



National Health Service (Scotland) Act 1978

1978 CHAPTER 29

PART I

ORGANISATION

[^{F1}Inspections

[^{F1}10I Inspections of services provided under the health service [^{F2}or under the 2021 Act]

- [^{F3}(1) HIS may inspect any service provided under the health service—
- (a) in pursuance of its general duty of furthering improvement in the quality of health care in Scotland,^{F4}...
 - (b) for any of the purposes mentioned in subsection (1B)][^{F5}, or
 - (c) in pursuance of its functions under sections 12IP to 12IS and section 12IU.]

[Where a service provided under the health service and social services are provided ^{F6}(1A) by virtue of an integration scheme approved under section 7 of the Public Bodies (Joint Working) (Scotland) Act 2014 (“ the 2014 Act ”), HIS may inspect the planning, organisation or co-ordination of those services for any of the purposes mentioned in subsection (1B).

- (1B) The purposes are—
- (a) reviewing and evaluating the extent to which the service is complying with the integration delivery principles and contributing to achieving the national health and wellbeing outcomes,
 - (b) reviewing and evaluating the extent to which the planning, organisation or co-ordination of services provided under the health service and social services is complying with the integration delivery principles and contributing to achieving the national health and wellbeing outcomes,

Changes to legislation: National Health Service (Scotland) Act 1978, Section 10I is up to date with all changes known to be in force on or before 03 August 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

- (c) 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,
- (d) 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
- (e) 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 10N.]

[HIS may inspect any service provided under the 2021 Act in pursuance of its general ^{F7}(1C) duty of furthering improvement in the quality of those services.]

- (2) An inspection under this section must be conducted in accordance with a plan—
 - (a) prepared in accordance with section 10L; and
 - (b) approved by the Scottish Ministers.

[In this section—

- ^{F8}(3) “ 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;
- “ social services ” has the meaning given by section 46 of the Public Services Reform (Scotland) Act 2010.]]

Textual Amendments

- F1** Ss. 10A-10Z19 and cross-headings inserted (1.8.2010 for the insertion of s. 10A for specified purposes, 1.10.2010 for specified purposes, 1.4.2011 for specified purposes, 1.4.2016 for specified purposes with the exception of the insertion of s. 10Z9(1)(a), 1.4.2017 for specified purposes, 19.6.2024 for specified purposes) by Public Services Reform (Scotland) Act 2010 (asp 8), ss. 108, 134(7); S.S.I. 2010/221, art. 3(2)(3), sch.; S.S.I. 2010/321, art. 3, sch.; S.S.I. 2011/122, art. 2, sch.; S.S.I. 2016/22, art. 2(1)(2), sch. 1, sch. 2; S.S.I.2024/131, art. 2, sch. 1
- F2** Words in s. 10I heading inserted (1.4.2022) by The Forensic Medical Services (Modification of Functions of Healthcare Improvement Scotland and Supplementary Provision) Regulations 2022 (S.S.I. 2022/88), reg. 1, sch. para. 5(a)
- F3** S. 10I(1) substituted (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), ss. 55(2)(a), 72(2); S.S.I. 2014/231, art. 2
- F4** Word in s. 10I(1)(a) repealed (1.4.2024) by Health and Care (Staffing) (Scotland) Act 2019 (asp 6), ss. 6(4)(a), 15(2); S.S.I. 2024/20, reg. 2(2)
- F5** S. 10I(1)(c) and word inserted (1.4.2024) by Health and Care (Staffing) (Scotland) Act 2019 (asp 6), ss. 6(4)(b), 15(2); S.S.I. 2024/20, reg. 2(2)
- F6** S. 10I(1A)(1B) inserted (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), ss. 55(2)(b), 72(2); S.S.I. 2014/231, art. 2
- F7** S. 10I(1C) inserted (1.4.2022) by The Forensic Medical Services (Modification of Functions of Healthcare Improvement Scotland and Supplementary Provision) Regulations 2022 (S.S.I. 2022/88), reg. 1, sch. para. 5(b)
- F8** S. 10I(3) inserted (22.9.2014) by Public Bodies (Joint Working) (Scotland) Act 2014 (asp 9), ss. 55(2)(c), 72(2); S.S.I. 2014/231, art. 2

Changes to legislation:

National Health Service (Scotland) Act 1978, Section 10I is up to date with all changes known to be in force on or before 03 August 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:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 16A(5) added by [2002 asp 5 Sch. 2 para. 2\(2\)](#)
- s. 19A(2)(b) words repealed by [2003 asp 4 sch. 4 para. 5\(4\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(a) words substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(b) substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(c) words substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 19B(2)(e) word substituted by [2003 asp 4 sch. 4 para. 5\(5\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 4 para. 5(4)-(9) omitted (1.4.2004) by virtue of S.S.I. 2004/167, Sch. para. 7)
- s. 70A inserted by [1997 c. 46 s. 26\(2\)](#)
- s. 70A(2) word substituted by [2005 asp 13 s. 14\(3\)](#)
- s. 85AB(7) inserted by [2005 asp 13 sch. 2 para. 2\(18\)\(b\)](#)
- Sch. 11 para. 2(1A) inserted by [2005 asp 13 s. 14\(6\)\(a\)](#)