

# TRUST MY SALON

## Code of Practice to protect salon and barbershop clients

### 1 Introduction

The Trust My Salon Code of Practice aims to ensure clients of hair salons, beauty salons and barbershops (all referred to as 'salons' in this document) receive a consistently high-quality and professional service.

The scheme is administered by the National Hairdressers Federation (NHF) and its sister trade body, the National Beauty Federation (NBF). It is approved and externally audited by the Chartered Trading Standards Institute.

Accredited salons will put the welfare of clients above any other considerations and complete all treatments and services to a high standard.

Salons who belong to the Trust My Salon scheme (known as Code members) are entitled to display the Chartered Trading Standards Institute Approved Code logo. (This logo is subject to copyright.)

To gain accreditation, salons must pass the NHF/NBF's rigorous application and inspection process. All new Code members receive a mystery shopping visit within their first year and at random intervals in subsequent years. Approval for the scheme must be renewed online every year.

Code members must comply with the Trust My Salon Code of Practice (see below). Accreditation can be withdrawn from salons which do not comply.

A list of accredited salons can be found on the NHF/NBF website [URL to be added]

This Code of Practice does not affect a client's statutory rights under law but does provide further protection.

### 2 Code of Practice

The Code of Practice sets out industry-recognised standards for:

- Insurance and licences.
- Qualifications and training.
- Health and safety.
- Age restrictions.
- Vulnerable clients.
- Allergy alert testing and skin sensitivity testing.
- Consultation.
- Professional salon standards.
- Advertising, promotion and pricing.
- Sale of products.
- Contracts and credit.
- Record keeping.
- Complaints.

This Code applies only to the UK.

Accredited salons fully accept this Code of Practice and work to the professional standards it sets out. They must also:

- Make sure that their team members are trained and aware of their responsibilities under the Code, as well as legal and trading responsibilities.
- Provide clients with information about the Code of Practice, either as a hard copy or on their website.
- Have a complaints policy which they will follow. If they are unable to resolve a complaint to a client's satisfaction, they will provide information about alternative dispute resolution as required by the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

### **3 Insurance and licences**

Accredited salons will have:

- Public liability insurance.
- Professional indemnity insurance covering all the treatments and/or services provided by the salon.
- Relevant local authority licences (if required) to provide certain beauty treatments, for example, electrolysis or sunbeds.
- Appropriate licences to cover activities such as playing music, showing TV or serving alcohol.

#### **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process ensures that the salon has all the necessary insurance for the business and any licences which may be required by the salon's local authority.

Trust My Salon also carries out random mystery shops and checks on insurance and licences when visiting salons.

### **4 Qualifications and training**

Accredited salons will make sure their team members have:

- Qualifications from a recognised UK qualifications body\* in a relevant subject and at an appropriate level for the service or treatment being offered, or equivalent industry-recognised training and experience.
- Industry-recognised training on the tools or equipment they use.

\*Listed on the Ofqual register <https://register.ofqual.gov.uk> (searchable by qualifications or organisations)

Client will be told if a trainee or apprentice is providing a treatment or service and any work carried out by the trainee or apprentice will be done under supervision.

#### **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process checks that your hairdresser, beauty therapist or barber has the necessary qualifications and training, as set out in guidelines published by the NHF/NBF.

Trust My Salon also carries out random mystery shops and further checks on qualifications and training when visiting accredited salons.

## 5 Health and safety

High standards of health, safety and hygiene are a must for salons. Accredited salons will make sure:

- Premises, tools and equipment are regularly safety tested and maintained to ensure the health and safety of clients.
- Rigorous hygiene and cleanliness is observed.
- Uniforms, other clothing, towels, gowns and linen are clean.
- Equipment, such as clippers, tweezers, brushes and combs, is sterilised as necessary.
- Clinical waste (eg razors, needles) is disposed of in specially marked containers.
- Appropriate personal protective equipment is worn, for example, gloves when providing services such as hair colour, shaving, pedicures or intimate waxing.
- Appropriate protective equipment, such as gowns, is provided for use while services or treatments are being carried out.
- Instructions and guidance for the safe use of equipment, materials and products is followed.

