



# **What the Hairdressing and Barbering Regulatory Review heard through engagement**

March 2025



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## Acknowledgement and Privacy

1. The Ministry for Regulation (the Ministry) acknowledges the time and effort people invested in engaging with the Ministry's Hairdressing and Barbering Regulatory Review.
2. The Ministry has removed the names and other identifying details of individual submitters who have submitted. Illustrative quotes and positions from industry groups have been attributed. The illustrative quotes used in this document may have been lightly edited for clarity.
3. If you have concerns with how submissions have been reflected, please contact us at [reviews@regulation.govt.nz](mailto:reviews@regulation.govt.nz). Additionally, if you submitted and would like a copy of the personal information we hold about you or to correct any information that is incorrect, please make a Privacy Act<sup>1</sup> request to [privacy.officer@regulation.govt.nz](mailto:privacy.officer@regulation.govt.nz).

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<sup>1</sup> The Ministry's guide to making a Privacy Act request can be found [here](#).



## Context and purpose of this report

4. On 25 November 2024, Cabinet agreed that the Ministry would undertake a regulatory review of the hairdressing and barbering industry (the Review) [CAB-24-MIN-062 refers].
5. The purpose of the Review is to ensure that the regulation that applies to the hairdressing and barbering industry is proportionate to the risks posed by the industry. The Terms of Reference direct the Review to form findings and make recommendations about:
  - whether regulation of hairdressing and barber shops, hairdressers and barbers **continues to have valid rationale**
  - whether the current regulatory framework is **effective and efficient** (to the extent that the Review finds valid rationale for regulation).
6. The legislative instruments expressly **in scope** of the Review are the regulations that are *specific* to hairdressing and barbering<sup>2</sup>, namely the:
  - Health (Hairdressers) Regulations 1980, made under the Health Act 1956 with the objective of achieving, and being able to enforce, healthy hairdressing practices
  - The Health (Registration of Premises) Regulations 1966, also made under the Health Act 1956 with the objective of setting out requirements for premises that are required to be registered by virtue of other regulations (currently the premises captured under this set of regulations are hairdressers' or barbers' shops, campgrounds and funeral director's premises).
7. The Review initially engaged with business owners, hairdressers, barbers, local authorities, and industry groups on the status quo of how the regulatory framework is operating in practice. The Review then engaged with local authorities, industry groups, and government agencies on potential options for change to the regulatory system.

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<sup>2</sup> Henceforth referred to as “the regulations” for brevity



8. The purpose of this report is to inform the Review's analysis and report back what we heard through these two sets of engagement. This report is a synthesis of submitters' views and opinions and therefore will not fully reflect the views from any one submission. It may be contradictory in places, as submitters had differing views on various issues.
9. This summary is also not the Ministry's view on the hairdressing and barbering regulatory system. The information received has been analysed alongside other evidence to inform the Ministry's findings and recommendations.



## Structure

10. This report is structured in two parts:

- Part One - What people told us about the status quo. This part has four sections:
  - a) **Policy performance.** What problems are there with the content of the regulatory framework and how it is implemented?
  - b) **Places.** What problems are there with the places where hairdressing and barbering happen?
  - c) **People involved in hairdressing and barbering.** What problems do business owners, hairdressers, and barbers face?
  - d) **Barriers to market entry, expansion, and innovation.** Can business owners, hairdressers, and barbers respond to demand and innovate?
- Part Two – What people told us about the options for change. This part has two sections:
  - a) **Option 1 – supported deregulation.** What are the benefits, risks, and other implementation considerations for Option 1?
  - b) **Option 2 – new, risk-based regulations.** What are the benefits, risks, and other implementation considerations for Option 2?



## Terms used in this analysis

11. Where possible, this report quantifies themes and statements made by submitters. This quantification shows the proportion of submitters that made a particular point or responded to a 'select your answer' question in the questionnaires. It does not indicate that other submitters disagreed with the point – they simply did not mention it.
12. The following terms used throughout the report have the following meaning:
  - 'most' means 50% or more ( $50\% \leq x$ )
  - 'many' means between 30% and 50% ( $30\% \leq x < 50\%$ )
  - 'some' means between 12% and 30% ( $12\% \leq x < 30\%$ )
  - 'a few' means less than 12% ( $x < 12\%$ ).



## **Part One**

### **What people told us about the status quo**





## Key messages on the status quo

13. Most submitters across all groups think that **change to the regulations is needed**, as they are **outdated and overly prescriptive**. However, most did not feel that the regulations stopped them from operating safely and effectively.
14. Submitters **were split on whether industry-specific regulation for the hairdressing and barbering industry is required**:
  - Some submitters think that **industry-specific regulation is disproportionate** to the low health risks posed by the hairdressing and barbering industry, particularly in comparison to other parts of the appearance industry which are much higher risk. A few submitters also think that the hairdressing regulations have been superseded by other laws
  - Some submitters think that industry-specific regulation (particularly a minimum hygiene standard) **is an important mechanism to inform people how to operate safely**.
15. **Enforcement of the current hairdressing regulations is variable**, and some submitters think this is creating an uneven playing field between different businesses (especially between salon-based businesses and home-based and mobile businesses).
16. **Poor cleaning, disinfection, and hygiene practices are the most common issues** found by inspectors.
17. **Many business owners feel that the regulations create unnecessary costs**, particularly during the set-up of a salon / barbershop, and some business owners have experienced a delay in opening their business because of additional work required to meet the regulations.
18. **Most submitters feel that they should be able to serve refreshments** in the service area, **but submitters have mixed views on allowing alcohol to be served** without a licence.
19. **Many submitters feel that that dogs should be allowed on hairdressing and barbering premises**, but a few support continuing to allow only service dogs.



**20. Submitters held a range of views on whether qualifications should be required to operate as a hairdresser or barber:**

- Some submitters feel that **all** hairdressers and barbers should have to hold relevant qualifications to ensure that they have the knowledge and skills to operate competently and safely, especially around chemicals
- Some submitters feel that all hairdressers and barbers should be a member of an association (such as Hair and Barber New Zealand)
- A few submitters felt that there should be a requirement that the business owner is a qualified hairdresser or barber, or that there be qualified hairdresser or barber on site during business hours to oversee work being done on clients
- A few submitters disagreed and thought that having no qualification requirements for hairdressers and barbers was a positive feature, lowering the barriers to entry into the profession and incentivising an apprenticeship model.



## Who the Review engaged with on the status quo

21. The table below outlines who the Review engaged with on the status quo, and how many submissions were received and from whom:

### Engagement on the status quo

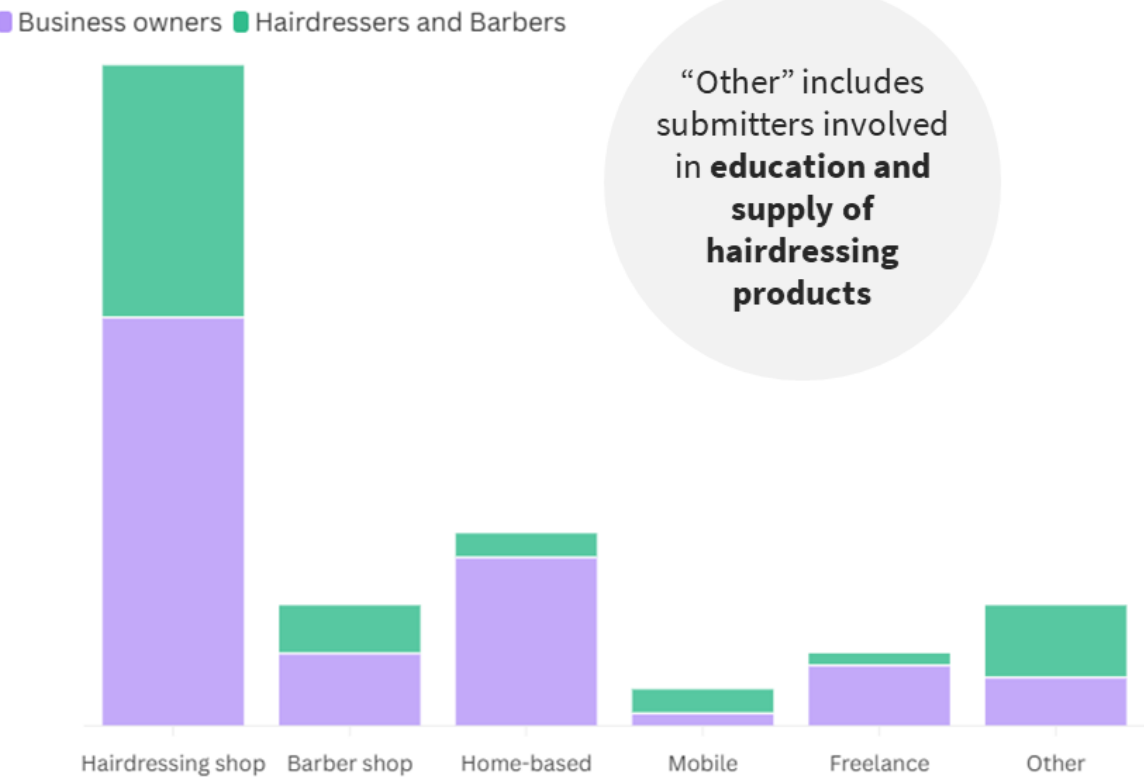
Group	Direct engagement	Written submissions
Current and former owners of hairdressing and barbering businesses	8	54
Current and former hairdressers and barbers	0	32
Environmental Health Officers (EHOs) and local authorities	0	46
Industry groups	6	1
<b>Total</b>	<b>14</b>	<b>133</b>

22. Demographic information about who the Review engaged with, including information about geographic location, business type and size, and the length of submitters' experience in the hairdressing and barbering industry, is available in the infographic overleaf.

