



GUIDELINES ON TEST PURCHASING OF THE SALE, USE OR HIRE OF SUNBEDS OR THE USE OF SUNBEDS ON A SUNBEDS PREMISES

Guidelines issued by the Minister of State at the Department of Health

A practical guide for Environmental Health Officers (EHOs) of the Health Service Executive (HSE) involved in the conduct of test purchasing procedures concerning young people and the sale, use or hire of sunbeds and the use of sunbeds on sunbed premises. The guide should be viewed as best practice and should be followed unless in exceptional circumstances an alternative course of action is warranted. In such cases, the reasons for the deviation from the guidelines should be noted on the file.

November 2018 – Revised Version 1

Contents

Section 1.	INTRODUCTION	3
1.1	Legislative basis	3
1.2	Enforcement of these provisions	5
1.3	Background	5
1.4	Purpose	6
Section 2.	WELFARE OF TEST PURCHASERS	7
Section 3.	PROCEDURAL CONSIDERATIONS	9
3.1	Selection of Sunbed Premises	9
3.2	Selection of Test Purchasers	9
3.3	Risk Assessments	10
Section 4.	REVIEW CLAUSE	11
Annexes		
Annex 1	Agreement of Parent/Guardian, Test Purchaser and the EHS Test Purchase Programme	12
Annex 2	Parent/Guardian & Test Purchaser Consent Form	13
Annex 3	Instructions for Test Purchasers	14
Annex 4	Summary note for volunteer minor	15
Annex 5	Standard risk assessment criteria for test purchase procedures	16

Section 1 INTRODUCTION

1.1 Legislative Basis

Provisions of Public Health (Sunbeds) Act 2014 (No. 12 of 2014).

Section 4 states:

- (1) The owner, manager or employee of a sunbed business shall not—
- (a) sell the use of a sunbed on a sunbed premises to a person under 18 years of age,
 - (b) permit a person under the age of 18 years to be in a restricted area, except in the course of employment in or for the purpose of the provision of services to the sunbed business concerned, or
 - (c) permit a person under the age of 18 years to use a sunbed on a sunbed premises.

Section 4 further states that:

- (2) A person who contravenes *subsection (1)* commits an offence.
- (3) In any proceedings against a person for an offence under *subsection (1)*, it shall be a defence for such person to prove that the person under 18 years of age produced to him or her—
- (a) an age card,
 - (b) a passport, or
 - (c) a driving licence,

relating to that person.

Section 5 states:

- (1) A person shall not sell or hire or offer for sale or hire, or permit to be sold or hired or offered for sale or hire, a sunbed to a person under 18 years of age.

Section 5 further states that:

- (2) A person who contravenes *subsection (1)* commits an offence.
- (3) In any proceedings against a person for an offence under *subsection (1)*, it shall be a defence for such person to prove that the person under 18 years of age produced to him or her—
- (a) an age card,
 - (b) a passport, or
 - (c) a driving licence,

relating to that person.

It should be noted that section 1 of the Act defines “age card” as having the “same meaning as it has in Part IV of the Intoxicating Liquor Act 1988”.

Section 18 states:

(1) An authorised officer may, in the course of his or her duty as such officer and in accordance with guidelines issued under *subsection (2)*, send a person who is at least 15 years of age but under 18 years of age into a sunbed premises for the purpose of the person using, purchasing or hiring a sunbed on those premises if but only if—

- (a) the parent or guardian of the person has consented, in writing, to him or her being sent into those premises for that purpose, and
- (b) the authorised officer is satisfied that all reasonable steps have been or will be taken to avoid harm to the welfare of the person.

Section 18 further states that:

(2) The Minister shall, after consulting with the Minister for Children and Youth Affairs, from time to time issue guidelines in respect of the procedures to be followed with respect to the practical operation of this section, including guidelines as to—

- (a) prohibiting any active instigation of a contravention of this Act such as a false representation, whether made orally or by means of the production of any document, that a person is over the age of 18 years, and
- (b) the basis on which sunbed premises will be selected for the purposes of the application of this section, whether by reference to the location of the premises, complaints received by the Executive concerning the premises, the number of reports of possible contraventions of this Act relating to the premises or the clientele attracted to the premises.