### Our promise to you

You can be confident that the Trust My Salon accreditation and annual renewal process will ensure that your salon has a health and safety policy and follows NHF/NBF health and safety guidelines, including the completion of risk assessments.

Trust My Salon also carries out random mystery shops and further checks on health, safety and hygiene standards when visiting salons.

## 6 Age restrictions

Accredited salons will work to NHF/NBF guidelines on age restrictions and will refuse services or treatments to minors as follows:

Service or treatment	Minimum age
Permanent hair colour (including eyebrow and eyelash tints)	16 years old
Piercing (except earlobes using stud and gun, one hole)	16 years old
Anti-wrinkle treatments (eg Botox) Dermal fillers UV tanning Intimate waxing IPL (intense pulsed light) treatments Micropigmentation (semi-permanent make-up) Microblading	18 years old

Beauty treatments are not recommended for under-16s with the following exceptions:

- Earlobe piercing (stud and gun method, one hole)
- Waxing (not intimate waxing).
- Facials.
- Manicures.
- Pedicures.

Treatments must only be carried out on under-16s with written consent from a parent or legal guardian. A parent or responsible adult (eg carer) must be present.

### **Our advice to you: minimum age limits**

Please note that salons have the right to set higher age limits than the minimum recommended by the NHF/NBF.

Treatments should not be carried out on minors who are below the minimum ages recommended by the NHF/NBF, especially for permanent hair colour which is not intended for use on under-16s and UV tanning which cannot be carried out for under 18s (*Sunbeds (Regulation) Act 2010* and *the Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011*).

### **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process ensures that your salon has a copy of the NHF/NBF Guide to Qualification Requirements and Age Restrictions for Beauty Treatments.

Trust My Salon also carries out random mystery shops and will check the salon's procedures for ensuring services or treatments are provided in line with NHF/NBF guidance on age restrictions.

## **7 Vulnerable clients**

Accredited salons will make sure:

- The welfare of vulnerable adults is protected.
- All salon staff understand the different ways in which clients may be vulnerable, including emotional vulnerability, mental health conditions (including body dysmorphia), learning difficulties, physical disability, ageing and those whose first language isn't English.
- Extra time and effort is taken to make sure vulnerable clients understand the treatments or services they have requested and how much they will cost.
- Treatments or services the salon considers inappropriate, unethical or potentially unsafe are not provided.

### **Our advice to you: vulnerable clients**

If you are the parent/carer/guardian of a vulnerable person, please let the salon know in advance of your appointment, especially if there is anything the salon could do to make your visit easier.

The salon will check that any services or treatments requested by a vulnerable person are safe and appropriate, that the individual has fully understood what's involved and wants to have the service or treatment. The salon may also ask you to be present while the service or treatment is carried out.

### **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process will check that vulnerable clients are treated with care and respect and that inappropriate or unsuitable treatments and services are not provided.

Trust My Salon also carries out random mystery shops and will check the salon's procedures when dealing with vulnerable clients.

## 8 Allergy alert testing and sensitivity testing

Accredited salons will make sure:

- New clients are given an allergy alert test at least 48 hours before an appointment for the following treatments:
  - Hair colour
  - Eyebrow tints
  - Eyelash tints
  - Colouring facial or body hair.
- Allergy alert tests are not needed for every appointment. They may be needed if there are changes to the product used or if a test hasn't been done for 12 months or more. The stylist or therapist will check the information provided by the client to decide whether an allergy alert test is needed.
- New clients are offered a sensitivity test (sometimes called a 'patch test') at least 24 hours in advance when booking into a beauty salon for certain beauty treatments including:
  - Eyelash perming
  - Eyelash extensions
  - Self-tanning
  - Waxing (depending on the manufacturer and the ingredients used)
  - Lasers and IPL
  - Semi-permanent make-up (microblading, micropigmentation)
  - Chemical peels
  - Aesthetics (these treatments vary considerably so your therapist will advise on any sensitivity testing required).

