

CARE STANDARDS ACT 2000

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part Iii Local Authority Services

Section 45 Inspection by registration authority of adoption and fostering services

126. *Section 45* relates closely to section 31. *Subsection (1)(a)* obliges an authority to provide whatever information the authorised person requires and *subsection (1)(b)* provides for the entry and inspection of premises used by the authority in the discharge of relevant adoption and foster care functions. *Subsections (2)* and *(3)* make provision about access to documents and records, including computer records, and provides for an authorised person to interview in private any employee of the authority. If records are stored on a computer they must be produced in a legible, not encrypted, form. *Subsection (4)* provides for a regulation making power to determine the frequency of inspections.
127. *Subsection (5)* applies section 31(8) and (9), which provide for the proper identification of a person exercising powers of entry and inspection on behalf of the registration authority, and for offences. Obstruction or a failure to comply with inspection requirements without reasonable excuse is a summary offence, punishable by a fine at level 4 on the standard scale.