NOTE: The powers (other than the power to prosecute an offence) and duties of the Minister for Health conferred on him under the Public Health (Sunbeds) Act 2014 were delegated to Ms Catherine Byrne T.D., Minister of State at the Department of Health on 18 July 2017 under the Health (Delegation of Ministerial Functions)(No.4) Order 2017 (S.I. No. 339 of 2017).

1.2 Enforcement of these provisions

It is widely accepted that one of the only practicable enforcement options available to enforcement authorities is through a test purchase procedure, sometimes referred to as a compliance check. The inclusion of provisions in relation to test purchasing in section 18 of the Public Health (Sunbeds) Act 2014 strengthens the use of test purchase procedures.

Test purchasing involves the sending of a person aged 15 to 17 years of age acting on the instruction of a member of the Environmental Health Service (EHS) of the HSE into sunbed premises for the purpose of the person using, purchasing or hiring a sunbed on those premises. The intention is to ascertain if an owner, manager or employee is complying with the legal provisions regarding the sale or hire of a sunbed or the use of a sunbed on a sunbed premises to under aged persons. If the owner, manager or employee is found not to be doing so then the EHS must obtain evidence for potential legal proceedings.

Compliance with the legal provisions relating to the sale, use or hire of sunbeds or the use of sunbeds on a sunbed premises to a person under 18 years of age protects the health of young people. The test purchase methodology is used internationally as a means of monitoring and enforcing legislation aimed at controlling the sale of products which pose a threat to young people.

1.3 Background

Skin cancer is the most common type of cancer in Ireland and is a particular problem for Irish people because of their fair skin. For most people, the main source of exposure to ultraviolet radiation (UVR) is the sun. Nevertheless, some people are exposed to high doses of UVR through artificial sources. Sunbeds and sunlamps used for tanning purposes are the main source of deliberate exposure to artificial UVR. All forms of UVR contribute to skin cancer. According to figures produced by the National Cancer Registry Ireland (NCRI) in 2017, almost 11,000 invasive skin cancers were diagnosed per year in Ireland between 2011 and 2015 inclusive representing over one - third (35%) of all invasive cancers. In 2008, a NCRI report predicted that between 2010-2030, the number of new cancer cases will increase by 95% for women, 120% for men and 108% overall.

There has been a growing body of evidence over recent years, that the use of sunbeds, especially by children, should be restricted because of the associated increased risk of skin cancer and other health problems.

Obtaining compliance with the legislative provisions on the underage sale, use or hire of sunbeds or the use of sunbeds on sunbed premises includes a range of measures including awareness raising, advisory inspections and carrying out test purchases.

For such a policy to be effective, it is critical that the vast majority of sunbed businesses comply with the legislation and where non-compliance occurs, that enforcement action is taken.

Test purchase procedures will become an integral part of the overall EHS enforcement programme dealing with sunbed legislation. The participation of persons aged 15 years to 17 years of age in test purchasing procedures forms an essential addition to the HSE strategy designed to assess and

improve compliance with the legal provisions governing the sale, use or hire of sunbeds or the use of sunbeds on a sunbed premises to minors.

In 2006 the High Court¹ upheld the use of test purchases in the case of the sale of tobacco and affirmed that evidence obtained during test purchases is admissible in court. The test purchase protocol is designed to ensure the minor involved in the purchase can do so safely and requires that they have the consent of their parent or guardian.

The court judgement stated that public policy and the interests of the common good require that children are protected from the dangers of smoking and addiction to tobacco products. Furthermore the court found that the use of test purchasing was indeed necessary for the protection of children themselves subject to the provisions of the protocol.

In summary the Court found, in relation to enforcing Section 45 of the Public Health (Tobacco) Act 2002, that:

Test purchasing is an effective way of enforcing the law with respect to the sale of tobacco to minors and that the use of children in test purchasing is not contrary to public policy. Test purchasing is an important means of protecting children from the dangers of smoking and addiction to tobacco products.