### Our promise to you

You can be confident that the Trust My Salon accreditation and annual renewal process will ensure that your salon has a copy of the NHF/NBF Guide to Allergy Alert Testing (hair salons) or Guide to Allergy Alert Testing and Sensitivity Testing (beauty salons) and associated consultation record forms and health questionnaires (which must be stored in compliance with the General Data Protection Regulation).

Trust My Salon carries out random mystery shops and will check the salon's procedures for carrying out allergy alert tests and/or skin sensitivity checks.

### Our advice to you: why allergy alert testing and skin sensitivity tests are important

#### ***Allergy alert testing***

A tiny proportion of people can have an allergic reaction to key ingredients in permanent dyes used for colouring hair, eyebrow tinting, eyelash tinting and colouring other facial or body hair.

Allergies can build up over time and the reaction can be severe. Allergy alert testing ensures your safety and is necessary for the salon to comply with strict insurance requirements.

You will be asked a series of questions to identify any risk factors, such as recent tattoos or previous allergic reactions, which may mean an allergy alert test is needed. Please answer these carefully.

If needed, your salon will arrange for you to have an allergy alert test, either in the salon or at home, at least 48 hours in advance of your appointment. **If you see any signs of redness or your skin is itchy or sore, you must let your salon know.**

### ***Sensitivity testing (beauty treatments)***

While having sensitive skin is not the same as having an allergic reaction, sensitivity tests may be carried out at least 24 hours before a treatment to reduce the risk of unpleasant side effects. The tests help to make sure you're not sensitive to products or product ingredients used for beauty treatments, especially any involving the area around the eyes such as eyelash perming or extensions or for more advanced treatments.

Your therapist may carry out pre-treatments tests before the treatment starts to check if your skin is sensitive to processes such as epilation, or sensations such as heat or pressure.

## **9 Consultation**

Accredited salons will make sure:

- A thorough consultation is carried out, including a health questionnaire for beauty salon clients, and especially for new clients, to discuss requirements before agreeing on the service or treatment to be provided.
- Client consent to the beauty treatment being provided is recorded.
- A 'cooling off' period is provided between the consultation and before treatment for anti-wrinkle treatments (14 days), dermal fillers (14 days) or laser, intense pulsed light, light emitting diode (LIPLD) (7 days) unless the client is seeing the same therapist for a treatment they have had before.
- The services or treatments are clearly explained in advance, for example, what it involves, its purpose, potential benefits, any possible side-effects or after-effects, any treatment limitations and any contra-indications (eg medical conditions, medications, pregnancy, changes to health) which may suggest a service or treatment is not suitable.
- Clients are told how long a treatment or service is likely to take.
- Clients are told the total cost of the service or treatment, including any commitment to multiple bookings or further appointments that may be needed to get the desired effect.
- Where a service or treatment involves multiple visits, the service or treatment is reviewed to check if it has been effective and the client is satisfied with the results. If not, alternative treatments or services will be discussed.
- Clients are referred to a healthcare professional such as a GP, trichologist, dermatologist or chiropodist when a contra-indication is identified that might limit or restrict the service or treatment which can be provided.
- Advice on aftercare and relevant products is provided.

### **Our advice to you: why consultations are important**

A thorough consultation is a crucial part of your visit to a salon. As well as helping you get the look or effect you want, the consultation process is also important to find out if you have any health-related issues which might mean the service or treatment is unsuitable for you.

A consultation on your first visit may take substantially longer than on subsequent visits. For example, before a skin treatment a beauty therapist will need to complete skin analysis, skin sensitivity testing and client lifestyle profiling to establish the most suitable treatment.

Make sure you answer any questions your stylist or therapist asks as completely as you can, especially anything relating to previous allergic reactions, medical conditions, medications, pregnancy or changes to your health or circumstances.

Be clear and specific about what you want and the look or effect you're aiming for before your service or treatment starts. Tell your stylist or therapist what's important for you and your lifestyle, for example, how much time or effort you want to spend on your hair or beauty routine.

