

**DERBYSHIRE COUNTY COUNCIL****MEETING WITH CABINET MEMBER, HEALTH AND COMMUNITIES****22 December 2014****Report of the Strategic Director Health and Communities****SUNBED SAFETY SURVEY - UPDATE****1. Purpose of the report:**

To update the Cabinet Member, Health and Communities on action taken by the Trading Standards Division to check the safety of tanning equipment in use in Derbyshire.

**2. Information and analysis**

- 2.1 As reported earlier this year<sup>1</sup>, the main cause of skin cancer is over-exposure to ultraviolet (UV) rays. This may be from natural sunlight or artificial rays from the use of sunbeds and sunlamps. Skin cancer typically takes decades to develop, so may not become apparent until years after the damaging exposure. Each year there are around 100,000 new cases of non-melanoma skin cancer in the UK. In 2006 there were over 84,500 non-melanoma incidences in the UK, but the majority would have been treatable. Malignant melanoma, however, is the most dangerous form of skin cancer as it can spread to other organs and is responsible for the most deaths from skin cancer. In 2006 there were over 10,670 incidences of malignant melanoma in the UK. Significantly, malignant melanoma is the second most common cancer in 15–24-year-olds in the UK.
- 2.2 In response to the concerns identified, the Trading Standards Division undertook a survey of local tanning salons in 2013 with the support of a number of District Council Environmental Health teams. Responsibility for ensuring that young people under 18 – who have been identified as being particularly at risk from skin cancer - do not have access to tanning salons and for ensuring that salon operators have 'safe systems of work' falls to environmental health authorities. The Trading Standards division is responsible for ensuring that local businesses comply with General Product Safety requirements and ensure that products on sale and for hire in the county are safe.
- 2.3 One of the issues with the enforcement of the legislation is that there is no obligation on retailers to notify the local authority that they are in business and where they are operating. Consequently, it is difficult to determine where

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<sup>1</sup> CabCo report dated 21<sup>st</sup> January 2014 Sunbed Safety Survey:  
[http://www.derbyshire.gov.uk/images/item%203g\\_tcm44-239646.pdf](http://www.derbyshire.gov.uk/images/item%203g_tcm44-239646.pdf)

all the tanning salons are located. During the course of 2013, 34 businesses were visited and 81 sunbed lamps inspected. A proportion of sunbeds at each location were tested and the results collated. Lamps of a similar design were assumed to have the same output rating and so were deemed to be satisfactory or unsatisfactory depending on the results of the sample tested. Only 31 out of the 81 appliances tested (38%) were found to be compliant at 11 out of the 34 businesses visited (32%). These results were reported to Cabco in January this year and a press release was issued warning the public to take care when seeking a tan<sup>2</sup>.

- 2.4 Given the relatively low levels of compliance a further 35 tanning salons have been visited during 2014 throughout the county and a further 101 pieces of equipment were examined. On this occasion compliance was much improved. 82 of the items examined were found to be compliant (82%) at 22 of the salons visited (63%). Of those that failed, six had emission ratings in excess 0.6 W/m<sup>2</sup>; the highest being 1.09 W/m<sup>2</sup>. All salon operators were advised of the steps they needed to take to ensure that they only used safe tanning lamps.
- 2.5 As a result of the Trading Standards activity, 54 tanning facilities have been refurbished and brought within the European Union safety limit. 14 dangerous sunbeds have been taken out of use and 33 businesses previously operating unsafe tanning equipment have been brought into compliance. It is estimated that 96% of the known tanning equipment providers in Derbyshire are now operating equipment within the EU safety limit with remedial action pending in relation to the remaining equipment.
- 2.6 A common factor in a number of failed emissions checks was that the equipment had been serviced or supplied by a particular Derbyshire-based sunbed business. In 'business-to-business' transactions the responsibility for safety regulations falls to the Health and Safety Executive so their officers were invited to a meeting with the business to address joint concerns. Both agencies advised the business and instructions were given to remedy any previously-supplied equipment or repairs to achieve safe emission levels. The business was also required to amend website information which had the potential to mislead customers about legal requirements and the approach taken by enforcement authorities. The activities of this business will be monitored to check that the advice has been acted upon.
- 2.7 Further details of the visits undertaken to check the output of sunbed tanning facilities in Derbyshire are provided in the appendix to this report.