The Test Purchase procedure has been adopted and is utilised by an Garda Síochána in monitoring compliance concerning the sale of intoxicating liquor to underage children. It is also used by the Environmental Health Services in Northern Ireland in the implementation of their sunbeds legislation.

1.4 Purpose

The primary purpose of these guidelines is to provide additional advice and guidance to EHOs involved in test purchasing, to assist them in avoiding harm to the welfare of the minor.

The guidelines are issued by the Minister of State at the Department of Health following consultation with the Minister for Children and Youth Affairs. The guidelines will be kept under review and updated in light of legislative change, Judgements of the Courts and experience.

It is the responsibility of the Principal Environmental Health Officer (PEHO) to make sure that all EHOs involved in test purchasing procedures are fully conversant with these guidelines.

¹ Judgement of Mr. Justice Roderick Murphy dated the 10th November 2006, Record No. 2005 No.198 SS

Section 2 WELFARE OF TEST PURCHASERS

The welfare of the test purchaser involved in the test purchase procedure is paramount. The **UN Convention on the Rights of the Child**² has been ratified by the Irish Government and provides assistance regarding the application of rights and welfare principles for children. Of particular relevance is **Article 3** which provides that the best interests of the child shall be a primary consideration in all actions concerning children. Administrative measures shall be appropriate to afford each child such protection and care as is necessary for his or her wellbeing, taking into account the rights and duties of his or her parent or guardian. Institutions, services and facilities responsible for the care or protection of children shall conform with the established standards, particularly in the areas of safety and health and in the number and suitability of their staff as well as competent supervision.

Reflecting the terms of this Convention and national policy objectives set out in the Children First: National Guidelines for the Protection and Welfare of Children³, the highest level of protection for the test purchaser is required. Elements of the Children's First Guidelines have been included in the Children First Act 2015 (Number 36 of 2015).

Article 42A of the Constitution, which became part of the Constitution in April 2015, includes provision that the *"State recognises and affirms the natural and imprescriptible rights of all children and shall, as far as practicable, by its laws protect and vindicate those rights"*.

Accordingly when applying these guidelines the EHS shall have regard to the following:

- (a) If at any time during the procedure, the test purchaser indicates that he/she does not wish to continue, or he/she show signs of distress, the procedure must be halted immediately;
- (b) If, while in the care of the EHS the test purchaser is injured or suffers loss or damage to his/her property, the incident must be reported to the parent/guardian and the PEHO or their delegates in whose area the procedure has taken place without delay;
- (c) Test purchasing procedures are organised in such a way as to minimise the likelihood of the test purchaser being called as a witness. A member of the EHS will accompany the test purchaser at all times and witness any test purchase which may occur. The witness statement can therefore be provided by the EHS in proceedings arising from test purchase procedures. However, in exceptional circumstances, the test purchaser may be required to attend court as a witness. In this context, the test purchaser should record the details of a test purchase resulting in a sale in a summary note (a template for this summary note with specific fields included to capture the requisite information should be provided to the minor - see Annex 4);

² UN Convention on the Rights of the Child, United Nations, Children's Rights Alliance June 2010

³ *Children First: National Guidance for the Protection and Welfare of Children*. Department of Children and Youth Affairs 2017

(d) Parental or guardian agreement and consent for the participation of a test purchaser must be obtained. Annex 1 provides for agreement for participation in test purchasing procedures while the consent form at Annex 2 provides for parental/guardian consent. After the test purchase procedures are completed, the test purchasers and their parent/guardian will be requested to complete a short questionnaire on their experience. This will provide a means of confirming that protocols were followed and a mechanism for reviewing and improving the test purchase process.

Members of the EHS conducting such test purchase procedures should satisfy themselves that:

- the safety and welfare of the test purchaser has been fully considered;
- a risk assessment has been undertaken as detailed in Annex 5, and
- the risks and controls identified have been explained to and understood by the test purchaser and his or her parent/guardian.