Remember that it can be hard for a stylist, barber or therapist to understand exactly the look or style that you have in mind. Take your own images to help explain what you mean, or use the salon's iPad or magazine images to help choose a look or effect that you like.

Give feedback to your stylist or therapist when the service or treatment is completed, whether positive or negative, so they can take your comments into account on your next visit. If you feel awkward giving negative feedback, many salons have a receptionist who will ask you if everything is all right when you go to the till - take this opportunity to provide feedback.

#### **Cooling off periods (treatments)**

Reputable beauty salons or aesthetics clinics offering dermal fillers or anti-wrinkle treatments will allow you a 'cooling off' period of 14 days, and a 'cooling off' period of 7 days for laser, intense pulsed light, light emitting diode (LIPLLED). They will provide you with all the information you need about the treatment and give you time to come to a fully informed decision on whether to go ahead with the treatment. They will also tell you that you can change your mind at any point.

If a treatment involves a prescription-only medicine (such as anti-wrinkle treatments), a Professional Statutory Regulatory Body (PSRB) practitioner such as a nurse or a doctor must oversee the process. Unless such a person works on the premises, it is unlikely that an appointment slot will be immediately available.

### **Our promise to you**

Trust My Salon carries out random mystery shops and will check consultation procedures when visiting your salon.

### **10 Professional salon standards**

Accredited salons will make sure:

- Services and treatments are completed to a high standard.
- Clients receive excellent service and care.
- Clients' questions and queries are answered promptly.
- Clients are treated the same regardless of age, race, gender or disability (although it may not be possible to make reasonable adjustments for access to all salon premises).
- Personal and professional boundaries are respected, for example dress or conversation are appropriate to clients.
- Clients are provided with secure storage facilities for clothes or personal items if they need to be removed for treatments.
- There is a private area where clients can undress before treatments.
- Clients are told if the stylist, therapist or barber is running late.

- Clients are encouraged to provide feedback on the service they have received, for example, via a feedback form or comment thread on social media.

#### **Our advice to you: appointments and preferences**

Remember that if you are a new client, it can be difficult for the salon to say exactly how long a treatment or service will take, for example, if you have exceptionally thick hair.

If you have any special requirements, for example, if you prefer to keep your head covered in the presence of unrelated men, or you have a disability which means you have special access requirements, please tell your salon in advance.

If you have any strong preferences such as seeing the same person for every appointment, or preferring someone chatty or someone quiet, do let the salon know in advance so they can match the stylist or therapist to your preferences.

Although barbershops traditionally cater for men, there is no reason why they should not provide the same services to female or LGBTQ clients as they do for their male clients. Salons and barbershops must provide the same services to any client, otherwise they are directly discriminating on the basis of gender, which is unlawful.

#### **Our promise to you**

Trust My Salon carries out random mystery shops and will check your salon's procedures for dealing with appointment delays, the quality of the service provided and the standard of client care.

### **11 Advertising, promotion and pricing**

Accredited salons will make sure:

- Advertising and promotion is clear, complete and not misleading about price, value, availability, quality or the benefits of the products, services or treatments being offered.
- Clear descriptions of services, treatments and what's included in the price are provided, including any additional costs associated with the main service or treatment such as a conditioning treatment.
- Prices for services or treatments and the accepted methods of payment are clearly displayed, including on the salon's website.
- Prices for products or equipment and accepted methods of payment are clearly displayed. Products include shampoos, conditioners, skincare products and equipment such as hairdryers or straighteners for sale in the salon (see section 12 for online sales).
- No additional charges are made for payment by credit or debit card, or other payment methods such as Paypal.
- Payments are made via a cash register or Electronic Point of Sale (EPoS) system and a receipt is available.
- Clients are provided with clear information on the salon's policy if they don't turn up for an appointment or cancel at short notice, including any charges by the salon to cover their losses.
- A policy on tips and how they are shared among staff is available on request.



