

**2026 No. 64**

**SOCIAL CARE**

**The Social Care and Social Work Improvement Scotland  
(Cancellation of Registration) Order 2026**

*Made* - - - - *5th February 2026*

*Laid before the Scottish Parliament* *9th February 2026*

*Coming into force* - - *21st March 2026*

The Scottish Ministers make the following Order in exercise of the power conferred by section 64(1A)(b) of the Public Services Reform (Scotland) Act 2010(a) and all other powers enabling them to do so.

**Citation and commencement**

1. This Order may be cited as the Social Care and Social Work Improvement Scotland (Cancellation of Registration) Order 2026 and comes into force on 21 March 2026.

**Circumstances for cancellation of registration**

2. For the purposes of section 64(1A)(b) of the Public Services Reform (Scotland) Act 2010 (cancellation of registration) SCSWIS may propose to cancel the registration of a care service in either or both of the following circumstances—

- (a) where, at any point during the period of 12 months following confirmation by it in writing that the significant improvement required by an improvement notice has been carried out, SCSWIS has reasonable grounds to believe that any aspect of that improvement has not been sustained,
- (b) where SCSWIS is no longer satisfied that the provider is fit to provide the care service within the meaning of regulations made under section 78 of that Act(b).

*TOM ARTHUR*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
5th February 2026

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(a) 2010 asp 8. Section 64(1A) was inserted by section 22 of the Care Reform (Scotland) Act 2025 (asp 9). Section 105(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which this Order is made.  
(b) See regulation 6 of the Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011 (S.S.I. 2011/210).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision further to the insertion of section 64(1A) of the Public Services Reform (Scotland) Act 2010 (“the 2010 Act”) by section 22 of the Care Reform (Scotland) Act 2025.

Section 64(1) of the 2010 Act sets out the grounds upon which Social Care and Social Work Improvement Scotland (“SCSWIS”) may propose to cancel the registration of a care service registered under Chapter 3 of Part 5 of the 2010 Act.

In accordance with section 64(1A), this power may be exercised either following the giving of an improvement notice and the expiry of the period for improvement specified in it, or in other circumstances which may be prescribed.

This Order prescribes those other circumstances, namely where an improvement notice has been given in respect of the care service but improvement has not been sustained, and where SCSWIS is no longer satisfied that the provider is fit to provide the service within the meaning of regulations made under section 78 of the 2010 Act (see regulation 6 of the Social Care and Social Work Improvement Scotland (Requirements for Care Services) Regulations 2011 (S.S.I. 2011/210) in that regard).

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