If at any point the EHO considers it unsafe or inappropriate to continue with the procedure he/she should cease the procedure.

Section 3 PROCEDURAL CONSIDERATIONS

3.1 Selection of Sunbed Premises

As provided for in section 18(2)(b) of the Public Health (Sunbeds) Act 2014, sunbed premises will be selected by the Environmental Health Services by reference to one or more of the following criteria:

- (a) the location of the premises;
- (b) complaints received by the Environmental Health Services concerning the premises;
- (c) the number and kind of contraventions (if any) of the Public Health (Sunbeds) Act 2014 relating to the premises;
- (d) the clientele attracted to the premises; or
- (e) any combination of the above criteria.

3.2 Selection of Test Purchasers

Volunteers may be sought by the EHS from a variety of sources, for example, the families of HSE personnel, local youth groups, schools, etc.

In selection of the minor, the PEHO or their delegates must satisfy themselves that:

- (a) At the outset, proof of the age of the minor is obtained. This may be in the form of the birth certificate produced by their parent or guardian, or by evidence of photographic ID, such as a passport;
- (b) The minor is considered to be mature and confident enough to be able to understand their role in the test purchase procedure and to be able to give evidence in court in the unlikely event that they are required to do so;
- (c) The minor is able to understand their role and has the ability to follow procedure;
- (d) The test purchaser must not be related to the lead EHO. Where the test purchaser is a relative of an EHO, then the lead EHO should be satisfied that the minor does not feel pressurised in any way to have to carry out test purchases or to continue in their role as a test purchaser.

PEHOs or their delegates must ensure that the test purchaser and the parent or guardian/s are fully conversant with the nature of test purchasing procedures. In particular —

- Participation will be on a voluntary basis and the parent or guardian of the test purchaser must be fully informed of the nature of the task involved. **The written agreement of the test purchaser and his or her parent or guardian, as provided for in Annex 1, must be completed at the selection stage.**
- The set of instructions for the test purchaser should be fully discussed at this point. See Annex 3 and related documents.

- The parent or guardian must give his/her written consent to the participation of the test purchaser prior to involvement on a test purchase procedure. A test purchasing procedure is likely to involve a number of attempted test purchases in different premises.
- The test purchaser must be 15 to 17 years of age. While the actual age of the test purchaser selected will depend on the availability of a suitable minor, ideally the test purchaser will be 15/16 years of age.
- The test purchaser must not look older than their age and should be broadly representative of their age group. If a reasonable person regards the age of the test purchaser to be below the age of 18 years, then the person may be deemed suitable for test purchase procedures.
- Consideration should also be given to the clothing, jewellery and makeup worn by the test purchaser. The purpose must be, as far as possible, to replicate normal conditions and to that end and within reason, the test purchaser should wear their normal clothing as reflected in the photograph taken on the day of test purchasing. Caps or hats should not be worn in normal circumstances.
- Participation in test purchasing procedures does not constitute employment and does not attract any remuneration. However, nothing in the guidelines precludes the EHS from paying a small token / necessary out-of-pocket expenses arising from the test purchaser's involvement in a test purchasing procedure.

3.3 Risk Assessments

As outlined in section 2, the EHS involved in organising test purchasing procedures must have regard to best practice in relation to protecting child welfare. Accordingly, test purchasing procedures will be carried out in conjunction with the risk assessment criteria specified in Annex 5 of these guidelines. The PEHO or their delegates must ensure that the test purchase procedure has been appropriately risk assessed in accordance with Annex 5 and that the risk assessment and related controls are explained to the minor and their parent/guardian.

The test purchasing risk assessment process builds on existing EHS protocols. The implementation of the guidelines is the responsibility of the PEHO or their delegates. It is recommended that all PEHOs or their delegates select the most suitable members for the service given the nature of the work involved.

At least one member of the EHS will be on the premises during the test purchase procedure. Depending upon the outcome of any risk assessment, a decision may be made concerning the need, or otherwise, to have a second member present on the premises with the test purchaser at the time of the test purchase.