- They display the registered business name on their website (if applicable) and documentation such as receipts, invoices, order forms or letters. Registered companies will also include the company registration number, the registered office address, which part of the UK the company is registered and that they are a limited company.
- Emails are easily identified as commercial communications from the business.
- Promotional offers, competitions or games and any conditions are easily understood.
- Clients know that the salon is fully signed up to the Code of Practice and information about the Code is prominently displayed on their website or on their premises.
- They display the Trust My Salon logo and the 'Approved Code' logo from the Chartered Trading Standards Institute on adverts, websites and other marketing material. These must be removed if the accreditation lapses or is withdrawn.

### **Our advice to you: prices and payments**

Reputable salons do not insist on cash payments only.

Salons use a variety of electronic systems to take payment, including cash registers, Electronic Point of Sale (EPoS) systems, portable card machines or devices such as tablets. A receipt should always be available, either at the time of payment or digitally, for example by email or text.

If you book an appointment over the phone, ask how much the treatment or service will cost and what's included. For example, if you want your hair coloured, cut and blow-dried, the price should include all three services.

Many hair salons have tiered pricing depending on the experience of the stylists, so if the price is outside your budget, ask if other stylists are available at a lower cost.

Prices should be the same for men and women and should vary only because of the time taken, the products used and the skills and experience of the stylist, barber or therapist, not because of gender differences.

A salon may give you a price range rather than a fixed cost, especially if you are a new client. This is because the price will depend on the time taken which can vary with services such as a colour change, depending on the client's hair.

Some beauty treatments, such as skin rejuvenation, are given as a course of treatments which provide results after a number of visits. Your therapist will confirm how many treatments you are likely to need, the overall cost, the expected results after each treatment and any side effects that may occur after treatments. Your therapist should always provide aftercare advice.

#### **No-shows or cancellations**

Many salons have a 'no-show' or cancellation policy which state that you may be charged for a missed appointment or an appointment cancelled with less than 48 hours' notice. Cancellation charges must be fair and reasonable, allowing the salon to cover the cost of a missed appointment which they have been unable to fill at short notice.

If you have to cancel an appointment you should give as much notice as possible.

## **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process ensures your salon has a copy of the NHF/NBF Guide to Advertising. The process includes reviewing your salon's website, advertising materials, price lists, information about accepted methods of payment and their cancellation policy.

Trust My Salon carries out mystery shopping visits and will check that products or equipment available for sale in the salon are clearly priced, payment is through an Electronic Point of Sale system, receipts are available and no additional charges are made for payments by card or other accepted payment methods. We will also check how the CTSI logo is being used.

## **12 Sale of goods**

Some salons sell goods or equipment such as hair straighteners or hairdryers, in the salon or online. Accredited salons will make sure:

- Any items such as electrical equipment or cosmetic products offered for sale are safe and meet all legal requirements.
- Clients can return goods which are faulty, damaged, doesn't do what they are supposed to do, or are not as described within 30 days of buying the product (or receiving it if the product was bought online) for a full refund.
- After the 30 days period, goods are repaired or replaced (see 'our advice to you' below)
- Clients have the right to cancel an online order for goods within 14 days of receiving the product.
- Clients can return goods within a reasonable time period. The salon will refund the cost of the product and the basic delivery cost within 14 days of receiving the returned goods or seeing proof of postage, whichever is earlier.
- Clear and accurate information is provided about the goods or equipment they are selling, whether the price stated includes VAT and the cost of delivery.
- If orders are taken on its website, prompt confirmation will be provided, with information about how to correct any errors.

### **Our advice to you**

Outside the 30 days period you must give the salon an opportunity to repair or replace the product if it is faulty, damaged, doesn't do what it is supposed to do, or is not as described. It is the salon's choice whether to repair or replace the product. If the repair or replacement is not successful, then you can claim a refund or a price reduction if you want to keep the product.

You are entitled to a full or partial refund if it is not possible to repair or replace the product, if a repair or replacement would cause you significant inconvenience, if it would take an unreasonably long time, or the cost of the repair or replacement is out of proportion to the value of the product.

If the product becomes faulty within the first 6 months of you owning it, it is presumed that it must have been faulty when you bought it. The salon has the option of repairing or replacing it, and if that is not successful for the reasons above, you can ask for a full refund or a price reduction if you want to keep the product.