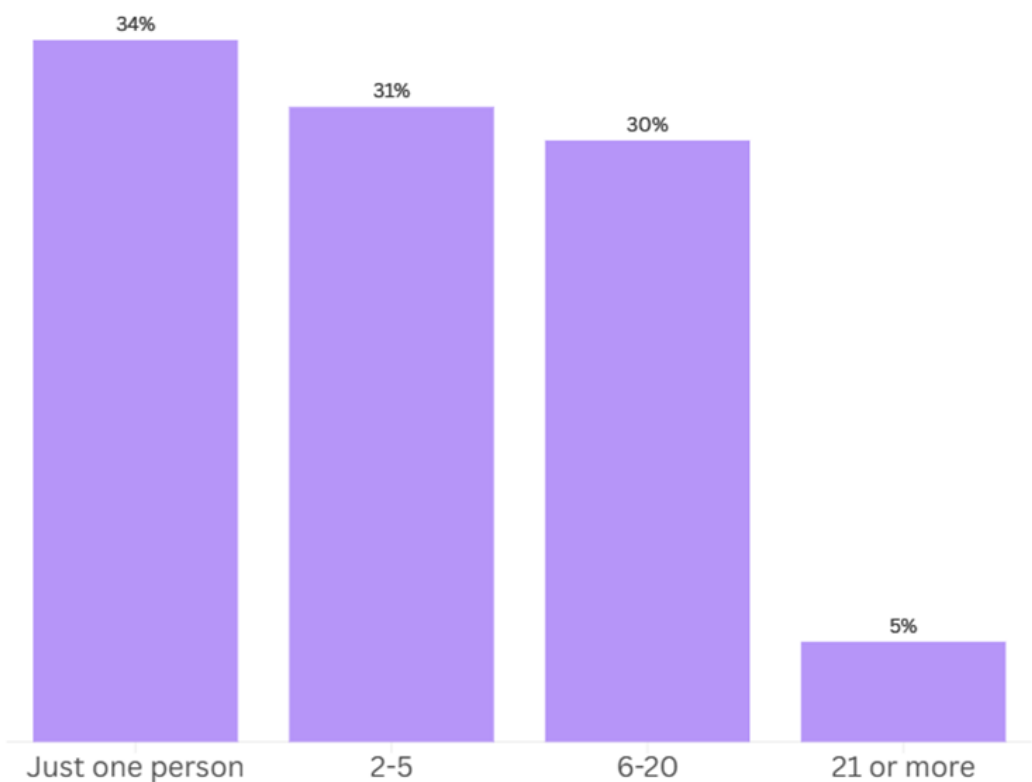
# Demographic information

of people who submitted to the Review via the online form

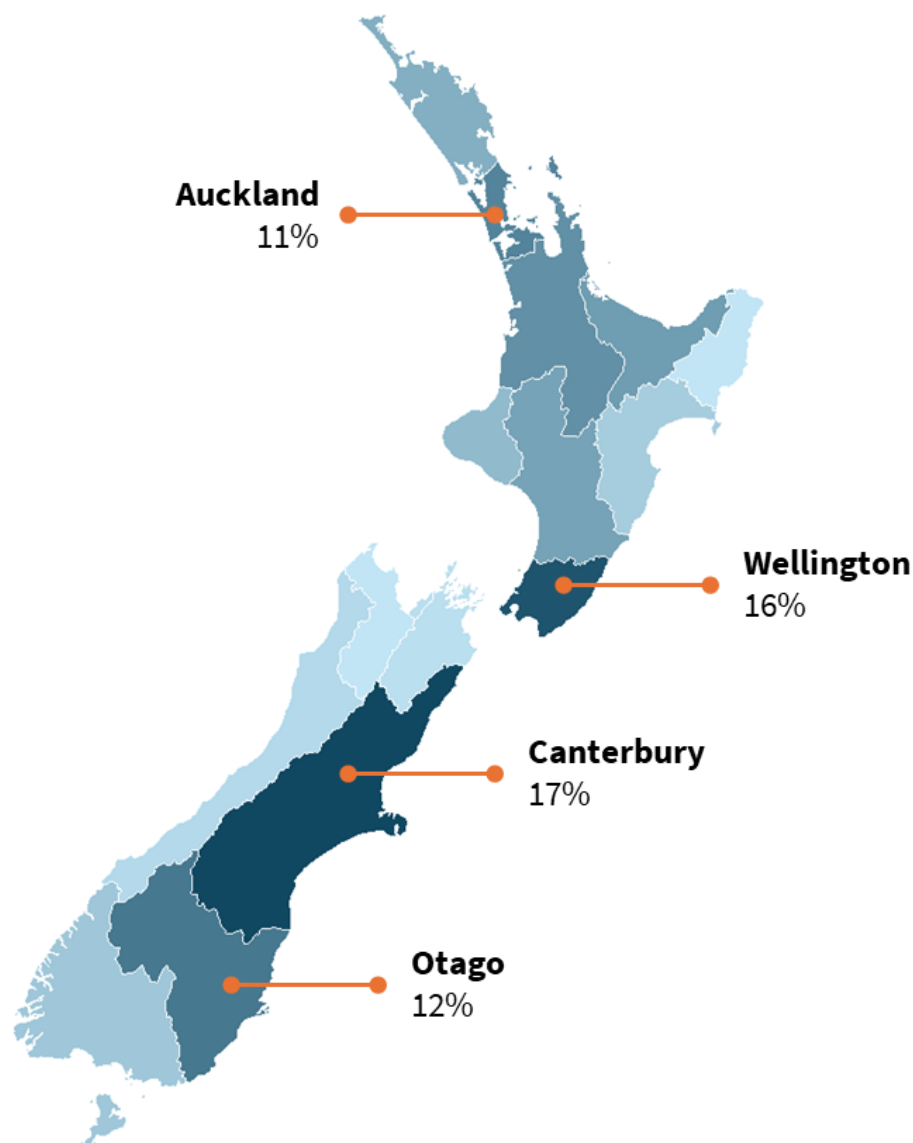
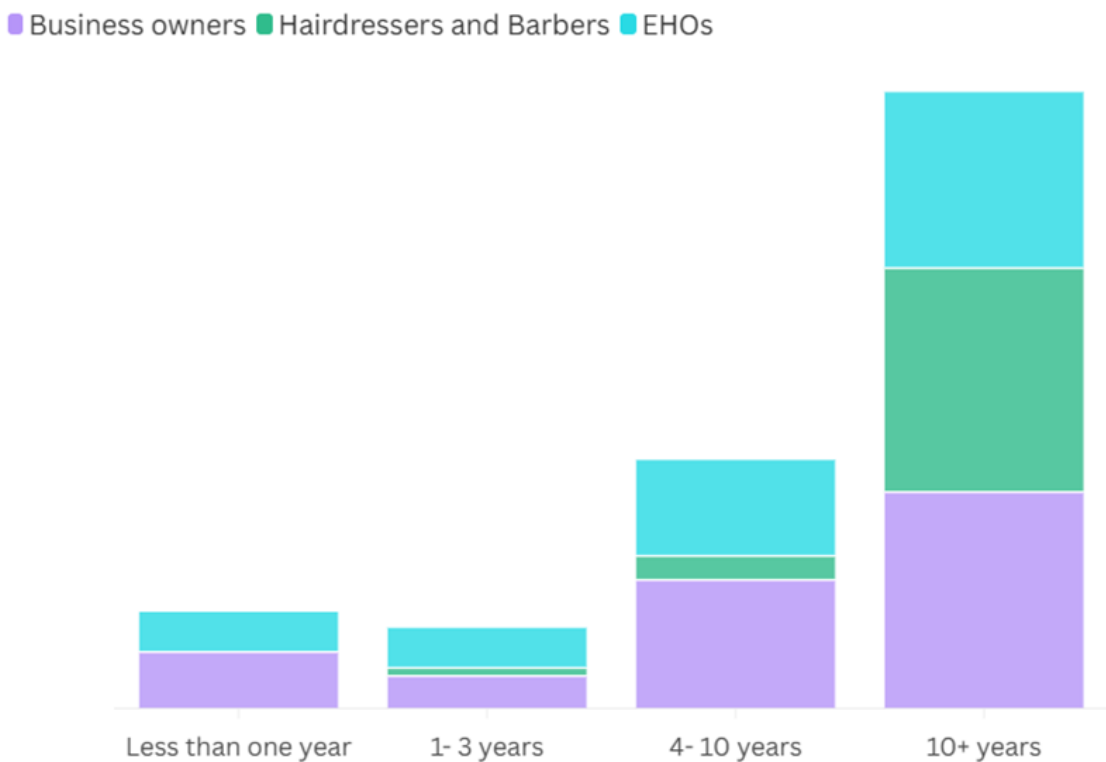
## Type of business



