



Public Bodies (Joint Working) (Scotland) Act 2014

2014 asp 9

PART 1

FUNCTIONS OF LOCAL AUTHORITIES AND HEALTH BOARDS

Supplementary

56 Joint inspections of health services and social services

- (1) The Public Services Reform (Scotland) Act 2010 is amended as follows.
- (2) In section 115(11) (meaning of “confidential information”), for “section”, where it second occurs, substitute “sections 116A(4) and”.
- (3) After section 116, insert—

“116A Joint inspections of social services and health services

- (1) Social Care and Social Work Improvement Scotland (“SCSWIS”) and Healthcare Improvement Scotland (“HIS”) may jointly conduct an inspection in relation to—
 - (a) any social services, services provided under the health service or services provided by an independent health care service which are provided in pursuance of an integration scheme approved under section 7 of the Public Bodies (Joint Working) (Scotland) Act 2014 (“the 2014 Act”), or
 - (b) a local authority, Health Board or integration joint board (as defined in section 1(4)(a) of the 2014 Act) which is required by section 29 of the 2014 Act to prepare a strategic plan.
- (2) The purposes of an inspection under this section may be any of those mentioned in section 10I(1) or (1B) or 10J(2) of the National Health Service (Scotland) Act 1978 or section 53(2) of this Act.

Status: This is the original version (as it was originally enacted).

- (3) On the request of SCSWIS and HIS, any other person or body mentioned in section 115(6) may conduct an inspection under subsection (1) jointly with SCSWIS and HIS.
- (4) In conducting an inspection under this section, SCSWIS and HIS must have regard to any code of practice or practice note issued by the Scottish Ministers for the purpose of—
- (a) giving practical and general guidance on matters relating to such an inspection (including, without prejudice to that generality, such matters as access to confidential information and the holding, sharing and destruction of such information),
 - (b) promoting what appear to them to be desirable practices with regard to such matters.
- (5) After conducting an inspection under this section, SCSWIS and HIS must—
- (a) prepare a report, and
 - (b) give any person to whom the report relates an opportunity to comment on the report.
- (6) SCSWIS and HIS must—
- (a) give the report to the Scottish Ministers,
 - (b) give copies of the report to any person to whom the report relates, and
 - (c) make copies of the report available at their offices for inspection by any person at any reasonable time.
- (7) In this section—
- “independent health care service” has the meaning given by section 10F of the National Health Service (Scotland) Act 1978;
 - “social services” has the meaning given by section 46.”.
- (4) In section 117 (regulations relating to joint inspections), after subsection (5), add—
- “(6) In this section, “joint inspection” means an inspection conducted under section 115 or 116A.”.