## **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process ensures your salon has a copy of the NHF/NBF Guide to Consumer Rights. The process includes reviewing your salon's website, identifying products or equipment which are available for sale online, returns and cancellation policies.

### **13 Contracts and credit**

Accredited salons will make sure:

- They provide accurate information in writing before clients enter into a contract, such as a finance arrangement for a course of treatments.
- Contracts include an easily understood description of the treatments to be provided, any contract 'cooling off' periods, the rights and responsibilities of each party, the payment terms, VAT, any additional fees or charges and what these are for, any cancellation or postponement rights and charges, limits of liability and the time limit for making claims.
- Clients, especially vulnerable clients, have fully understood any contract or credit arrangement they are entering into.
- High pressure selling techniques are not used.
- Adverts offering credit are clear and easily understood, include the salon's postal address, a representative example of the credit being offered, the cash price, interest rate, the number of payments and the full amount to be paid.

#### **Our advice to you**

##### **Contracts and credit**

If you don't understand what's in a contract, ask for clarification. Don't sign a legally binding document unless you are completely comfortable going ahead.

If you are entering into a credit agreement, make sure you know what commitment you are making and how this will affect your personal finances.

#### **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process checks that information about contracts and credit is clear and easily understood by clients. Trust My Salon carries out mystery shopping visits and will check that high pressure selling techniques are not used and any contracts are easily understood.

### **14 Record keeping**

As required by the General Data Protection Regulation (GDPR), an accredited salon will maintain accurate and up-to-date client records. Client information will be kept confidential, securely stored and only used for the purpose for which it was given. Client information may include:

- Personal details.
- Health information relevant to the service or treatment to be provided.
- History of previous services or treatments.
- Recommendations made.
- Client lifestyle requirements.
- Allergy alert test records, sensitivity testing, and any contra-indications which suggest a service or treatment is not suitable.
- Consent to health information records being maintained for four years.

- Consent for services or treatments provided to clients' children (where relevant).
- Any letters of consent from GPs or other healthcare professionals.
- If clients use the salon's Wi-Fi facilities, the law says user details must be recorded to combat illegal downloads, but not for any other purpose.

#### **Our advice to you: your client records**

Salons keep records for four years to protect your safety and wellbeing. Accurate and up-to-date records ensure they know if there is anything in your history or any other contraindications which suggest that a service or treatment may not be suitable for you.

Salons will use the personal information you provide mainly to manage the services or treatments you have. They are also likely to ask for your consent to receive marketing information from them, for example, newsletters, information on special offers, loyalty rewards or birthday treats.

#### **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process ensures that your salon has a privacy notice and a data retention policy and seeks consents for marketing information and any special category data such as health-related records or children.

### **15 Complaints**

Accredited salons will:

- Have a complaints policy which is available for clients to see.
- Take immediate action to make sure clients receive a quick and fair response to any complaint and aim to resolve it within no more than 8 weeks.
- Learn from complaints and identify opportunities to improve services to clients.
- Refer clients to Hair & Beauty Mediation, or another certified Alternative Dispute Resolution (ADR) provider, for any complaints which cannot be resolved using the salon's complaints policy.
- Fully participate if the client wishes to use ADR and accept the decisions made by Hair & Beauty Mediation.

Someone else can complain on the client's behalf (for example, if the client is vulnerable). A consumer advisory body can also make complaints on behalf of a client.

#### **Our advice to you: how to complain**

If you are not happy with the service or treatment you have received, you should tell the stylist, barber or therapist straight away while you're still in the salon.

If you aren't comfortable with doing that, ask to speak to the manager or contact the salon by phone or email as soon as possible after your appointment.

Many problems can be fixed straightaway, but if you have already left the salon you will probably be asked to come back so they can see why you're not satisfied and what can be done to put things right.

Don't go to another salon otherwise the original business has no opportunity to put things right.