## Size of submitters' hairdressing and barbering businesses



## Length of experience in the hairdressing and barbering industry



**11%**  
of business owners own **more than one** hairdressing / barbering business

Most submitters run businesses which employ **5 people or fewer**, which is broadly reflective of what we know about the industry

Businesses in regions with **larger urban areas** were more likely to employ more people



## Policy performance of the hairdressing and barbering regulations

Submitters' overall views on the existence and content of the regulations

### Most submitters think that change to the regulations is needed

23. To understand submitters' overall perspective on the current regulations, submitters were asked to rate the regulations as 'need major changes', 'need minor changes', or 'work well'. Figure 1 below shows how different groups of submitters rated the current regulations.

#### Perceptions of the regulatory framework

Submitters were asked to rate the hairdressing and barbering regulations as "Need major changes", "Need minor changes", or "Work well"

■ Need major changes ■ Need minor changes ■ Work well



Figure 1 - Submitters' perceptions of the regulatory framework

24. Overall, most submitters said that the regulations required some level of change, with the most of those feeling that minor changes would be most appropriate.
25. Environmental Health Officers (EHOs) are the most negative about the current regulations, with most (57%) considering that major changes to the regulations are required. Business owners and workers are comparatively more positive, with 31% and 40% respectively considering that major changes to the regulations are required.
26. Submitters' level of knowledge of the regulations (which was asked in a separate question) did not influence how much change they feel is needed.



## Many submitters feel that the current regulations are outdated and overly prescriptive

27. Many submitters (particularly those who felt that major changes were needed) said that the regulations are:

- **outdated** – refer to items or practices that are no longer used, e.g., powder puffs, strops, lump alum, smoking in a workplace
- **overly prescriptive** – require specific practices that are not in line with modern practices, e.g., specifying cleaning and disinfecting methods.

*“The industry has advanced significantly since the [regulations] were implemented, and updating the framework is necessary to ensure it aligns with contemporary practices, technology, and client expectations.” – Business owner*

*“...these Regulations were written in an altogether different era of time and are now obsolete by current standard practice (and customer/staff expectations).” – Business owner*

*“I’ll tell you something we get failed on - not having a nail brush at every handwash station. Nail brushes haven’t been used since the 1980’s. We use gloves. Nail brushes are out of date.” – Business owner*

## Some submitters think that the regulations are disproportionate to the low health risks posed by hairdressing and barbering...

28. Some submitters felt that, while regulation may have been required in the past, current hairdressing and barbering practices mean that the health risks to clients, workers, and the public were very low.
29. These submitters therefore feel that the regulations are disproportionate (e.g., too specific or too onerous to comply with) to the low level of risk posed by hairdressing and barbering.
30. A few of these submitters noted that market forces (e.g., customer choice) were sufficient to enforce standards and mitigate the low health risks – the low level of risk did not warrant government intervention.



*“I think that the requirements for registration and inspection be removed based on the very low public health risk” – Environmental Health Officer*

*“There is currently so much choice when it comes to hairdressers and barbershops that customers have the ability to decide if they believe a shop is clean enough or not, and they can choose whether to spend their money there or not.” – Environmental Health Officer*

### **...particularly in comparison to other parts of the appearance industry**

31. Some submitters questioned why hairdressing and barbering is regulated separately, but other parts of the appearance industry are not. These submitters said that it was unfair that other businesses that are more invasive (e.g., remove parts of or pierce the skin, deal with blood) and therefore a higher risk to people’s health are not subject to regulation.

*“There shouldn’t be health regulations in hair salons as we don’t deal with blood and waxing or injections like a spa or beauty therapy.” – Business owner*

*“I am mindful that [tattoo artists] are not regulated at all, as a heavily tattooed individual I find this very strange when salons have such a hard time from local council.” – Business owner*

32. 25% of EHOs said that other appearance industries should also be regulated, either because salons have started to offer these services, but they do not fall under the regulations and so cannot be inspected, or because they are higher risk than hairdressing and barbering. They said this without the questionnaire specifically asking them about the other appearance industries.

*“I’d like to see a National Legislation that covers all health and hygiene practices, i.e. the beauty industry, tattooing, appearance medicine, hairdressing and barbering, skin piercing etc. The regulations would need to be more of a risk-based approach and focus on things like the prevention of bloodborne, bacterial and fungal infections.” – Environmental Health Officer*



**Some submitters think specific hairdressing and barbering regulation, particularly a minimum hygiene standard, is important and provides the public with assurance that good practice is being followed**

33. Some submitters said that the current regulations have benefits, and that regulation in general is useful for the industry. Submitters brought up two main points:

- The regulations about hygiene and sanitation incentivise good practice by providing businesses and workers with a minimum standard and informing them how to meet that standard
- In general, the regulations keep the industry accountable by setting standards and allowing for a monitoring mechanism. This in turn provides the public with assurance that businesses are implementing safe and effective practices.

*“I expect to be inspected and I'm proud to be registered and offer a clean, sanitary space to create beautiful hair for our clients.” – Business owner*

*“The industry needs regulation. Unregulated does not mean more hairdressers. It means more risk for clients.” – Business owner*

**A few submitters feel that the regulations have been superseded by other laws**

34. A few submitters said that the regulations are unnecessary because they have been superseded by other laws, such as the Health and Safety at Work Act 2015 (HSWA) and the Consumer Guarantees Act 1993.

35. These submitters feel that the hairdressing-specific regulations double-up requirements in newer legislation and provide no additional benefits while requiring additional work (e.g., calculating floor area or measuring distances between chairs). These submitters noted that if the regulations were removed, any gaps could be resolved by WorkSafe issuing industry-specific guidance under the HSWA.

*“The HSWA is comprehensive and there's not anything that's not covered in that Act.” – Business owner*





*“The HSWA already provides a robust framework for managing general health and safety risks. Many aspects of the Hairdressers’ Regulations simply duplicate provisions already addressed under the HSWA, making them redundant and an unnecessary burden on businesses.” – Business owner*

## Submitters’ views on implementation and enforcement

### **The regulations are mostly enforced by annual inspections by Environmental Health Officers**

36. 70% of EHOs who submitted to the Review conduct annual inspections of hairdressing and barbering businesses, mostly as part of the registration renewal process. This aligns with the experiences of business owners, 63% of whom receive annual visits. Some local authorities gave businesses notice of inspections, while some did not.
37. Other EHOs do not inspect regularly or only inspect regularly when they have sufficient capacity – some only inspect prior to initial registration, or once every two years, and a few others inspect only when there is an issue / complaint raised. A few business owners reported that they either had never had an inspection or had only had one in the many years they had run their salon.

*“This year our trainee EHO has started visiting all hairdressers, but this is unlikely to continue.” – Environmental Health Officer*

### **The most common issues found during inspections relate to poor cleaning, disinfection, and hygiene practices**

38. Most EHOs said that the most common issues they find during inspections relate to poor cleaning, disinfection, and hygiene practices, including a general lack of knowledge of the requirements to operate cleanly and safely. Many EHOs found that businesses did not know which disinfectants to use, or the effective dilution rates of these disinfectants.

