

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision under section 3 of the [Joint Inspection of Children's Services and Inspection of Social Work Services \(Scotland\) Act 2006 \(asp 3\)](#) ("the Act") with regard to the conduct of joint inspections.

Regulation 3 provides for the sharing of information as between authorised persons for the purposes of joint inspections.

Regulation 4 provides for the disclosure of information by the persons or bodies who may conduct joint inspections and provides, where practical, for the anonymisation of that information.

Regulation 5 provides for the exercise of a power of entry by authorised persons for the purposes of a joint inspection.

Regulation 6 provides for an authorised person exercising the power of entry in terms of regulation 5 to inspect, copy and remove documents or records, to have access to computers and to require facilities and assistance to enable the exercise of the power under regulation 5.

Regulation 7 provides for an authorised person to require the production of documents and records.

Regulation 8 provides for an authorised person to require explanations of documents and material inspected or provided in relation to joint inspections.

Regulation 9 makes specific provision in relation to confidential health information obtained for the purposes of a joint inspection.

Regulation 10 provides for the disposal or destruction of personal records following completion of a joint inspection.

Regulation 11 provides that a person obstructing the exercise of a power or failing to comply with requirements made under regulations 5, 6, 7 and 8 shall be guilty of an offence. Section 3(1)(f) of the Act provides for the creation of offences punishable on summary conviction by a fine not exceeding level 4 on the standard scale.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of business, charities or voluntary bodies.