



# Care Standards Act 2000

## 2000 CHAPTER 14

### PART II

#### ESTABLISHMENTS AND AGENCIES

##### *Miscellaneous and supplemental*

#### **31 Inspections by persons authorised by registration authority.**

- (1) The registration authority may at any time require a person who carries on or manages an establishment or agency to provide it with any information relating to the establishment or agency which the registration authority considers it necessary or expedient to have for the purposes of its functions under this Part.
- (2) A person authorised by the registration authority may at any time enter and inspect premises which are used, or which he has reasonable cause to believe to be used, as an establishment or for the purposes of an agency.
- (3) A person authorised by virtue of this section to enter and inspect premises may—
  - (a) make any examination into the state and management of the premises and treatment of patients or persons accommodated or cared for there which he thinks appropriate;
  - (b) inspect and take copies of any documents or records (other than medical records) required to be kept in accordance with regulations under this Part, section 9(2) of the <sup>M1</sup>Adoption Act 1976, section 23(2)(a) or 59(2) of the 1989 Act or section 1(3) of the <sup>M2</sup>Adoption (Intercountry Aspects) Act 1999;
  - (c) interview in private the manager or the person carrying on the establishment or agency;
  - (d) interview in private any person employed there;
  - (e) interview in private any patient or person accommodated or cared for there who consents to be interviewed.
- (4) The powers under subsection (3)(b) include—

*Status: Point in time view as at 20/11/2003. This version of this provision has been superseded.*

*Changes to legislation: Care Standards Act 2000, Section 31 is up to date with all changes known to be in force on or before 10 June 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) power to require the manager or the person carrying on the establishment or agency to produce any documents or records, wherever kept, for inspection on the premises; and
  - (b) in relation to records which are kept by means of a computer, power to require the records to be produced in a form in which they are legible and can be taken away.
- (5) Subsection (6) applies where the premises in question are used as an establishment and the person so authorised—
- (a) is a medical practitioner or registered nurse; and
  - (b) has reasonable cause to believe that a patient or person accommodated or cared for there is not receiving proper care.
- (6) The person so authorised may, with the consent of the person mentioned in subsection (5)(b), examine him in private and inspect any medical records relating to his treatment in the establishment.

The <sup>F1</sup>power] conferred by this subsection may be exercised in relation to a person who is incapable of giving consent without that person's consent.

- (7) The Secretary of State may by regulations require <sup>F2</sup>the CHAI or the CSCI] to arrange for premises which are used as an establishment or for the purposes of an agency to be inspected on such occasions or at such intervals as may be prescribed.
- (8) A person who proposes to exercise any power of entry or inspection conferred by this section shall if so required produce some duly authenticated document showing his authority to exercise the power.
- (9) Any person who—
- (a) intentionally obstructs the exercise of any power conferred by this section or section 32; or
  - (b) fails without a reasonable excuse to comply with any requirement under this section or that section,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

#### Textual Amendments

- F1** Word in s. 31(6) substituted (20.11.2003 for certain purposes and 1.4.2004 otherwise) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 147, 199, [Sch. 9 para. 23\(a\)](#); S.I. 2004/759, [art. 5\(2\)\(b\)](#)
- F2** Words in s. 31(7) substituted (20.11.2003 for certain purposes and 11.3.2004 otherwise) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 147, 199, [Sch. 9 para. 23\(b\)](#); S.I. 2004/759, [art. 5\(1\)\(b\)](#)

#### Commencement Information

- II** S. 31 partly in force; s. 31 not in force at Royal Assent see s. 122; s. 31 in force for E. for certain purposes at 20.11.2001 by [S.I. 2001/3852](#), [arts. 1\(4\), 3\(2\)\(3\)\(a\)\(i\)](#) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 31 in force for E. for certain purposes at 1.1.2002 by [S.I. 2001/3852](#), [arts. 1\(4\), 3\(2\)\(4\)\(c\)\(6\)](#), [Sch. 1 para. 5\(2\)\(3\)](#) (subject to transitional provisions in [Sch. 1](#) and with transitional provisions in [Sch. 2](#)) (as amended by [S.I. 2001/4150](#), 2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 31 in force for E. in so far as not already in force at 1.4.2002 by [S.I.](#)

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**Changes to legislation:** Care Standards Act 2000, Section 31 is up to date with all changes known to be in force on or before 10 June 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)

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2001/3852, arts. 1(4), 3(2)(7)(a) (subject to transitional provisions in Sch. 1 and with transitional provisions in Sch. 2) (as amended by S.I. 2001/4150, 2002/1493, 2002/1790, 2002/2001, 2002/3210); s. 31 in force for W. for certain purposes at 1.4.2002 by S.I. 2002/920, arts. 1(4), 3(3) (subject to art. 3(4)(5) and to transitional provisions in Schs. 1-3); s. 31 in force for W. for certain purposes at 30.1.2003 by S.I. 2003/152, art. 2; s. 31 in force for W. for certain purposes at 2.10.2003 by S.I. 2003/2528, art. 2; s. 31 in force for W. for certain purposes at 1.4.2004 by S.I. 2004/1015, art. 2; s. 31 in force for W. for certain purposes at 7.4.2004 by S.I. 2004/1730, art. 2

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**Marginal Citations**

**M1** 1976 c. 36.

**M2** 1999 c. 18.

**Status:**

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