*“Disinfection is not sexy!” – Environmental Health Officer*

39. A few EHOs noted that barbers and home-based businesses were more likely to have compliance issues than commercial hairdressing salons, with a few others noting that many barbers are migrants who are unfamiliar with New Zealand’s regulations.



40. EHOs had a wide range of experiences with the frequency of issues – a few EHOs reported finding problems in half of the inspections they do, whereas others find problems very infrequently.

*“Well over 50% of premises, easy!” – Environmental Health Officer*

*“We estimate we encounter issues with 5% of premises.” – Environmental Health Officer*

*“I haven't encountered any public health issue over the last 20 years.” – Environmental Health Officer*

41. A few submitters feel that regulations (and associated inspections) are a key mechanism for informing businesses and workers about good health and safety practices.

### **Local authorities often do not take formal enforcement action under the regulations, nor issue exemptions**

#### *Formal enforcement action*

42. 18% of EHOs from across the country reported that their local authority had taken formal enforcement action (i.e., prosecution under the Health Act 1956) against a hairdressing or barbering business. Most of the enforcement action brought related to either failing to register a business, or the late or non-payment of registration fees.
43. Many EHOs felt that the penalties available under the regulations were not significant enough to warrant getting lawyers involved, and felt that other enforcement options, such as higher fines, were needed to incentivise businesses to comply with the regulations.

*“It was very costly to the council to do this, and the fines were so minimal it wasn't much of a deterrent.” – Environmental Health Officer*

44. A few EHOs said that they used re-inspections (which they then charged for) as an alternative to formal enforcement action.

*“Our preference is to educate first, then utilise re-inspections (which incur a cost to the operator) [with] increased inspection frequency...” – Environmental Health Officer*



## Exemptions

45. 11% of EHOs reported that their local authority had issued an exemption from the regulations. Most of these exemptions related to the number of hand basins / distance from service stations to the hand basin.

## While most business owners have positive interactions with their local authorities...

46. To understand submitters' experiences with how the regulations were being applied by local authorities, business owners were asked to rate their satisfaction with their local authority from "very dissatisfied" to "very satisfied". Figure 2 below shows that most business owners were satisfied or very satisfied with their experiences with their local authority.

### Satisfaction with interactions with local authority

Business owners were asked to rate their satisfaction with the interactions they had with their local authority regarding compliance with the hairdressing and barbering regulations

Very satisfied Satisfied Dissatisfied Very dissatisfied



Figure 2 - Business owners' satisfaction with local authorities

47. Those who were satisfied with their experiences reported that they felt that their local authority had a good understanding of the regulations, could tell them what needed to be done to comply, and was generally helpful.

*"The process is easy if you are running a professional business." – Business owner*

48. Those not satisfied with their experiences reported that they felt that their local authority was not able to communicate what was required to comply with the regulations, were difficult to reach, experienced high turn-over which damaged relationships, or took registration fees but did not provide any tangible benefit.

*"A very complicated and stressful situation. There are no clear rules..." – Business owner*

49. Submissions showed that most local authorities do not have a workforce dedicated to issuing registrations, inspecting, or working with hairdressing or barbering



businesses; EHOs reported that they generally spend less than 20% of their time on tasks related to hairdressing and barbering.

**...some feel that the regulations are being inconsistently interpreted and applied, creating an uneven playing field**

50. Some submitters said that they feel that the regulations are inconsistently applied, advantaging some businesses and disadvantaging others. Examples submitters gave of inconsistent interpretation and application of regulations included:

- Different local authorities interpreting and applying the regulations differently, including different inspection schedules (and some not inspecting at all) and not assessing compliance with some of the regulations (e.g., presence of dogs, serving of refreshments in the service area)

*“She pointed out a few things, didn’t say anything about hot drinks or my dog.” – Business owner*

*“...different councils require different levels of back flow preventers. I have visited salons that fall under other district councils and have seen that their salons have smaller backflow preventers/non-return valves. This makes it unfair for salons that are located in district councils who have stricter rules.” – Business owner*

- Different officers within the same local authority interpreting and applying the regulations differently

*“Different officers approach things differently. An inspection can be very hit and miss, with officials choosing to focus on different things at different times.” – Business owner*

*“... one inspector would not pass us as our UV sanitiser was broken and we had to order a new one in order to receive a pass... Fast forward to this year and the new inspector has informed us that we did not need to replace it.” – Business owner*

*“Health inspectors are inconsistent, some [are] very officious and out to try and trip you up, yet others are very relaxed and helpful.” – Hairdresser*

*“I’ve had an experience while working for a business being 2IC and a health inspector was very rude, decided she didn’t like us and tried everything to not give us our certification. In the end when she was “supposed to come back”, [but] we got sent our certification without*



*her visiting again as I assume whoever looks over the reports decided she was being unreasonable.” – Business owner*

- Some businesses, particularly mobile and home-based businesses, operating unregistered and “under the radar”, meaning they do not have to comply with the regulations and can undercut other businesses on prices.

*“...we are struggling to compete with the rise of cheaper home-based salons. These setups often bypass compliance costs, making it harder for professional salons like ours to cover rent and other expenses.” – Business owner*

*“The registration by local councils doesn’t work and needs to be replaced as I have seen firsthand a business in operation for 8 months without a licence and or resource consent get away with not complying.” – Business owner*

*“While high street salons must navigate the complexity and cost of compliance, many hairdressers operating from home remain unregulated and off the radar. This inconsistency disadvantages regulated salons and undermines fairness in the industry.” – Business owner*

*“I don’t feel it’s fair for a mobile barber to operate at a market without two hand basins like a premises has to pay for.” – Business owner*

*“The current regulations exclude mobile based operators due to them relating to a fixed premises.” – Environmental Health Officer*

*“Also, mobile based operators are becoming a real problem as they are not able to be registered due to not having a fixed premises and essentially fly under the radar unregulated.” – Environmental Health Officer*



## Places where hairdressing and barbering happens

### Most business owners and workers feel that the physical requirements for premises are too prescriptive and complex

51. Most business owners and workers raised issues with the physical requirements for hairdressing and barbering premises:

- **Number of handwashing basins and the required distance between them and service chairs** - many submitters said that the number of handwashing basins required was too high, and that the distance required between them and service chairs was too short (i.e., submitters wanted more than 6m between service chairs and a basin). Many submitters said that this requirement meant that they needed to install an additional sink in the middle of their salon, which some said was never used. Some submitters also questioned this requirement, given the presence of hair-washing basins that could also be used to wash hands

*“...I have a salon that has 14 stations. Two of those stations I can only legally use for Consultations only and not hairdressing services - The reason? They are about 7.2m away from a hand basin so nothing more than 4-5 steps more than the legal limit.” – Business owner*

*“I was required to put a second sink in for handwashing, this has never been used by a client or myself.” – Business owner*

- **Space between chairs** – a few submitters said the space between chairs was too high, and that hairdressers and barbers could work safely with less space, especially if one worker was treating more than one adjacent client simultaneously (as a few submitters said was common in hairdressing salons). Submitters said that the space requirement unreasonably limited the number of stations they could have in their salon and therefore the number of clients they could have



- **Backflow prevention devices<sup>3</sup>** – a few submitters said that the requirement to install backflow prevention devices was unnecessary because any contaminated water is not stored but drained away. Submitters said that this requirement introduced unnecessary costs for business owners, especially if backflow prevention devices needed to be retrofitted into existing sinks. A few submitters noted that different local authorities appear to have different rules regarding the type (and therefore cost) of backflow prevention device required

*“Backflow prevention valves are not necessary. No evidence they are required.” – Business owner*

- **Lighting** - A few submitters said that the specific lux requirements are unnecessary. A few submitters also noted that clients can become overstimulated by the bright lights, and it would be a benefit if softer lights were an option.
52. Many submitters feel that these overly prescriptive requirements unreasonably restrict the layouts of premises, with some feeling that this creates barriers to renting, building, and renovating premises.

*“Specifying distances between workstations and lighting levels feels unnecessary.” – Environmental Health Officer*

53. On the other hand, a few submitters (particularly EHOs) felt that these specific requirements were important for maintaining health and safety.

*“If more hairdressers understood the importance of hand washing and drying (as part of universal precautions), there would not be the resistance or apathy towards having a wash hand basin with hot and cold water in the salon stocked with soap, towels etc. The 6m rule gets them hot under the collar” – Environmental Health Officer*

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<sup>3</sup> A backflow prevention device is a mechanical device that protects water supplies from contamination due to water flowing back up into the supply due to differences in pressure.