Be aware that ADR providers make a small charge to both clients and salons. Contact Hair & Beauty Mediation [www.nhf.info/complaints](http://www.nhf.info/complaints) or call the NHF/NBF membership team on 01234 831965 for more information on complaints and how to apply for ADR. ADR from Hair & Beauty Mediation is available only to NHF/NBF members and their clients.

## **Our promise to you**

You can be confident that the Trust My Salon accreditation and annual renewal process ensures that your salon has a complaints policy. It is a mandatory requirement for accredited salons to participate in Alternative Dispute Resolution.

## **16 Monitoring**

Salons go through a rigorous accreditation process and an annual renewal process. All new salons receive a mystery shopping visit and a report, including relevant photographic evidence. The report will identify good practice, non-compliances or breaches of the Code, with a score of 1 (poor) to 4 (excellent) against each section of the Code, an overall score (1-4) and an action plan.

The Director of Quality & Standards may arrange further mystery shop visits to monitor progress against the action plan.

Salons are re-accredited annually. Each year, one tenth of Code members will be randomly selected for a mystery shopping visit. Similar to the initial visit, a report will be produced, including relevant photographic evidence, with scores against each section of the Code, an overall score and an action plan. Further mystery shops will also be carried out to monitor progress when considered necessary by the Director of Quality & Standards

Trust My Salon will work with salons to address non-compliances, but if there are serious breaches or persistent breaches, the Director of Quality & Standards may refer them to the Disciplinary and Sanctions Panel (see appendix 2).

Trust My Salon will keep records of the salons accredited and re-accredited, salons visited, the results of mystery shopping reports and action plans, the number of complaints against Code members, ADR cases involving Code Members and referrals to the Disciplinary & Sanctions Panel. These will be reviewed by the Chartered Trading Standards Institute which will audit the Trust My Salon Code of Practice. Audit reports will be published on the Trust My Salon website.

## **17 How to contact Trust My Salon**

If your salon is a Code member and you believe it has fallen below the standards set out in this Code of Practice ask to speak to the salon manager or contact the salon by phone or email as soon as possible after your appointment.

If the salon doesn't take steps to put things right and fully comply with the code please call the NHF/NBF on 01234 831965 or contact us via our website: *(URL to be added)*



## Appendix one: relevant codes and legislation

- The Advertising Standards Authority's non-broadcast and broadcast advertising codes.
- Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulation 2015
- Arbitration Act 1996
- Business Protection from Misleading Marketing Regulations 2008
- Company, Limited Liability Partnership and Business (Names and Trading Disclosures) Regulations 2015
- Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013
- Consumer Credit (EU Directive) Regulations 2010
- Consumer Protection Act 1987
- Consumer Protection from Unfair Trading Regulations 2008
- Consumer Rights Act 2015
- Electrical Equipment Safety Regulations 2016
- Electronic Commerce (EC Directive) Regulations 2002/2013
- Equality Act 2010
- EU Regulation 1223/2009 on cosmetic products
- General Data Protection Regulation 2018
- Health & Safety at Work Act 1974
- Misrepresentation Act 1967
- Ofcom Broadcasting Code (TV/Radio Advertising)
- Payment Services Regulations 2017
- Price Marking Order 2004
- Sunbeds (Regulation) Act 2010 and Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011

## **Appendix two: disciplinary and sanctions panel**

### **Disciplinary and sanctions panel**

#### **Purpose**

The panel deals with serious or persistent breaches of the Trust My Salon Consumer Code of Practice effectively, impartially and as quickly as possible.

#### **Non-compliance**

The accreditation and renewal processes for Trust My Salon are likely to reveal minor 'non-compliance' issues which the salon needs to address before they can be approved. We will support them with advice and guidance to help them address non-compliances.

Once accredited, salons receive a mystery shop visit. Again, these visits are likely to reveal non-compliances. We will develop an action plan with recommendations and timeframes for these to be implemented. Progress on these action plans will be monitored and may include a follow up visit or a further mystery shop. Unless a non-compliance is very serious or the salon has persistently failed to address them, they will not be referred to the panel.

