d) all needles used in treatment are single-use and disposable and placed after use in separate covered and leak proof re-useable boxes, or disposable needle boxes designed for the purpose. Where re-usable boxes are used they shall be emptied at least once every working day or more frequently as necessary and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used, they shall be disposed of safely at suitable intervals;
- e) all furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
- f) all tables, couches and seats used by clients in the treatment area and any surface on which the items specified in 3. b) below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;
- g) Where tables or couches are used, they are covered by a disposable paper sheet which is changed for each client.
- h) No eating, drinking or smoking is permitted in the treatment area and a notice or notices read

“No Smoking”, “No Eating or Drinking” is prominently displayed there.

3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment -

a) An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment:-

i. is clean and in good repair, and, so far as is appropriate, is sterile;

ii. has not previously been used in connection with any other client unless it consists of a material which can be had has been adequately cleaned and, so far as is appropriate, sterilised;

b) An operator shall ensure that

i. any needle, metal instrument, or other item or equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;

c) A proprietor shall provide:-

- i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
 - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
 - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
 - iv. adequate storage for all items mentioned in bylaw 3.a) and 3b) above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
4. For the purpose of securing the cleanliness of operators -
- a) A proprietor shall ensure that -
 - i. any operator keeps his hands and nails clean and his nails short;
 - ii. any operator wears disposable surgical gloves that have not previously been used with any other client;

- iii. any operator of the premises wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with any other client;
- iv. any operator keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing.

- A. Proprietors shall take all reasonable steps to ensure compliance with these guidance notes by persons working on the premises. Section 16(9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.

- B. Section 16 (1) and (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3.* If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in additions to imposing a fine, order the suspension of cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16 (11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

- C. Nothing in these byelaws shall extend to the practice of acupuncture by or under the supervision of a person who is registered as a medical practitioner or a dentist or to premises on which the practice of acupuncture is carried on by or under the supervision of such a person.

Produced by the Licensing Service, Wokingham Borough Council, PO
Box 155, Shute End, Wokingham, RG40 1WW