

Ref: JM/9/1/2026

9 January 2026

Dear Convener

**The Civic Government (Scotland) Act 1982 (Licensing of Non-surgical Procedures) Order 2026**

Thank you for the opportunity to provide written views in relation to this Order. East Ayrshire Health and Social Care Partnership (HSCP) brings together East Ayrshire Council and NHS Ayrshire & Arran to improve local population health and wellbeing outcomes and to protect communities from avoidable harm. The HSCP supports the introduction of a proportionate and enforceable regulatory framework for non-surgical procedures, which should strengthen public safety, improve standards and reduce risks associated with unregulated provision. The HSCP notes that this Order forms part of a wider legislative framework, comprising local authority licensing of specified non-surgical procedures and separate arrangements for higher-risk procedures requiring professional healthcare oversight.

**Impact on local authorities and HSCP-relevant services**

The Order designates the provision of specified non-surgical procedures as an activity requiring a licence under Part 1 of the Civic Government (Scotland) Act 1982, with licensing required from 6 September 2027. Local authorities will assume new or expanded responsibilities including licensing administration, inspection and enforcement, decision-making and appeals, and enhanced multi-agency working with partners such as environmental health, trading standards, Police Scotland and NHS services. From an HSCP perspective, clear interfaces will be required between licensing and NHS pathways for treatment of complications, and with safeguarding and child protection arrangements where under-18 restrictions are breached.

**Resources required**

Implementation of the licensing scheme is likely to require additional resources, particularly during the transition and early years of operation. These include workforce capacity for application processing, inspections, compliance activity and enforcement; training for authorised officers on procedure-specific risks, infection prevention and control, and use of enforcement powers; and systems and infrastructure support. While licence fees may offset some costs, initial investment is likely to be required to ensure the scheme is effective and preventative rather than purely reactive.

**Public awareness and information**

The HSCP strongly supports a nationally coordinated public awareness campaign, supported by local delivery. Public information should help individuals to understand which procedures are licensed, how to check licensing status, the risks associated with unlicensed provision, and how to report concerns. Communications should be accessible, targeted at higher-risk groups including young people, and delivered through channels commonly used to market non-surgical aesthetic services.

### **Information for businesses**

Clear and consistent information will be essential to support compliance. The HSCP recommends nationally produced guidance for businesses, including application processes, expected standards, age verification requirements, staff competence, infection control, record keeping and complaints handling.

### **Specific non-surgical aesthetic procedures allowed under the scheme**

The HSCP notes the range of non-surgical aesthetic procedures included within the Order. While these procedures are lower risk than those requiring clinical oversight, they may still present risks and licensing is therefore considered appropriate to protect the public.

### **Effect on rogue traders**

The HSCP considers that the Order has the potential to significantly reduce unsafe and unregulated practice by increasing transparency, raising standards and enabling enforcement action. However, there is a risk that rogue traders may attempt to avoid regulation by operating informally, moving between local authority areas, or marketing services online. Information sharing between local authorities and partners will be essential to address this risk.

### **Compliance and enforcement**

Effective compliance and enforcement will be critical to achieving the aims of the Order. This includes clear role definitions between regulatory services, consistent enforcement thresholds, and capacity for proactive inspection activity. The age verification provisions place particular emphasis on staff training, robust procedures and record keeping. Nationally, consistent templates and guidance would support both business compliance and enforcement activity. Collection and analysis of enforcement and complaint data should inform national learning and future review of the regulatory framework.

### **Conclusion**

East Ayrshire HSCP supports the introduction of the Licensing of Non-surgical Procedures Order as part of a wider framework to improve safety and standards. To maximise effectiveness, the HSCP supports a comprehensive approach that includes national implementation guidance for local authorities, alongside start-up support to strengthen local capacity. A coordinated national communications programme will also help to ensure consistency and clarity. Clear guidance on procedural boundaries and expectations is essential, as are robust multi-agency information-sharing arrangements to promote effective collaboration.

I trust this information is helpful and please let me know if you require anything further.

Best regards

A handwritten signature in black ink that reads "James Murdoch". The signature is written in a cursive style with a large, looping initial 'J'.

Jim Murdoch

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