#### **Complaints and ADR**

Complaints from members of the public will be addressed using the Code Member's complaints policy. There is the option for complaints which cannot be resolved to use Alternative Dispute Resolution. Hair and Beauty Mediation is a certified ADR provider. There may be instances where ADR reveals issues involving a Code member which are sufficiently serious to refer to the panel.

#### **Breaches**

Breaches are serious issues which the salon has failed to address, whether reported to Trust My Salon by a member of the public, or identified through Trust My Salon's monitoring of Code members, or by a certified ADR provider.

Breaches could include:

- Major breaches of health and safety regulations or other practices which risk causing harm to clients
- Conviction for an offence against the Consumer Protection from Unfair Trading Regulations 2008
- Other criminal convictions affecting the Code member's salon and the client's trust in them as a reputable business

#### **The Disciplinary and Sanctions Panel**

The panel is set up to review alleged breaches, provide impartial consideration of the circumstances and recommend appropriate sanctions.

The panel will consist of 5 individuals, 2 of which will be Code Members, 2 will be salon or barbershop owners but not Code members and an independent Chair who will have a casting vote if needed. The chair will normally be the NHF/NBF president or Vice President or another Board member (who may or may not be a Code member). In the absence of the chair, Panel members may nominate one of themselves to act as chair.

The panel will be quorate as long as any 3 members are present.

Panel members should:



- Work within the scope of the Terms of Reference for the Disciplinary and Sanctions Panel.
- Have current first-hand experience of running or working in a salon.
- Be able to analyse information and draw logical conclusions.
- Be impartial.
- Observe strict confidentiality.
- Be able to make difficult decisions.

The panel may co-opt an additional specialist adviser such as an adviser on consumer law, but any such adviser will not have voting rights.

### **Conflicts of interest**

Panel members must declare any potential conflict of interest, including any connection with the parties involved in the alleged breach. In these circumstances they will be required to step down and a replacement panel member will be appointed for that case.

### **Panel meetings**

The Director of Quality and Standards will attend the panel meeting to present the facts of the case, to advise on Trust My Salon procedures, to record the findings and any sanctions applied. In this person's absence the Chief Executive or Director of Membership will attend. None will have voting rights.

### **Process**

The Director of Quality & Standards will refer the case to the panel and arrange a panel meeting to take place within 28 days of the breach being discovered or reported. Meetings may be held face to face or by teleconferencing.

The Code member will be invited to attend the panel meeting. They will have the opportunity to comment on the findings presented, when requested. If they are unable to attend, the meeting will go ahead in their absence. The Code member may be accompanied by one other person who will act only as an observer.

The Code member or panel members may ask for a break at any point in the proceedings.

The panel chair will close the meeting when he/she considers that all relevant information has been presented. The Code member will then leave the meeting.

The panel will reach a decision on their findings and any sanctions, by a majority vote if necessary. In the event of a tie, the chair has the casting vote.

### **Sanctions**

Sanctions may include:

- Advice on future conduct, training or other recommended action.
- A formal warning
- A requirement to implement an action plan within a specified timeframe as a condition of continued Code membership
- Temporary suspension of Code membership
- Permanent expulsion from Code membership

The panel may also recommend suspension or removal from NHF/NBF membership. If the panel considers that a matter should be reported to the police or another authority, they must refer it to the relevant authority as soon as possible.

The panel will not award any financial penalties or compensation, which is a matter to be addressed through court action or an insurance claim.

### **Expulsion**

If a Code member is permanently expelled, they must remove all references to Code membership and the CTSI logo from their advertising and marketing materials, including their website, within 28 days.

### **Findings**

The panel's decision, a brief summary of the reasons for the decision will be provided within 10 days of the meeting. The outcomes of the panel's decision will be published on the Trust My Salon website, unless there are exceptional circumstances not to do so, such as it being against the public's interest.

### **Appeals**

There is no right of appeal and the panel's decision is final.

### **Re-application**

A Code member whose Code membership is temporarily suspended may not re-apply until the Director of Quality and Standards is satisfied that the breaches have been fully addressed.

### **Notices**

Any notice required to be given to an individual shall be deemed to be properly served if sent by registered or recorded delivery post to the Code member's address.