



BRIEFING PAPER

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Regulation of hairdressers

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Summary

This briefing paper provides information on the current regulation of hairdressers in the UK.

The hairdressing industry is currently unregulated. There are no general licensing requirements and no statutory requirement for hairdressers (including barbers) to hold specified qualifications. The registration of hairdressers is currently voluntary, but the [Hair Council](#) has been campaigning for it to be made mandatory. There have been various attempts to introduce a Bill to regulate hairdressers but without success.

Local authority byelaws may place certain requirements on hairdressing establishments, such as registration on premises and planning requirements may apply in given cases. In addition, hairdressers, like other employers are subject to normal business regulations such as: health and safety requirements, employer and public liability insurance etc. Provided they comply with these requirements they will not be prevented from continuing their business. Information on the health and safety risks associated with hairdressing is available on the [website of the Health and Safety Executive](#).

In terms of redress, hairdressers provide a consumer service and, as such, are subject to consumer protection legislation.

1. Regulation of the hairdressers

The [Hairdressers Registration Act 1964](#) provides for a voluntary statutory UK register of qualified hairdressers. This register is maintained by the [Hair Council](#), set up under the Act in 1964; it is estimated that only 10 per cent of hairdressers are registered. The Hair Council is actively campaigning for this voluntary option to be changed to a mandatory requirement.¹

The majority of those in hairdressing training are studying towards [National Vocation Qualifications](#), known more simply as NVQs (see **Box 1** below). These qualifications can be taken as work-based training or by those who decide to study at a college of further education. NVQs are placed in a framework of four levels starting with an introduction at Level 1, through the basic and essential skills required at Level 2, to the technical and supervisory skills at Level 3 and the manager at Level 4. On completion of these NVQ levels, hairdressers and barbers can move on to a Higher National Certificate or Diploma (HNC/HND) qualification or a foundation degree and higher degree level.

Box 1: Voluntary statutory UK Register

Any hairdresser/barber may elect to register with the Hair Council provided they have evidence of training to a standard approved by the Hair Council. The following information on registration is given on the [Council's website](#):

For a State Registered Hairdresser/Barber, applicants must produce copies of either:

NVQ/VRQ Level 2 or equivalent issued over 24 months ago

Habia Apprenticeship Certificate

Proof of actively working as a hairdresser for six or more years.

For a State Registered Senior Hairdresser/Barber, applicants must produce copies of either:

NVQ/VRQ Level 3 or equivalent issued over 36 months ago

Proof of actively working as a hairdresser for nine or more years

For a State Registered Graduate Hairdresser/Barber, applicants must produce copies of:

NVQ/VRQ Level 2 issued over within the past 24 months

It is claimed by the Hair Council that registered hairdressers gain the following benefits:

- a registration certificate and the right to use the initials SRH after their name;
- the right to apply for the Master Craftsman Diploma (only state registered hairdressers can be Master Craftsmen);
- credentials that may be useful should the hairdresser decides to work abroad; and
- access to free advice from the Hair Council and possible access to competitive insurance cover

¹ See the homepage of the Hair Council's [website](#)

2. Position under consumer protection law

2.1 Consumer rights

The new [Consumer Rights Act 2015](#) (CRA 2015) came into force on 1 October 2015. In respect of the provision of services (including hairdressing), the CRA 2015 provides specific statutory rights and remedies where none previously existed.

Under the CRA 2015, consumer services must be provided with reasonable care and skill. There are express provisions that the price paid must be reasonable, and the services must be performed within a reasonable time. It follows from this that services will be “non-conforming” if they are not performed with reasonable care and skill, not performed within a reasonable time, or not performed in line with information given about the service.

Where services do not conform to the contract, the following statutory remedies are available to consumers:

- right to require “repeat performance”; or
- right to a reduction in price

The consumer can claim a price reduction when:

- the service is not performed in line with information given about the trader;
- the service has not been performed within a reasonable time;
- it is impossible to re-perform the service; or
- the consumer has requested a repeat performance, but the service cannot be re-performed within a reasonable time or without significant inconvenience to the consumer

It is expressly provided in the CRA 2015 that the existence of these statutory remedies does not prevent the consumer from seeking other remedies, such as damages (i.e. financial compensation), provided they do not recover twice for the same loss.

It is important to note that under the CRA 2015, spoken or written voluntary statements made by the trader, about the trader or the trader’s service are deemed to be binding contractual terms. This is significant because claims for breach of contract are generally easier to prove and quantify (with damages based on what the consumer’s position would have been had the contract been properly performed).

In respect of hairdressing services, a consumer **may** have the following rights under the CRA 2015 (much would depend on the facts of the case and all relevant circumstances):

- Consumers can ask the hairdresser to repeat or fix a service if it’s not carried out with reasonable care and skill, or get some money back if it cannot be fixed;
- If a price hasn’t been agreed upfront, what consumers are asked to pay must be reasonable
- Unless a specific period has been agreed, the service must be carried out within a reasonable time

If a complaint cannot be resolved by going through the salon’s own complaints procedure, the salon must provide the consumer with details of a certified Alternative Dispute Resolution (ADR) provider. ADR involves using a mediator to help settle a dispute as an alternative to beginning an expensive legal action. A mediator is an independent

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third party who listens to both sides and helps the hairdresser (or salon) and the consumer reach a fair and reasonable compromise. However, it is important to note that hairdressers are not legally obliged to use the mediation service to settle the dispute.

