

57469 Prohibition Notices on Category 3 Aesthetic Treatments

1. The legal basis cited by Edinburgh Council or Ms Sarah McDonald (Environmental Health Officer) for issuing prohibition notices on Category 3 aesthetic treatments (e.g. threads, IV drips).
2. Copies of any local by-laws, policies, or standard operating procedures that authorise Environmental Health to issue prohibition notices relating specifically to aesthetic procedures.
3. Confirmation of whether NICE guidance has been used as legally binding enforcement in Edinburgh, and any internal documents that authorise or reference this.
4. Records of all prohibition notices issued by Environmental Health officers in Edinburgh in 2024–2025 in relation to aesthetic treatments, including (where available) the stated reasons.
5. Records of appeals made by practitioners against prohibition notices in 2024–2025, and their outcomes.

In respect of 1, 2, 3 and 5:

All Prohibition Notices served on regulated businesses by officers of the Council to protect the public from harm from the provision of unsafe aesthetic treatments (including threads and IV drips) have been lawfully served by its officers.

Environmental Health Officers are authorised by the Council's Scheme of Delegation to enforce a range of legislation, including the Health and Safety at Work Act 1974. All Notices have been issued under the Act and where appropriate, associated Regulations.

Each situation is assessed on its own circumstances, but in broad terms, the Notices have been served in accordance with published standards on enforcement decision making, including the Health and Safety Executive's Enforcement Management Model and internal Environmental Health procedures. NICE has publicly available guidance on the safe administration of IV drips within clinical settings. The guidance is of interest to Environmental Health Officers when considering whether safe working practices are in place for the administration of IV drips in other settings, including commercial beauty salons and similar type premises.

One of the Notices issued by the Council was appealed and the Employment Tribunal, held on the 10th and 11th of July 2025, affirmed the Prohibition Notice which was served on the 14th of March 2025. The Employment Tribunal judgement can be viewed at:

<https://www.gov.uk/employment-tribunal-decisions/serene-essence-ltd-v-s-mcdonald-an-inspector-appointed-by-city-of-edinburgh-council-8000786-slash-2025>

The Tribunal process is complete, and the appeal judgement has been published. Please note, the Council will not enter into any discussion about enforcement activity with any third-party beyond the information that is publicly available.

In respect of 4, the attached document provides details of all Prohibition notices issued in the period 2024 to 2025.