Nothing in these guidelines preclude the use of more than one test purchaser in a test purchase procedure if, in the opinion of the PEHO or their delegates, this increases the security of the test purchaser within a premises and presents a more realistic setting for the procedure to take place.

Section 4 REVIEW CLAUSE

As an ongoing review mechanism, all questionnaires completed by test purchasers and their respective parent/guardian should be audited annually by the PEHO or their delegates. Where issues are identified and/or where it becomes apparent that improvements could be made, these should be referred by the PEHO or their delegates to the Regional Chief Environmental Health Officer with lead responsibility for sunbeds legislation.

The guidelines will be kept under review and updated in light of legislative change, Judgement of the Courts and experience.

ANNEX 1

AGREEMENT WITH PARENT/GUARDIAN, TEST PURCHASER AND THE EHS FOR TEST PURCHASE PROGRAMME

The purpose of this document is to ensure that the parent/guardian and test purchaser are aware of what the EHS intends to do and safeguards that will be used.

1. The test purchaser will be fully briefed in what to say and do. The test purchaser's parent/guardian may attend the briefing session(s). The test purchaser will be instructed to tell the truth about their age. The test purchaser will be instructed to give a false name & address.
2. At least one EHO will accompany the test purchaser/s at all times.
3. The test purchaser will not be asked to make test purchases in any areas where he/she is likely to be recognised.
4. The test purchaser will also be asked to refrain from checking sunbed premises websites or social media sites before or after test purchase visits.
5. In any procedure, the test purchaser's welfare is paramount. The nature of the test purchaser's involvement in the procedure will not be revealed while they are on the premises, unless the EHO is of the opinion that their welfare is at risk.
6. The parent/guardian will be contacted by the EHO to agree arrangements for the collection and return of the minor.
7. Participation in test purchasing procedures does not constitute employment and accordingly, does not attract any remuneration. However, a small token/necessary expenses arising from the test purchaser's involvement in a test purchase procedure may be paid by the EHS.
8. This exercise may result in legal action. The EHS will endeavour to ensure that the test purchaser will not be required to attend court as a witness, unless this is found to be necessary in a particular case.
9. The parent/guardian will provide an official document to confirm the date of birth of the test purchaser. This document or copy will be either returned or destroyed (as appropriate) when it is no longer required.
10. The test purchaser will be photographed by the EHS on the day of the test purchase procedure. These photographs will be stored securely by the HSE until any court proceedings have been completed and afterwards destroyed at the earliest possible opportunity.
11. The test purchaser will be required to assist with test purchasing for no more than eight hours in any week.

I have read the above:

Signed: _____ (Test Purchaser)

Signed: _____ (Parent/Guardian) Tel. No _____

Signed: _____ (EHO)

Date: _____

Contact details of Principal EHO:

Name: _____ **Tel. No** _____

ANNEX 2
PROVISION OF ASSISTANCE BY TEST PURCHASER TO THE ENVIRONMENTAL HEALTH SERVICES
(EHS): PARENT/GUARDIAN & TEST PURCHASER CONSENT FORM

Name of test purchaser:	
Date of Birth:	Male/Female:
Address of test purchaser:	
Nature of exercise:	
Date and time of collection of test purchaser and address (if different from above):	
Date and time of return of test purchaser and address (if different from above):	
Daytime contact number for parent/guardian and address (if different from above) during above dates:	
Alternative daytime number and address, if required, for parent/guardian during above dates:	
Areas in which test purchasing exercise will take place:	
Areas to be avoided (e.g. areas where the test purchaser is likely to be recognised):	
Any medical conditions, special dietary/medical needs etc:	

I (name of parent/guardian) am the parent/guardian of the above mentioned person (test purchaser) and I agree that he/she will be available to assist the EHS as detailed above. I have discussed the details of this procedure with the EHO (name)

Signed: _____ (Test Purchaser)

Signed: _____ (Parent/Guardian)

Telephone No: _____

Signed: _____ EHO Date: _____

ANNEX 3
INSTRUCTIONS FOR TEST PURCHASERS

It is important the test purchasers are familiar with the following instructions.