A separate Library briefing paper provides further detailed information about the [CRA 2015](#) (CBP 6588) (dated 18 May 2017). There is also a Library briefing paper on [Alternative Dispute Resolution \(ADR\) and consumer disputes](#) (CBP 7336) (dated 18 May 2017).

In addition, the [Consumer Protection from Unfair Trading Regulations 2008](#), known as the 'Unfair Trading Regulations', protect consumers from unfair or misleading trading practices, and ban misleading omissions and aggressive sales tactics. The Regulations came into force on 26 May 2008 and implement in the UK the [Unfair Commercial Practices Directive](#) (2005/29/EC). In the main, the Regulations apply to business-to-consumer practices.

The Unfair Trading Regulations impose a general prohibition on traders in all sectors from engaging in unfair commercial practices with consumers. It follows from this that there is a duty to trade fairly and honestly with consumers. As of 1st October 2014, amendments have been made to the Regulations which give consumers new rights of redress if they have been the victim of misleading actions or aggressive selling.

The Library's briefing paper, [Consumer Protection from Unfair Trading Regulations](#) (CBP 4678) (dated 16 May 2017) provides further information.

2.2 Where to go for help

Citizens Advice

Citizens Advice can provide legal advice free of charge. The [Citizens Advice](#) website contains a useful search tool to help people to find their nearest CAB. A consumer can also contact an adviser through Citizens Advice national phone service, [Adviceline](#): **03444 111 444**. Adviceline is available 9am to 5pm, Monday to Friday.

Legal advice: where to go and how to pay

The Library's briefing paper, "[Legal help: where to go and how to pay](#)" (CBP 3207) may also be of interest to constituents.

3. Parliamentary initiatives

3.1 Private Member's Bill

There have been various attempts to introduce a Bill in the UK to regulate hairdressers. The aim of the [Hairdressers Registration \(Amendment\) Bill](#), introduced into the House of Commons on 30 November 2011 by David Morris MP, was to provide for the mandatory registration of hairdressers with the Hair Council. The Bill also sought to empower the Hair Council to issue and charge licences to hairdressers holding certain qualifications. However, the Bill was defeated by four votes.² Following this defeat, David Morris MP said:

“It is very unusual for a Ten-Minute Rule Bill to go to division. The House of Commons was clearly divided. I hope that now I have drawn attention to the regulation of the hairdressing industry this important issue will be debated.”

3.2 Adjournment debate

In January 2015, during an adjournment debate, Nia Griffith MP called for a compulsory state register for hairdressers. However, this was rejected by the Government on the basis that a register would cost the industry £75m.

3.3 Parliamentary Question

A Parliamentary Question (PQ) about personal care services was asked by Margaret Ritchie MP on 19 October 2015. The written answer provided by Anna Soubry, then Minister for Small Business, Industry and Enterprise, provided the following written answer on 22 October 2015:

Margaret Ritchie MP: To ask the Secretary of State for Business, Innovation and Skills, whether he has made an assessment of the need for regulation of hairdressing.

Anna Soubry: The Government is currently reviewing all UK regulated professions under the Mutual Recognition of Professional Qualifications Directive. Part of this review will assess the necessity and proportionality of the current arrangements, with a view to cutting red tape where possible. We will make any further announcements when the review concludes in January. While there are regulations governing the suitability of premises, the hairdressing profession itself is not regulated. Anyone is free to practice as a hairdresser and there are no statutory requirements for the majority of those employed within this sector to register on a national register. However, the Hair Council has developed and operates a voluntary registration scheme which is recognised within the hairdressing industry.³

3.4 Public petition

On 12 March 2019, John McNally, Shadow SNP Spokesperson (Environment) presented the following [public petition](#) to the House of Commons:

The petition of residents of the United Kingdom

Declares that based upon recent research from industry, stakeholders and the general public, (upwards of 84% average of all respondents), there is a strong need and desire to amend this Act of Parliament from voluntary to that of mandatory;

further that currently the hair, barber and beauty industries are completely unregulated which the public and industry find totally unacceptable and not in line

² [HC Deb 30 November 2011 c.974](#)

³ [22 October 2015 WPO 12455](#)

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with protecting the public from untrained and unqualified practitioners, including cases of poor health, safety and hygiene standards;

further that with the current modern-day slavery issues together with the use of precursor chemicals used in the making of incendiary devices, by giving industry the tools to self-regulate, we can make a huge contribution to challenging and stamping out these illegal and dangerous practices.

The petitioners therefore request that the House of Commons urge the Government to amend this Act of Parliament to that of 'Mandatory' whilst including Beauty into the body of the 'Act', thus allowing industry to self-regulate with the remit to raise the standards of quality and training within the industry, whilst also raising the perception of the industry with the general public and protecting them from any form of malpractice;

the petitioners further request that the Hair and Barber Council be consulted when amending this Act.⁴

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