## Notwithstanding the physical requirements for premises, most business owners found registering a business / premises to be straightforward process

54. To understand business owners' perspective on the process of registering their business, business owners were asked to rate both how easy they found it to understand the rules placed on their business, and how easy they found it to initially register or renew their business registration. Figure 3 below shows that most business owners found it easy or very easy to both understand and register / renew their business.

### Business registration and renewal

Business owners were asked to rate how easy they found it to understand the rules and regulations required to register their business, and how easy it was to register their business and renew that registration under the Health (Registration of Premises) Regulations 1966

Very easy Easy Difficult Very difficult

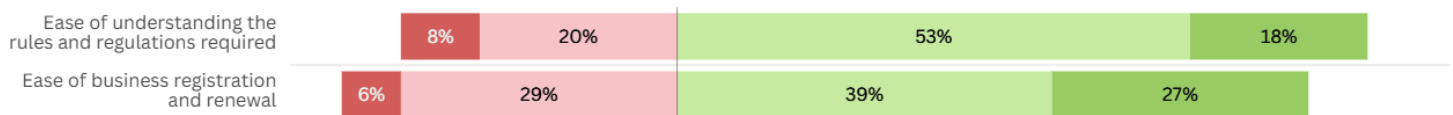


Figure 3 - Ease of business registration and renewal

55. 56% of business owners reported having opened a hairdressing or barbering shop within the last five years.
56. Most business owners reported that it generally took less than one day of work to register their business for the first time. For those business owners that reported it took longer, the most common cause of the delay was waiting on the local authority to process their application and / or come and inspect their premises.





## People involved in hairdressing and barbering

### Most business owners and workers understand the regulations that apply to their activities

57. To understand submitters' understanding of the regulations, business owners and hairdressers and barbers were asked to rate how well they understood the regulations on a scale of "know them well" to "know nothing about them". Figure 4 below shows that most submitters know and understand the regulations that apply to their activities.

#### Understanding of rules and regulations

Submitters were asked to rate their understanding of the rules and regulations placed on their hairdressing or barbering business / activities

■ Know them well ■ Know a fair amount ■ Know a little ■ Know nothing about them

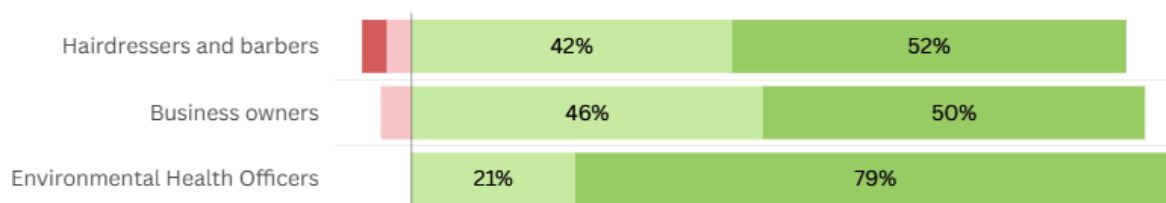


Figure 4 - Submitters' understanding of the rules and regulations that apply to hairdressing and barbering

58. However, a few submitters feel that many hairdressers and barbers do not know about the regulations and so do not comply with them.
59. This view is supported by the fact that EHOs rated business owners' knowledge of the regulations significantly lower than business owners rated their own knowledge of the regulations (see Figure 5 below). This indicates that the knowledge of the regulations in the broader population of business owners, hairdressers, and barbers may be lower than the sample who submitted to the Review.



## Understanding of rules and regulations Environmental Health Officers vs Business owners

EHOs were asked to rate how well they thought business owners understood the hairdressing and barbering rules and regulations, vs how business owners rated their own understanding of the rules and regulations

■ Know them well ■ Know a fair amount ■ Know a little ■ Know nothing about them

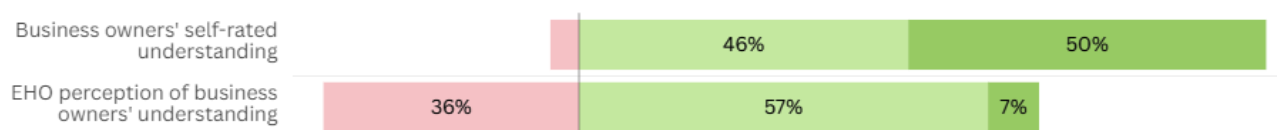


Figure 5 - Business owners' self-rated understanding of the regulations vs EHO perception of business owners' understanding

## A few submitters think that the sanitation requirements for hairdressers and barbers are unnecessary

60. A few submitters think that the specific sanitation requirements for hairdressers and barbers are unnecessary. Many of these submitters specifically referred to wanting to wear open-toed footwear, and some others said that it was unnecessary to specify that hairdressers had to be in good health.

*“There’s no more risk to our feet than any other part of our body.” – Hairdresser*

*“I think having to wear closed toed shoes is ridiculous, there are so many comfortable shoes out there. And we are in the fashion industry.” – Business owner*

## Submitters hold a range of views on qualification requirements for hairdressers and barbers

61. Some submitters feel that **all** hairdressers and barbers should have to hold relevant qualifications to ensure that they have the knowledge and skills to operate competently and safely, especially around chemicals. Many of these submitters feel that not requiring qualifications was lowering the standard across the industry and putting clients in danger. A few submitters also raised concerns about unqualified hairdressers and barbers arriving from overseas and setting up businesses without understanding hygiene or safety requirements.

*“100% of our new clients we are doing fix up jobs on people who call themselves a hairdresser but aren't qualified... We need to get rid of the backyard butchers!” – Hairdresser*



*“[It’s] ridiculous that I paid hundreds of dollars each year as a salon owner to be asked how often I empty my bins, but nobody checks if I am qualified to apply potentially harsh chemicals to people’s scalps.” – Former business owner*

*“As it stands, anyone can pick up scissors and work as a Hairdresser - this makes the industry as a whole look less professional, it makes salaries lower and expectations higher.” - Hairdresser*

62. Many of these submitters also feel that all hairdressers and barbers should be a member of an association (such as Hair and Barber New Zealand).
63. A few other submitters felt that there should be a requirement that the business owner is a qualified hairdresser or barber, or that there be qualified hairdresser or barber on site during business hours to oversee work being done on clients.
64. A few submitters disagreed and thought that having no qualification requirements for hairdressers and barbers was a positive feature, lowering the barriers to entry into the profession and incentivising an apprenticeship model.
65. A few submitters (particularly business owners) raised concerns about the low quality of current qualifications, meaning that even qualified hairdressers and barbers did not have the required skills to operate independently.

*“The industry is flooded with unqualified unskilled “hairdressers”. They get a qualification from [UCOL] for one or two years and think they can cut hair. They can’t!” – Business owner*

*“Students are exiting training with almost zero cutting acumen.” – Business owner*

66. A few other submitters also noted that current qualifications did not teach or acknowledge Māori and / or Pacific traditional methods of hairdressing, meaning that these practitioners are currently unable to gain qualifications and would be left behind if qualification requirements were brought in.



### **A few submitters had differing views on whether hairdressers and barbers should be regulated differently**

67. A few submitters said that hairdressers and barbers should be regulated separately because their activities had different risk profiles (e.g., hairdressers deal with chemicals more often, barbers deal with blood more often). However, a few other submitters felt that the requirements (particularly around hygiene) would overlap significantly and so it would be inefficient to regulate them separately.



# Barriers to safe and effective hairdressing and barbering, market entry and expansion, and innovation

## Barriers to safe and effective hairdressing and barbering

### Submitters identified a number of health and workplace health and safety risks they encounter during their work

68. Submitters identified that the biggest risks they encounter while hairdressing and barbering relate to health and workplace health and safety, specifically:

- **Risks from chemical exposure**, especially the chemicals used for hair bleaching and colouring. These risks include breathing in fumes, chemical burns and allergies (for both workers and clients). A few submitters did note that these risks were lower than they were in the past due to improvements and innovations in bleaches and dyes. Submitters said they mitigated these risks with good ventilation, wearing gloves, and capping clients to protect their skin and clothing.
- **Risks of cuts and burns** from hairdressing tools. Submitters said they mitigated these risks through training (for example, they were taught how to avoid these risks as part of their qualifications), first aid training and stocked first aid kits.
- **Risks of illness**, including COVID-19, colds, flu. Submitters said they mitigated these risks by wearing masks, keeping their station and shop clean and disinfected, and not coming to work sick.
- **Risk of infection and contamination from bacteria**, including infectious diseases and nits. Submitters said they mitigated these risks by keeping their station, shop, and equipment disinfected, and checking for nits before commencing a service.