1. If at any stage during the test purchase procedure you feel uncomfortable or unhappy about engaging in the test purchasing procedure, you should inform the EHO of your concern. The procedure can be stopped at any stage and will be, if you are unhappy to proceed.
2. At least one EHO will be on the premises during the test purchase procedure.
3. If at any time you see someone on the premises you know, you should return to the pre-agreed location.
4. If asked your age, state your correct age.
5. If asked to complete a client/customer form, please provide the pre-agreed name & address. The agreed name and address will be provided by the EHO in advance of the test purchase procedure.
6. Do not bring any identification with you on a test purchasing procedure and if asked for identification, say "I don't have any".
7. If you are refused the sale or hire of a sunbed or the use of a sunbed session, leave the premises immediately.
8. If you are offered the sale or hire of a sunbed or the use of a sunbed session, please proceed with the transaction and pay for the service but leave the premises immediately thereafter.
9. The EHO who was on the premises and witnessed the attempted test purchase will join you and the other EHO as soon as possible.
10. If at any stage something goes wrong during the procedure, notify the EHO and the procedure will be stopped immediately.

ANNEX 4
SUMMARY NOTE FOR VOLUNTEER MINOR

Name of Volunteer Minor:

Date of Test Purchase:

Time of Test Purchase:

Name & Address of Premises:

1. Were you asked for identification and if yes, what did you reply?

2. Were you asked your age and if yes, what did you reply?

3. Please record any other information which you feel is relevant in relation to the sale below:

Signature of Volunteer Minor

Date :

Signature EHO 1

Date :

Signature EHO 2

Date :

Annex 5 – STANDARD RISK ASSESSMENT CRITERIA FOR TEST PURCHASE PROCEDURES

Risk: High – Stop procedure until controls are put in place. Review action required urgently.

Medium – Tolerable risk but monitoring is required to ensure the controls are maintained.

Low – The risk is broadly acceptable.

FR = Frequency **SEV** = Severity

Key	TASK STEP	HAZARD DESCRIPTION	HAZARD CAUSE	HAZARD CONSEQUENCE	CURRENT CONTROLS	FR	SEV	RISK	STATUS OF CURRENT CONTROL	RECOMMENDATION
RA1	Inviting persons who are at least 15 years of age and under 18 years to assist with test purchasing.	Personal data, collected about test purchasers, including photographs, being handled insensitively.	Information left lying around the office.	Confidential information about test purchasers being divulged.	Lead EHO to have responsibility for collecting data which is recorded on files, to be kept in a secure location.	L	L	L	Adequate	Personal data including photographs, birth certificates and/or copies thereof etc., to be stored securely and then returned or suitably destroyed when no longer required. Parent/guardian of test purchaser should be informed in writing to confirm that this has been done.
RA2	Assessment of test purchaser's suitability for test purchasing.	EHO will need to make personal contact with all test purchase candidates.	Direct contact needed with test purchaser to assess suitability.	Test purchaser could be unduly exposed to risk during the test purchase procedure e.g. assault.	EHO will visit and assess candidates in presence of parent or guardian. Arrangements for such visits will always be made with parent/guardian.	L	H	L	Adequate	PEHO / Senior EHO will review assessments and check that parent/guardian was present.

