

# CARE STANDARDS ACT 2000

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part Iii Local Authority Services

##### *Section 46 Inspections: supplementary*

128. *Section 46* relates closely to section 32. *Subsection (1)* permits an authorised person to remove any document or other material on the premises as evidence of possible non-compliance with the regulatory requirements (as defined by *subsection (7)*). *Subsection (2)* imposes a requirement to assist the authorised person, and permits the authorised person to take measurements and photographs and make recordings, for example, a tape or video recording, in the exercise of his inspection powers. *Subsection (3)* provides the authorised person with a right of access to computers.
129. *Subsection (4)* requires the registration authority to prepare a report after carrying out an inspection under this Part, and to send a copy of this report to the local authority as soon as possible. *Subsections (5)* and *(6)* provide that the registration authority must make the report available to the public.
130. *Subsection (7)* identifies the regulatory requirements that apply to this section and section 45. These are:
- requirements set out in regulations made under *section 48*;
  - regulations made under section 23(2)(a) of the Children Act 1989 (at present, the [Foster Placement \(Children\) Regulations 1991 \(SI 1991 No 910\)](#) (as amended) and [Arrangements for Placement of Children \(General\) Regulations 1991 \(SI 1991 No 890\)](#) (as amended);
  - regulations made under section 9(3) of the Adoption Act (at present, the [Adoption Agencies Regulations 1983 \(SI 1983 No 1964\)](#) (as amended);
  - regulations made under the Adoption (Intercountry Aspects) Act 1999 (none yet in force).
131. *Subsection (8)* provides that, in England, inspection reports shall be made available in the regional offices of the Commission in the region in which the relevant local authority is situated.