



Regulation of Care (Scotland) Act 2001

2001 asp 8

PART 1

THE COMMISSION AND CARE SERVICES

Inspections

27 Further provision as regards inspections

- (1) An authorised person who has reasonable grounds to believe that a document or other material or thing found in premises which, under section 25 of this Act, that person is entitled to enter and inspect may be evidence of a failure to comply with any condition or requirement imposed by or under this Act, may seize and remove that document, material or thing.
- (2) An authorised person may—
 - (a) require any other person to afford such facilities and assistance with respect to matters within that other person's control as are necessary to enable the authorised person to exercise powers under the said section 25 or this section; and
 - (b) take such measurements and photographs and make such recordings as the authorised person considers necessary for the exercise of those powers.
- (3) An authorised person is entitled to have access to, and to check the operation of, any computer and any associated apparatus which is or has been in use in connection with records which the authorised person is entitled to inspect.
- (4) The reference in section 25 of this Act to a person providing a care service includes, in the case of a service which is provided by a body corporate, a reference to a director, manager, secretary or other similar officer of the body.
- (5) Where a care service has been inspected under section 25(2) of this Act, the Commission—
 - (a) shall prepare a report on the matters inspected; and
 - (b) shall without delay send a copy of that report to the person providing that service.

Status: This is the original version (as it was originally enacted).

- (6) Before finalising a report prepared under subsection (5) above, the Commission shall give the person providing the service inspected an opportunity of commenting on a draft of the report.
- (7) The Commission shall make copies of any report prepared under subsection (5) above available for inspection at its offices by any person at any reasonable time; and it shall take such other steps as it considers appropriate for publicising any such report.
- (8) A person who asks the Commission for a copy of any such report shall be entitled to have one on payment of a reasonable fee determined by the Commission; but nothing in this subsection prevents the Commission from providing a copy free of charge if it considers that to do so would be appropriate.
- (9) Copies of any report made available for inspection by a person at the Commission's offices under subsection (7) above, or provided to a person under subsection (8) above, shall be made available or provided in such a form as the person may reasonably request.