Key	TASK STEP	HAZARD DESCRIPTION	HAZARD CAUSE	HAZARD CONSEQUENCE	CURRENT CONTROLS	FR	SEV	RISK	STATUS OF CURRENT CONTROL	RECOMMENDATION
RA3	Arranging test purchasing session procedure with test purchaser.	Parent/guardian of test purchaser not consulted.	A minor is approached directly to participate in test purchase procedure without knowledge/ consent of parent/ guardian.	Parent/guardian of test purchaser hasn't given consent.	EHO shall obtain consent of a parent/guardian before proceeding with test purchase procedure.	L	M	L	Adequate	PEHO / Senior EHO will review assessments and check that parent/guardian is aware of the arrangements.
RA4	Collection and return of test purchaser for test purchasing procedure.	Test purchaser becomes the responsibility of the HSE (EHS).	Parent/guardian not available to witness collection or return of test purchaser.	Parent/guardian not aware of test purchaser's whereabouts.	Parent/guardian will be contacted by the EHO to agree arrangements for the collection and return of the test purchaser.	L	H	L	Adequate	Parent/guardian must always witness the test purchaser being collected and returned. If parent/guardian not available, test-purchasing must only proceed with the agreement of the parent/guardian on the day. EHO will take contact number of parent/guardian and give estimate of time that test purchaser is to be collected and returned and check that proposed time is acceptable to both test purchaser and parent/guardian. EHO will update the parent/guardian in advance where the collection or return will be delayed or potentially delayed.

Key	TASK STEP	HAZARD DESCRIPTION	HAZARD CAUSE	HAZARD CONSEQUENCE	CURRENT CONTROLS	FR	SEV	RISK	STATUS OF CURRENT CONTROL	RECOMMENDATION
RA5	Ensuring that EHO and test purchaser are never alone in a non-public place.	An EHO may be left alone with a test purchaser while transporting the test purchaser or during the test purchase procedure.	EHO diverted to other business.	Risk of allegation of abuse by test purchaser.	At least two EHOs will be involved in test purchase procedures and in transporting the test purchaser.	L	H	M	Adequate	At least two EHOs are required for the test purchase procedure and one of the EHOs must be of the same sex as the test purchaser. An EHO should only be on their own with the minor in a public area. Any allegations made by test purchaser are to be immediately reported (in accordance with the Children First Guidelines) to the Lead EHO in charge of the procedure who will report same to the parent/guardian and to the PEHO.
RA6	Ensuring that the test purchaser is accompanied at all times during the test purchase procedure.	Test purchaser left unsupervised during the procedure.	EHO diverted to other business.	Test purchaser could be exposed to danger.	At least two EHOs to be used in procedures, one to provide protection for the test purchaser during the procedure and the other to provide protection after the attempted test purchase.	L	H	M	Adequate	Test purchaser always accompanied when crossing roads. A rendezvous point outside sunbed premises agreed with test purchaser by EHO waiting outside. The entrance of the premises should be within line of sight of the EHO waiting outside.

Key	TASK STEP	HAZARD DESCRIPTION	HAZARD CAUSE	HAZARD CONSEQUENCE	CURRENT CONTROLS	FR	SEV	RISK	STATUS OF CURRENT CONTROL	RECOMMENDATION
RA7	Test purchaser attempts test purchase.	During test purchase, purchase refused and retailer becomes abusive or threatening to test purchaser.	Owner, manager or employee angry with test purchaser.	Test purchaser could be exposed to danger.	One EHO always in sunbed premises in close proximity to test purchaser and able to intervene, if necessary.	L	H	L	Adequate	<p>Test purchaser always instructed that if anything goes wrong, they are to end the attempted test purchase and to leave premises immediately. An EHO will always be waiting at a pre agreed rendezvous point outside sunbed premises.</p> <p>Test purchaser will not participate in procedures in an area where they may be recognised.</p>
RA8	Matters arising while test purchaser in care of EHO.	Sudden illness.	Inadequate knowledge of test purchaser's personal details.	Personal injury.	Details of allergies, health conditions and current medication obtained from parent/guardian as per Annex 2.	L	H	M	Adequate	EHO in possession of contact number for parent/guardian during test purchase procedure.
RA9	Court action.	Test purchaser required to give evidence in Court.	Not guilty plea.	Stress and anxiety caused to test purchaser.	Test purchaser fully supported throughout and not forced to attend Court.	L	H	M	Adequate	If test purchaser is unable to face Court they will not be pressurised to do so. In such cases the individuals will be removed from test purchasing volunteers list.