- **Risk of slips, trips, and falls.** Submitters said they managed these risks by keeping their station and shop clean and removing trip hazards (for example, drying the floor, unplugging tools)
- **Risk of repetitive strain injury.** Submitters said they managed these risks by taking breaks and ensuring that they used ergonomic tools.
- **Risk of electrical faults and fires** from hairdressing tools. Submitters said they managed these risks by ensuring that these tools were inspected and tagged and disposed of if a fault was found.

### **Most submitters feel that the regulations do not pose a barrier to safe and effective hairdressing and barbering**

69. 75% business owners, hairdressers, and barbers said that the regulations **did not** pose a barrier to reducing the health and safety risks to their clients.
70. 88% of hairdressers and barbers said that the regulations **did not** cause them to spend more time doing something than they thought was necessary.
71. A few of the business owners, hairdressers, and barbers who felt that the regulations did pose a barrier to safe and effective operation thought so because the regulations were not strict enough (e.g., no qualification requirements), creating space for unsafe practices.

*“If the qualifications required to practice are not rigorous enough, some professionals may lack essential knowledge about hygiene, sanitation, and safety protocols.” - Hairdresser*



## Barriers to market entry and expansion

### Many business owners feel that the regulations create unnecessary costs, particularly during the set-up of a salon / barbershop

72. 48% business owners said that the regulations create unnecessary costs, including:

- **Unnecessary initial fit-out costs**- as discussed above in paragraph 43, the prescriptive requirements on premises (e.g., number and placement of handbasins, backflow prevention devices, lighting requirements) mean that business owners incur what many believe to be unnecessary costs during the initial-fit out of their salons / barbershops to comply with regulations. These costs include installation costs, and the costs of compliance assessments (e.g., plumbers or electricians to certify that the premise meets the standard)
- **Opportunity costs** – as discussed above in paragraph 51, some of the requirements on premises (e.g., space between chairs) mean that business owners feel that their client numbers, turnover, and subsequent profits are unnecessarily restricted
- **Costs of registration** – a few business owners feel that the costs of registration are unnecessary.

*“All the council stuff is a waste of time and money I paid a lot of money to have my salon looking good and I had to pay the council a lot of money just to open.” – Business owner*

### Some business owners have experienced a delay in opening their business because of additional work required to meet the regulations

73. 13% of business owners have experienced a delay in opening their business because additional work was required to meet the regulations. These submitters mentioned poor and inconsistent communication from local authorities about requirements, or additional fit-out work to comply with requirements (such as installing additional handbasins and backflow prevention devices).



## Barriers to innovation

### **Most submitters feel that they should be able to serve refreshments in the service area**

74. Most submitters, especially business owners and workers, feel that they should be able to serve refreshments (such as water, tea, coffee, other beverages and small snacks) in the service area. Many of these submitters felt that the current requirements were impractical, and in practice prevented them from serving refreshments completely because it is common for clients to remain in the service area for the entirety of their visit.
75. Many submitters argued that refreshments create a more comfortable and relaxing environment, (especially if clients are there for a long time), and a few argued that offering high quality and / or a wide variety of refreshments is an opportunity to differentiate themselves in the market. These submitters argued that the potential hygiene issues with refreshments in the service area (e.g., hair in drinks) could be reasonably mitigated, and that clients were free to refuse a refreshment if they were worried about these issues.

*“In 30 years of hairdressing I have never had an issue with clients having a cuppa in the salon, no hair in drinks, no spills just clients enjoying being pampered!” – Business owner*

*“Absolutely, I would love the opportunity to offer my clients tea, coffee, water, and even a glass of wine during late nights or weekends. We are mature adults who value the chance to unwind and enjoy a relaxing experience in a regulated, professional environment. This would allow us to elevate the client experience.” – Business owner*

76. Some EHOs agreed that serving refreshments in the service area was low-risk and should be allowed.

*“Refreshments during appointments could be reviewed as most salons would likely provide beverages for their customers with no health impact.” – Environmental Health Officer*

77. However, a few submitters agreed with the current regulations that refreshments in the service area are unhygienic.

*“No drinks during cuts, no one wants hair in their mouth or drink.” - Hairdresser*





78. Many submitters noted that many hairdressers and barbers serve refreshments in the hairdressing area regardless of the current regulations, and that there can often be an expectation from clients that a refreshment is part of the service.

*“The serving of refreshments regulation is ridiculous, and hairdressers will just do it anyways, especially if colouring and cutting is typically done in the same area rather than separated.” – Business owner*

*“Removing the ban on serving refreshments (because let’s face it every single salon serves hot drinks!) would allow for a better experience overall for everyone.” – Business owner*

### *Submitters have mixed views on allowing alcohol to be served without a licence*

79. Some business owners and workers said that they should be allowed to serve a limited amount of alcohol (e.g., 1 – 2 standard drinks) without a licence, and a few submitters said that bring-your-own (BYO) alcohol should be allowed. These submitters feel that not being able to serve alcohol without a licence creates a barrier to providing innovative services (e.g., blow-dry and bubbles) or creating a welcoming environment for their clients.
80. However, a few other submitters feel that the risks introduced by serving alcohol (e.g., unruly customers, unknowingly serving intoxicated customers who had previously had drinks elsewhere) are too high.
81. A few submitters said that they had obtained a liquor licence so that they could serve alcohol and differentiate themselves in the market, and that this investment would be undercut if other businesses were able to serve alcohol without a licence.

### **Many submitters feel that that dogs should be allowed on hairdressing and barbering premises, but a few support continuing to allow only service dogs**

82. Many submitters feel that dogs pose low health risks and make a salon environment more welcoming, and should therefore be allowed in hairdressing and barbering premises. These submitters also felt that allowing dogs would align more with market expectations and New Zealand culture.

*“I don’t personally see an issue with having them in salon and clients love it. Some human hair is more unhygienic than a dogs.” – Business owner*



*“Dogs should be allowed in salons. They bring a welcoming and calming experience to clients.” – Business owner*

*“The current regulations prohibiting dogs in salons, except for certified service animals, can also feel restrictive and out of step with modern client preferences.” – Business owner.*

83. Some submitters are under the impression that other types of service animals outside of guide-dogs for the blind are not permitted in salons.

84. Some other submitters said that small, well-behaved dogs should be allowed, or that one dog at a time (e.g., the business owner’s dog) should be allowed.

*“I also believe you should be able to have a small dog or dogs in the salon. Almost everywhere else in the world you can, and these are very high-class salons.” -  
Hairdresser*

85. A few EHOs agreed that dogs posed a low health risk and could be allowed in salon.

*“Dogs? We can have them in restaurants, seems strange!” – Environmental Health Officer*

*“If permitted, provided the dogs are under effective control, such as being kept in a crate or located away from active hairdressing areas, we don’t believe dogs would cause an issue.” –  
Environmental Health Officer*

86. However, a few submitters (including an industry group) disagreed and felt that dogs (excluding service dogs) should continue to be prohibited.

*“Dogs bring a number of germs, and also some clients may be uncomfortable around them. I do think they’re distracting and unprofessional.” – Business owner*

*“[A salon is] not a fun place for dogs with chemical smells and noise. Any hairdressers worth their salt won’t want a dog there.” – Local authority*



## **Part Two**

### **What people told us about options for change**



## Key messages on options for change

87. **Most submitters across local authorities and industry groups support Option 2 – New, risk-based regulations.** Most submitters feel that some level of industry-specific regulation is required, and a framework that focusses on the activities that pose the highest level of risks (e.g., razors, chemicals) is more proportionate than the current prescriptive requirements.
88. **However, many other submitters (mostly local authorities) support Option 1 – supported deregulation.** These submitters support deregulation because they think that the level of risk posed by the industry is low enough that existing mechanisms and general regulatory frameworks (e.g., the requirements and powers in the Health and Safety at Work Act (HSWA), the Health Act 1956, and the Building Code) could adequately address the health risks posed by the hairdressing and barbering industry.



## Who the Review engaged with on options for change

89. The Review engaged with the following groups on options for change:

- **Local authorities:** The Review invited all local authorities to comment on the options for change in their role as the current regulator of the hairdressing and barbering industry. **24 written submissions from local authorities were received.** The Review also engaged with the Taituarā Regulations and Bylaws Reference Group,<sup>4</sup> a group made up of officials from local authorities formed to identify good practice in local authority regulation and share this with the local government sector.
- **Industry groups and representative bodies:** The Review directly engaged with **five industry groups and representative bodies.**<sup>5</sup> These groups were also part of the Review's engagement on the status quo. We have used quotes from written submissions to illustrate the points raised during engagement.

