



# Joint Inspection of Children's Services and Inspection of Social Work Services (Scotland) Act 2006

2006 asp 3

## PART 1

### CHILDREN'S SERVICES

#### **3 Conduct of inspections**

- (1) Regulations may make provision—
- (a) requiring or facilitating the sharing or production of information (including medical records) for the purposes of an inspection under section 1;
  - (b) requiring any person to provide to an authorised person an explanation of information produced to the authorised person;
  - (c) requiring information produced to an authorised person to be held in compliance with prescribed conditions and further disclosures to be made in compliance with such conditions;
  - (d) empowering an authorised person to enter any premises for the purposes of an inspection under section 1;
  - (e) empowering an authorised person to disclose to a person prescribed for the purposes of this paragraph any information of a prescribed nature which the authorised person holds in consequence of such an inspection;
  - (f) creating offences punishable on summary conviction by a fine not exceeding level 4 on the standard scale for the purpose of enforcing any provision of the regulations.
- (2) Where an authorised person is in possession of confidential information which has been obtained for the purposes of an inspection under section 1, the authorised person shall 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 any child; or

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**Status:** *This is the original version (as it was originally enacted).*

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- (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.
- (3) In this section, “authorised person” means an individual responsible for, or authorised by a body responsible for, conducting an inspection under section 1 and, subject to section 2(2), includes an individual directed under section 2(1) to participate in the conduct of an inspection or authorised by a body so directed.