



# Public Services Reform (Scotland) Act 2010 2010 asp 8

## PART 5 **S**

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

## CHAPTER 1 **S**

### SOCIAL CARE AND SOCIAL WORK IMPROVEMENT SCOTLAND

#### *Social Care and Social Work Improvement Scotland*

#### 44 **Social Care and Social Work Improvement Scotland** **S**

- (1) There is established a body to be known as Social Care and Social Work Improvement Scotland (in this Part referred to as “SCSWIS”), which—
  - (a) is to exercise the functions conferred on it by this Act or any other enactment, and
  - (b) has the general duty of furthering improvement in the quality of social services.
- (2) SCSWIS must, in the exercise of its functions, act—
  - (a) in accordance with any directions given to it by the Scottish Ministers, and
  - (b) under the general guidance of the Scottish Ministers.
- (3) The Scottish Ministers may vary or revoke any direction given under subsection (2)(a).
- (4) Schedule 11 (which makes further provision about the status, constitution, proceedings etc. of Social Care and Social Work Improvement Scotland) has effect.

#### Commencement Information

- I1 S. 44 in force at 1.8.2010 for specified purposes by S.S.I. 2010/221, art. 3(2)(3), Sch.
- I2 S. 44 in force at 1.10.2010 for specified purposes by S.S.I. 2010/321, art. 3, Sch.

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**Changes to legislation:** Public Services Reform (Scotland) Act 2010, Cross Heading: Social Care and Social Work Improvement Scotland is up to date with all changes known to be in force on or before 10 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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**I3** [S. 44](#) in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

## 45 General principles **S**

- (1) SCSWIS must exercise its functions in accordance with the principles set out in the following subsections.
- (2) The safety and wellbeing of all persons who use, or are eligible to use, any social service are to be protected and enhanced.
- (3) The independence of those persons is to be promoted.
- (4) Diversity in the provision of social services is to be promoted with a view to those persons being afforded choice.
- (5) Good practice in the provision of social services is to be identified, promulgated and promoted.

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### Commencement Information

**I4** [S. 45](#) in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)

**I5** [S. 45](#) 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:**

Public Services Reform (Scotland) Act 2010, Cross Heading: Social Care and Social Work Improvement Scotland is up to date with all changes known to be in force on or before 10 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**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\(2\)](#)