90. Only quotes from written submissions (i.e., submissions from local authorities) are used in this report to illustrate what we heard, as we did not make verbatim records of direct engagement.

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<sup>4</sup>The purpose and scope of the Taituarā Regulation and Bylaws Reference Group can be found here.

<sup>5</sup> Henceforth referred to as "industry groups" for brevity



## Summary of the options for change

91. Following the Review's engagement on and analysis of the status quo, the following options were developed:

- **Option 1: Supported deregulation:** This option would revoke the industry-specific regulations, and existing (and more general) regulatory frameworks would be relied on to manage the public health risks. It means that:
  - i. hairdressing and barbering premises would no longer need to be registered with the local authority
  - ii. there would no longer be any minimum standards; hairdressers and barbers would not be held to specific hygiene and sanitation standards, and business owners could set up their premises however they like
  - iii. the prohibitions on the service of non-alcoholic beverages in the salon and whether dogs should be allowed on the premises would be left to the discretion of the business owner.

This option would be supported by monitoring the impacts over the next two to five years, developing updated guidance for health and hygiene best practice and communicating with the industry about the changes.

- **Option 2: New, risk-based regulations:** This option would introduce new risk-based, simplified regulations, made under the Health Act 1956, that regulate health and hygienic practices. Under this option, the existing minimum standards would cease to exist. For example, except where stipulated in the Building Code there would be no prescribed minimum lighting levels, what surfaces should be used on the floor, walls and ceiling, minimum spacing between service chairs and hand-wash basins, etc. The prohibition on the service of non-alcoholic beverages in the salon and whether dogs should be allowed on the premises would be left to the discretion of the business owner.

92. Descriptions and questions about these options were provided to local authorities, industry groups, and affected government agencies. A more fulsome summary of each of the options is available in Appendix A.



## Option 1 – Supported deregulation

40%

of local authorities  
support Option 1

1/5

of industry bodies  
support Option 1

### Benefits of Option 1

**Many submitters think removing industry-specific regulations would be proportional to the low level of health risks posed by the hairdressing and barbering industry**

93. Many of the submitters said that the health risks posed by the hairdressing and barbering industry – while present – are low, particularly in comparison to other appearance industries that are operating at an acceptable standard without industry-specific regulation.
94. These submitters therefore felt that existing mechanisms and general regulatory frameworks (e.g., the duties in HSWA, and the requirements and powers in the Health Act 1956, and the Building Code) could adequately address the health risks posed by the hairdressing and barbering industry, and so industry-specific regulation was not required.

*“...if the specific hairdressing and barbering regulations were removed, the existing mechanisms including the Health and Building Acts would adequately assist in monitoring and enforcing any requirements needed for the industry.” – Local authority*

95. Most of the submitters who supported Option 1 did not think that the removal of industry-specific regulation would lead to an increase in health risks or issues related to the hairdressing or barbering industry, particularly because they thought registration and inspections are an ineffective mechanism to address these risks.



*“An example might be the recent reporting of a ringworm outbreak at barbers in the UK. We believe that registration or regular inspections would not have stopped this outbreak; it is about how workers behave when no one is looking that prevents these types of outbreaks.” – Local authority*

## **Many submitters think it would reduce the burdens on businesses and local authorities**

96. Most submitters said that the removal of the hairdressing regulations would reduce burdens on businesses and local authorities:
- **Businesses:** most submitters thought that established businesses would save a small amount of time and money by not having to renew their registration annually, and new businesses would save a small amount of time and money by not having to initially register and set-up their premise in accordance with requirements (e.g., installing additional sinks). Some industry bodies also said that lowering the barrier to entry, particularly for barbers and home-based businesses, would be a positive and support an attractive career path for young men and women who stay at home
  - **Local authorities:** some submitters thought that local authorities would save time because they would no longer be required to register and inspect businesses, reducing the burden on EHOs. A few local authorities mentioned difficulty training and recruiting EHOs, so focussing them on higher-risk activities (e.g., food inspection) would be a positive. A few local authorities also thought they would save money, as their current registration fees do not cover their regulatory activities for hairdressing and barbering - while it would be a net loss of revenue, not having to do the work would more than balance it out.





## Risks of Option 1

### **Many submitters expect Option 1 to cause an increase in health risks and issues, and a decline in the perception of the industry**

97. Many submitters felt that removing the hairdressing regulations would increase the number of health issues created by the hairdressing and barbering industry, potentially increasing harm to the public. Many of these submitters said that hygiene practices would deteriorate if there was no regulatory oversight.

*“Without a registration, inspection and enforcement regime, it is likely that standards for some hairdressing establishments would degenerate to very poor standards of hygiene resulting in public health risk to customers/ spread of infectious disease.” – Local authority*

98. Some submitters said that the registration and inspection process required under the current hairdressing regulations was one of the only opportunities to educate hairdressers and barbers about good hygiene and disinfection practices, especially given the low levels of qualification in the industry.
99. Many submitters also said that the removal of industry-specific regulations, coupled with any increase in health risks and issues, would lead to a loss of public confidence in the hairdressing and barbering industry because it would create the perception that the government did not care about issues.

### **Submitters raised that Option 1 relies on complaints to inform regulators of issues...**

100. Many submitters raised that relying on existing mechanisms and general regulatory frameworks would mean that local authorities would only be made aware of issues if complaints were raised by the public or other businesses.
101. Some local authorities were comfortable with this model, given they thought the level of risk posed by the industry was low and they had relevant powers under existing regulatory frameworks.

*“We believe any business affecting public health is covered under the Health Act powers of entry for Environmental Health Officers and Health Protection officers on behalf of the Medical Officer of Health.” – Local authority*



102. However, many other submitters from all groups (local authorities, industry bodies, and government agencies) were concerned that if the industry-specific mechanisms were removed, local authorities would be limited in how they could address complaints, or the health risks and issues caused by hairdressers and barbers, particularly given that the Health Act 1956 is seen as out of date and difficult to use.

**...and it is not necessarily clear to the public or other businesses who complaints should be raised with**

103. Some submitters said that removing industry-specific regulations would create confusion for the public and other businesses about who is responsible for regulating the hairdressing and barbering industry, meaning businesses and issues could fall through the cracks.

*“A complete mess and confusion [would be] caused.” – Local authority*

104. Some industry bodies said that it is likely that issues in the hairdressing and barbering industry area already under-reported and creating additional confusion about the avenue for complaints would likely lead to further under-reporting.

**Removing the registration requirement removes a cost-recovery mechanism for local authorities**

105. Nearly all submitters noted that removing the hairdressing regulations and associated registration requirement would remove a cost recovery mechanism from local authorities.
106. Some local authorities said that, even if the registration requirement were removed and they were not inspecting hairdressing and barbering businesses, removing this cost recovery mechanism would increase their costs. This is because they felt they would have no way to recover the costs of addressing complaints about hairdressing and barbering businesses that arose under other mechanisms (e.g., the Health Act 1956).

*“All costs associated with responding to these matters will need to be ratepayer funded. There is no ability for [us] to on-charge these costs to the business.” – Local authority*



107. However, a few other local authorities said that they would be able to recover any costs associated with complaints raised under other mechanisms by setting fees or creating a “user-pays” framework in their existing fee structures.

*“Fees could be charged for time spent rectifying these matters if written into the Council’s fee structures.” – Local authority*

### **Guidance is unlikely to be effective at addressing health risks**

108. Many submitters across all groups raised that relying on voluntary guidance is unlikely to be effective at addressing the health risks and issues caused by the hairdressing and barbering industry.
109. Government agencies raised examples of other parts of the appearance industry (e.g., sunbeds / solaria) where there is widespread non-compliance with the industry-specific guidance issued.
110. Some submitters, especially industry bodies, raised that a potential option would be to have an Approved Code of Practice (ACOP) for the hairdressing and barbering industry. These submitters said an ACOP could increase the legitimacy of the guidance, meaning it would be more likely to be followed.
111. However, WorkSafe have indicated that the low level of risk posed by the hairdressing and barbering industry (particularly in comparison to other industries) meant they were unlikely to prioritise creating an ACOP for hairdressing and barbering (or the broader appearance industries).

### **The gap created if industry-specific regulations were removed may be filled by local authorities issuing by-laws**

112. Government agencies raised that the gap created if industry-specific regulations were removed may be filled by local authorities issuing by-laws, as has been done for other parts of the appearance industry.
113. Local authorities did not indicate whether they would create bylaws to cover the hairdressing and barbering industry if the hairdressing regulations were removed.



