



# Public Services Reform (Scotland) Act 2010

2010 asp 8

## PART 5

### SOCIAL CARE AND SOCIAL WORK: SCRUTINY AND IMPROVEMENT

## CHAPTER 2

### SOCIAL SERVICES: INSPECTIONS

#### *Inspections*

#### **56 Inspections: authorised persons**

- (1) Any inspection under this Part must be carried out by a person authorised by SCSWIS (an “authorised person”).
- (2) A person may be authorised by SCSWIS to carry out inspections in relation to any social service or all of them.
- (3) An authorised person may at any time enter and inspect premises which are used, or which the person has reasonable cause to believe are used, for the purpose of providing the social service which is subject to inspection.
- (4) Where an authorised person is in possession of confidential information which has been obtained for the purposes of an inspection under this Part, the authorised person must not use or disclose that information other than—
  - (a) for the purposes of that inspection,
  - (b) so as to comply with an enactment or court order requiring disclosure,
  - (c) to the extent considered necessary by the authorised person for the purpose of protecting the welfare of—
    - (i) any child,
    - (ii) any adult at risk (within the meaning of section 3 of the Adult Support and Protection (Scotland) Act 2007 (asp 10)), <sup>F1</sup>...

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Public Services Reform (Scotland) Act 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (d) to the extent considered necessary by the authorised person for the purpose of the prevention or detection of crime or the apprehension or prosecution of offenders<sup>F2</sup>, or
- (e) to the extent considered necessary by the authorised person for the purpose of assisting the Scottish Public Services Ombudsman in connection with the Ombudsman’s investigatory functions under the Scottish Public Services Ombudsman Act 2002].

---

#### Textual Amendments

- F1** Word in s. 56(4)(c) omitted (1.4.2017) by virtue of [The Public Services Reform \(Social Work Complaints Procedure\) \(Scotland\) Order 2016 \(S.S.I. 2016/157\)](#), arts. 1, **5(a)**
- F2** S. 56(4)(e) and word inserted (1.4.2017) by [The Public Services Reform \(Social Work Complaints Procedure\) \(Scotland\) Order 2016 \(S.S.I. 2016/157\)](#), arts. 1, **5(b)**

---

#### Commencement Information

- I1** S. 56 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), art. 3, **sch.**
- I2** S. 56 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), art. 2, **sch.**

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Public Services Reform (Scotland) Act 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5 Ch. 3A amendment to earlier affecting provision 2019 asp 6, s. 12(2) by [S.S.I. 2023/127 reg. 3\(4\)](#)
- Pt. 5 Ch. 3A inserted by [2019 asp 6 s. 12\(2\)](#)