
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2006 No.

The Joint Inspections (Scotland) Regulations 2006

Interpretation

2.—(1) In these Regulations—

“the Act” means the Joint Inspection of Children’s Services and Inspection of Social Work Services (Scotland) Act 2006;

“health information” means—

- (a) information (however recorded) which relates to the physical or mental health or condition of an individual, to the diagnosis of that individual’s condition or to that individual’s care or treatment; and
- (b) information (however recorded) which is to any extent derived, directly or indirectly, from such information;

“joint inspection” means an inspection under section 1 of the Act; and

“personal records” includes medical records;

(2) For the purposes of regulation 9, health information is “confidential health information” where—

- (a) the identity of the individual in question is ascertainable—
 - (i) from that information; or
 - (ii) from that information and other information which is in the possession of, or is likely to come into the possession of, the person having that information; and
- (b) that information was obtained or generated by a person who, in the circumstances, owed an obligation of confidence to that individual.