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<sup>2</sup> [http://www.derbyshire.gov.uk/council/news\\_events/news-updates/2014/january/most\\_sunbeds\\_fail\\_safety\\_test\\_in\\_survey.asp](http://www.derbyshire.gov.uk/council/news_events/news-updates/2014/january/most_sunbeds_fail_safety_test_in_survey.asp)

**3. Other considerations:**

In preparing this report the relevance of the following factors has been considered; legal, financial, prevention of crime and disorder, equality of opportunity; and environmental, health, human resources, property and transport considerations.

**4. Background papers:**

Cabco Report dated 21 January 2014; Sunbed Safety Survey

**5. Key Decision:**

No

**6. Call-in:**

Is it required that call-in be waived for any decision on this report?

No

**7. Officers' recommendation:**

That the Cabinet Member, Health and Communities notes the report.

**David Lowe**  
**Strategic Director**  
**Health and Communities**

## Appendix summary of tanning salon checks 2013 and 2014

During 2013 and 2014 the Trading Standards Division has surveyed tanning facilities across the County to assess compliance with General Product Safety legislation. During visits to premises equipment was checked for safe UV emission levels and operators were given advice on providing customer information. Officers carried out screening tests on tanning equipment to determine whether the equipment in use was operating within the maximum  $0.3\text{W/m}^2$  safety level specified by the relevant European Standard.

(Where more than one tanning unit of the same type and specification were present, emission levels were assumed to be the same as those found on the equipment tested. Tanning units examined and found to be fully fitted with  $0.3\text{W/m}^2$  rated tubes were recorded as compliant after initial checks justified this assumption)

2013	2014
34 tanning premises in Chesterfield, Bolsover, Erewash and High Peak areas visited.	33 tanning premises in Derbyshire Dales, North East Derbyshire, Bolsover, Amber Valley and South Derbyshire areas visited. 2 further tanning premises in Erewash and High Peak areas visited.
Overall initial compliance levels:  Businesses: 11/34 (32%)  Equipment: 31/81 (38%)	Overall initial compliance levels:  Businesses: 22/35 (63%)  Equipment: 82/101 (82%)
81 sunbeds in total were identified  48 were tested with the following results: <ul style="list-style-type: none"><li>13 passed and 35 failed</li></ul> 33 were examined with the following results: <ul style="list-style-type: none"><li>18 of the sunbeds examined were deemed to have passed and 15 to have failed</li><li>45 of the 50 that failed (or were presumed to have</li></ul>	101 sunbeds in total were identified  33 were tested with the following results: <ul style="list-style-type: none"><li>18 passed and 15 failed</li></ul> 68 were examined with the following results: <ul style="list-style-type: none"><li>64 of the sunbeds examined were deemed to have passed and 4 to have failed</li><li>13 of the 19 that failed (or were presumed to have failed)</li></ul>

<p>failed) were found to have emission ratings of between 0.3 W/m<sup>2</sup> to 0.6 W/m<sup>2</sup></p> <ul style="list-style-type: none"> <li>• 5 had emission ratings in excess of 0.6 W/m<sup>2</sup> the highest being 0.94 W/m<sup>2</sup></li> </ul>	<p>were found to have emission ratings of between 0.3 W/m<sup>2</sup> to 0.6 W/m<sup>2</sup></p> <ul style="list-style-type: none"> <li>• 6 had emission ratings in excess of 0.6 W/m<sup>2</sup> the highest being 1.09 W/m<sup>2</sup></li> </ul>
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**In total:**

- 69 businesses operating tanning equipment were visited and advised.
- Of those businesses visited, 37 (54%) were found to be operating equipment with emissions higher than the EU safety level.
- Officers have tested or assessed 182 tanning enclosures of which 69 (38%) were regarded as unsafe having UV outputs above the EU safety level.
- 11 of the unsafe enclosures were found to have emissions more than twice the EU safety level.
- The compliance rate of businesses checked in 2014 (63%) was almost twice that experienced in businesses checked in 2013 (32%). It is likely that this improvement was a result of citing the results of the 2013 checks to the businesses visited in 2014 when informing them beforehand of our intention to check their equipment.