



Adult Support and Protection (Scotland) Act 2007

2007 asp 10

PART 1

PROTECTION OF ADULTS AT RISK OF HARM

Investigations

10 Examination of records etc.

- (1) A council officer may require any person holding health, financial or other records relating to an individual whom the officer knows or believes to be an adult at risk to give the records, or copies of them, to the officer.
- (2) Such a requirement may be made during a visit or at any other time.
- (3) Requirements made at such other times must be made in writing.
- (4) Records given to a council officer in pursuance of such a requirement may be inspected by—
 - (a) the officer, and
 - (b) any other person whom the officer, having regard to the content of the records, considers appropriate,for the purposes of enabling or assisting the council to decide whether it needs to do anything (by performing functions under this Part or otherwise) in order to protect an adult at risk from harm.
- (5) Nothing in this section authorises a person who is not a health professional to inspect health records (other than to determine whether they are health records).
- (6) A requirement under subsection (1) which is transmitted by electronic means is to be treated as being in writing if it is received in legible form and capable of being used for subsequent reference.

Changes to legislation: There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 10. (See end of Document for details)

- (7) “Health records” are records relating to an individual's physical or mental health which have been made by or on behalf of a health professional in connection with the care of the individual.

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Commencement Information

II [S. 10](#) in force at 29.10.2008 by [S.S.I. 2008/314](#), [art. 2](#)

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