



Tooth Whitening facts for Beauticians

Is it legal for me to offer tooth whitening?

No, it is not legal for anyone other than a dentist (or dental hygienist or dental therapist working to prescription of a dentist) to carry out tooth whitening.

Why is it not legal? Tooth whitening seems so simple!

Dental professionals train for many years to understand the structures of the mouth, to recognise dental disease and to prescribe the correct treatment for each individual patient.

Tooth whitening may seem to be simple. However, because the chemicals used actually sink into the tooth surface, it could cause permanent damage to the tooth surface.

I am not using hydrogen peroxide, so tooth whitening cannot be illegal, can it?

Tooth whitening has been decided by a High Court judge, to be 'the act of dentistry.' So even if you are using below the legal limit of hydrogen peroxide or a product which does not release hydrogen peroxide, you will still be breaking the law and putting your clients at risk.

Would my insurance cover me if I carried out tooth whitening?

No. It is very unlikely that any other insurance company would cover you for a treatment that has been proven in the High Court to be illegal.

I provide a self-administered system, using pre-loaded trays. Is this illegal?

This is still illegal! In County Court a judge decided that:

- Handing the pack to the client and giving them advice to read and instructions to follow
- Taking a 'before' shade
- Handing dark glasses to the client
- Setting the timer on the 'laser' device
- Placing the 'laser' device against the clients teeth

- After treatment, removing light, glasses and tooth whitening trays from the client
- Taking an 'after shade

These stages were all deemed to be the Act of Dentistry and therefore illegal if not carried out by a qualified and registered dental professional.

Therefore if you carry out tooth whitening using this type of self-administered system, you are doing so illegally and could be prosecuted by the General Dental Council.

What are the penalties if I am prosecuted?

There is no maximum fee which the court can impose if you are found guilty of illegal tooth whitening. As well as a hefty fine, you could expect a Conditional Discharge plus victim surcharge and costs.

Why is it important that a dental professional carries out tooth whitening treatment?

All dental professionals and dental practices must adhere to the Health Technical Memorandum 01-05 (HTM 01- 05) Decontamination in primary care dental practices.

Non-GDC registered, illegal providers of tooth whitening, such as beauticians, beauty salons, pop-up booths, mobile operators do not have to adhere to these regulations.

All dental surgery staff must be vaccinated against Hepatitis B, which is a blood and saliva borne disease.

So not only are you risking the health of your clients' teeth and gums, you could be exposing yourself to the risk of person-to-person transmission of infections.