## Option 2 – New, risk-based regulations

60%

of local authorities  
support Option 2

4/5

of industry bodies  
support Option 2

### Benefits of Option 2

**Most submitters support updating the regulations to be less prescriptive and more risk-based, and think that it is a proportional approach the level of risk posed by the industry**

114. Most submitters across both groups agreed that the current hairdressing regulations require updating because they are prescriptive and out of date. These submitters said that a risk-based approach that focussed on the highest-risk areas of the industry (e.g., razors and chemicals) would be a more proportional approach than the status quo or removing industry-specific regulations.

*“Any option to modernise these regulations can be positive. [A] risk-based approach makes sense provided it is clear how it works.” – Local authority*

*“This would be a good balance between protecting public health and not obstructing business activities” – local authority*

115. A few submitters said many local authorities were comfortable implementing the Food Act 2014, so it would be easy to transition to implementing another set of risk-based regulations.

116. A few submitters, particularly industry bodies, supported requirements being imposed on businesses and / or individuals, rather than premises. These submitters felt that this approach is more in line with how businesses operate today, and would clarify that the requirements apply to mobile and home-based hairdressers and barbers as well as those who operate in a salon or barbershop.



## Retaining industry-specific regulations would allow roles and requirements to be made clear to regulators and businesses

117. Many submitters across both groups said that retaining industry-specific regulations for the hairdressing and barbering industry creates an opportunity for the roles and responsibilities to be made clear to regulators and businesses:

- **Regulators:** clear roles, enforcement options, and cost recovery mechanisms can be specified in the new regulation, making implementation easier and more consistent between and within local authorities
- **Businesses:** simplified, relevant, and risk-based requirements would be easier to understand and follow (in contrast to the status-quo). Some submitters, particularly industry bodies, felt that this may increase the likelihood that previously unregistered businesses

## The proposed enforcement options would allow local authorities to take a more nuanced approach to dealing with risks and issues

118. Many submitters across both groups were supportive of refreshed regulations creating a graduated range of enforcement options<sup>6</sup> (in contrast to the status quo, where the only options for enforcement are removing a premise's registration or pursuing a conviction under the Health Act, which carries a penalty of \$500).

119. These submitters thought that the proposed enforcement options would allow local authorities to take a more nuanced approach to dealing with the risks and issues they identify, leading to improved education and compliance in the hairdressing and barbering industry.

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<sup>6</sup> See Appendix A for details on the proposed enforcement options



## Risks of Option 2

### **Some submitters think a risk-based approach would increase the complexity and cost of implementation for local authorities**

120. Some submitters, particularly local authorities, think that a risk-based approach with varying periods for renewal and inspection based on level of risk and past compliance<sup>7</sup> would increase the complexity and cost of implementation (in comparison to the status quo). These submitters said that the costs would arise from needing to implement different systems to manage registrations and inspections.

*“The whole of option two seems to be a watered-down version of current practice, that may have no impact on perceived risk, at a higher cost to Local Authorities.” - Local authority*

*“If legislation sets registration periods based on risk, this would unnecessarily complicate administration processes and require manual registration processes and invoicing rather than automated systems, which would increase costs to businesses or the ratepayer.” - Local authority*

121. Some of these submitters said that increasing the level of complexity to this extent is disproportionate to the level of risk posed by the industry (i.e., the risks are lower than those risks posed during food preparation and service, and so a perceived complex, risk-based system like in the Food Act 2014 is not warranted for hairdressing and barbering).

### **Businesses and local authorities would need to be educated on the changes**

122. Many submitters said that businesses and local authorities would need to be educated on the changes, given that this would be a significant change from the status quo. A few of these submitters said that not doing this would increase inconsistency and confusion, undermining the point of the reforms.

*“Industry training on implementing risk-based measures will be important to ensure the industry and regulators understand what is required of them.” - Local authority*

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<sup>7</sup> See Appendix A for details on the proposed registration and inspection timings



### **The risk of inconsistent practice and enforcement between and within local authorities remains**

123. A few submitters, particularly local authorities and industry bodies noted that Option 2 did not explicitly mitigate the risks of inconsistent practice and enforcement between and within local authorities. These submitters also said that a risk-based framework increases the likelihood of inconsistent application.

*“...there is also a risk of national inconsistency amongst [regulators] in categorizing businesses based on regulatory compliance history.” – Local authority*

### **The proposed framework does not apply to the wider appearance industry**

124. A few submitters said that a risk-based regulatory framework should also apply to the wider appearance industry, as they pose higher risks to the public than the hairdressing and barbering industry.

*“We are of the view that regulation of hairdressing should be considered in the context of the practices associated with the wider appearance industry, most of which have a far higher public health risk than hairdressing.” – Local authority*



## Appendix A- Details of the proposed options for change

The tables below provide details of the proposed options for change. We continued to develop these options throughout engagement, so groups we engaged with earlier in the process were given less detail than groups we engaged with later in the process. However, the substantive form of each option did not change.

### Option 1

Details	Requirements
Regulations:	No longer any specific hairdressing and barbering regulations. Existing regulatory frameworks in relation to public health, health and safety, building, alcohol, tobacco and hazardous substances would still apply to the industry.
Regulator:	No longer any specific hairdressing and barbering regulator or enforcement. There could be some general monitoring and enforcement if issues were brought to the attention of local authorities or WorkSafe and were serious enough to warrant action.
Applies to:	All hairdressing and barbering businesses would need to comply with the relevant regulatory frameworks (general, not hairdressing and barbering specific).
Registration:	No longer any requirement to register with the local authority or be inspected.
Registration fees:	Not required.
Enforcement tools:	Specific hairdressing regulations would no longer exist. Other applicable agencies would have their own enforcement tools.
Infringement fees:	Other applicable agencies may have the ability to enforce infringement fees.
Penalties:	Other applicable agencies will have their own penalty regime.
Additional information:	To support deregulation of the industry, the Review would recommend: <ul style="list-style-type: none"><li>Developing new guidance for the industry about health and hygiene best practice (working in collaboration with Hair and Barber New Zealand, the New Zealand Institute of Environmental Health, and the Ministry of Health)</li></ul>





## Option 2

Details	Requirements
Regulations:	Specific hairdressing and barbering regulations that describe requirements for hairdressing and barbering businesses.
Requirement:	<ul style="list-style-type: none"><li>• All hairdressing and barbering businesses are required to register the business with the local authority it operates in. If the business has multiple sites, business owners will need to register each individual salon or store.</li><li>• All hairdressing and barbering businesses must ensure:<ul style="list-style-type: none"><li>○ equipment is sanitised or wiped down between clients following the guidelines (see additional information section below)</li><li>○ fresh towels and linen are used for each client (see additional information section below)</li><li>○ hairdressers and barbers wash their hands before they see a client</li><li>○ hairdressers and barbers check a client's head before they start to check for any cuts, sores or headlice</li><li>○ staff follow manufacturer's instructions when using any products, including disinfectant (see additional information section below).</li></ul></li></ul>
Applies to:	All hairdressing and barbering businesses that offer these services, regardless of whether it is in a salon/shop-based location, home-based or mobile.
Regulator:	Local authorities
Verification frequency:	<p>The frequency checks would be as follows:</p> <ol style="list-style-type: none"><li>1. within 6 weeks of registration (included in registration fee)</li><li>2. then every 3 years provided no complaint regarding hygiene and sanitation was brought to the attention of the local authority in between verifications, and upheld.</li></ol> <p>This frequency cycle would be standard only if the local authority deems the business (or premises) to be "acceptable" following the verification process. If the verification was "not acceptable" i.e. the business was not following the requirements, the local authority would have the power to place the business on a shorter</p>



Details	Requirements
	verification frequency (annually) until it was found to be “acceptable” for two verification checks in a row.
Enforcement tools:	<p>The following enforcement tools are proposed:</p> <ul style="list-style-type: none"><li>• entry and exit controls (registration / suspension / revocation)</li><li>• improvement notice – business owner directed to take certain actions or refrain from certain actions</li><li>• infringement fees - an ‘on the spot’ fine for not complying with the improvement notice</li><li>• prosecution – local authority can take a business owner to court for failing to comply with the requirements.</li></ul>
Registration fees:	\$450 (TBC)
Infringement fees:	\$450 (TBC) for failing to comply with an improvement notice.
Offences:	<p>There would two offences for (penalties TBC):</p> <ul style="list-style-type: none"><li>• failing to register a hairdressing and barbering business</li><li>• failing to comply with the requirements and/or guidance</li></ul>