



Public Services Reform (Scotland) Act 2010 2010 asp 8

PART 5

SOCIAL CARE AND SOCIAL WORK: SCRUTINY AND IMPROVEMENT

CHAPTER 2

SOCIAL SERVICES: INSPECTIONS

Inspections

53 Inspections

- (1) SCSWIS may inspect—
- (a) any social service,
 - (b) the organisation or co-ordination of any social services.
 - [^{F1}(c) where social services, services provided under the health service or services provided by an independent health care service are provided in pursuance of an integration scheme approved under section 7 of the Public Bodies (Joint Working) (Scotland) Act 2014 (“the 2014 Act”), the planning, organisation or co-ordination of those services.]
- (2) The purposes of an inspection under [^{F2}subsection (1)(a) or (b)] may include—
- (a) reviewing and evaluating the effectiveness of the provision of the services which are the subject of the inspection,
 - (b) encouraging improvement in the provision of those services,
 - (c) enabling consideration as to the need for any recommendations to be prepared as to any such improvement to be included in the report prepared under section 57,
 - (d) investigating any incident, event or cause for concern,
 - (e) in the case of care services, enabling consideration as to the need for—
 - (i) an improvement notice under section 62,

Changes to legislation: Public Services Reform (Scotland) Act 2010, Section 53 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

- (ii) a condition notice under section 66 or a local authority condition notice under section 85.
 - [^{F3}(f) reviewing and evaluating the extent to which the social service is complying with the integration delivery principles and contributing to achieving the national health and wellbeing outcomes,
 - (g) reviewing and evaluating the extent to which the planning, organisation or co-ordination of social services, services provided under the health service and services provided by an independent health care service is complying with the integration delivery principles and contributing to achieving the national health and wellbeing outcomes,
 - (h) reviewing and evaluating the effectiveness of a strategic plan prepared under section 29 of the 2014 Act in complying with the integration delivery principles and contributing to achieving the national health and wellbeing outcomes,
 - (i) encouraging improvement in the extent to which implementation of a strategic plan prepared under section 29 of the 2014 Act complies with the integration delivery principles and contributes to achieving the national health and wellbeing outcomes, and
 - (j) enabling consideration as to the need for any recommendations to be prepared as to any such improvement to be included in the report prepared under section 57.]
- [^{F4}(2A) The purposes of an inspection under subsection (1)(c) may include any of those mentioned in subsection (2)(f) to (j).]
- (3) An inspection under this section may be in relation to—
 - (a) any social service or combination of social services,
 - (b) such of the services concerned provided to a particular child or other person or particular children or other persons,
 - (c) the whole or any part of Scotland.
 - (4) An inspection under this section must be conducted in accordance with a plan—
 - (a) prepared in accordance with section 54, and
 - (b) approved by the Scottish Ministers.
 - (5) An inspection under this section may, subject to any regulations made under section 58, take such form as SCSWIS considers appropriate.
 - (6) SCSWIS may at any time require a person providing any social service to supply it with any information relating to the service which it considers necessary or expedient to have for the purposes of its functions under this Part.
- [^{F5}(7) In this section—
- “independent health care service” has the meaning given by section 10F(1) of the National Health Service (Scotland) Act 1978;
 - “integration delivery principles” has the meaning given by section 31 of the 2014 Act;
 - “national health and wellbeing outcomes” has the same meaning as in section 5(1) of the 2014 Act.]

Changes to legislation: Public Services Reform (Scotland) Act 2010, Section 53 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

Textual Amendments

- F1** S. 53(1)(c) added (22.9.2014) by [Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(asp 9\)](#), **ss. 54(a)**, [72\(2\)](#); [S.S.I. 2014/231](#), [art. 2](#)
- F2** Words in s. 53(2) substituted (22.9.2014) by [Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(asp 9\)](#), **ss. 54(b)(i)**, [72\(2\)](#); [S.S.I. 2014/231](#), [art. 2](#)
- F3** S. 53(2)(f)-(j) added (22.9.2014) by [Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(asp 9\)](#), **ss. 54(b)(ii)**, [72\(2\)](#); [S.S.I. 2014/231](#), [art. 2](#)
- F4** S. 53(2A) inserted (22.9.2014) by [Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(asp 9\)](#), **ss. 54(c)**, [72\(2\)](#); [S.S.I. 2014/231](#), [art. 2](#)
- F5** S. 53(7) added (22.9.2014) by [Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(asp 9\)](#), **ss. 54(d)**, [72\(2\)](#); [S.S.I. 2014/231](#), [art. 2](#)

Commencement Information

- I1** S. 53 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), **Sch.**
- I2** S. 53 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, Section 53 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.

[View outstanding changes](#)

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\(2\)](#)