



# National Health Service (Scotland) Act 1978

## 1978 CHAPTER 29

### PART I

#### ORGANISATION

#### *[<sup>F1</sup>Inspections*

VALID FROM 01/10/2010

#### **[<sup>F1</sup>10J Inspections of independent health care services**

- (1) HIS may inspect—
  - (a) any independent health care service;
  - (b) the organisation or co-ordination of any independent health care service.
- (2) The purposes of an inspection under this section 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 10N;
  - (d) investigating any incident, event or cause for concern; and
  - (e) enabling consideration as to the need for—
    - (i) an improvement notice under section 10R;
    - (ii) a condition notice under section 10U.
- (3) An inspection under this section may be in relation to—

*Status: Point in time view as at 01/10/2009. This version of this provision is not valid for this point in time.*

**Changes to legislation:** National Health Service (Scotland) Act 1978, Section 10J is up to date with all changes known to be in force on or before 22 July 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)

- (a) any independent health care service or combination of independent health care services;
  - (b) such of the services concerned provided to particular groups of persons;
  - (c) any part of Scotland.
- (4) 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.
- (5) HIS may at any time require a person providing any independent health care service to supply it with any information relating to the service which it considers necessary or expedient to have for the purposes of its independent health care functions.
- (6) References in this section to a person providing an independent health care service include, in the case of a service which is provided by a body corporate, a reference to a director, manager, secretary or other similar officer of the body.
- (7) An inspection under this section may, subject to any regulations made under section 10O, take such form as HIS considers appropriate.]

#### 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](#)

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