Draft Regulations laid before the Scottish Parliament under section 104(2) of the Public Services Reform (Scotland) Act 2010, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2025 No.

SOCIAL CARE

The Regulation of Care (Child Contact Services) (Equality) (Scotland) Regulations 2025

Made - - - -	*2025*
Coming into force - -	*1st April 2027*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 78(1) and 104(1) of the Public Services Reform (Scotland) Act 2010(**a**) and all other powers enabling them to do so.

In accordance with section 78(5) of that Act they have consulted with such persons or groups of persons as they consider appropriate.

In accordance with section 104(2) of that Act(**b**), a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Regulation of Care (Child Contact Services) (Equality) (Scotland) Regulations 2025 and come into force on 1 April 2027.

(2) In these Regulations "SCSWIS" means Social Care and Social Work Improvement Scotland, constituted under section 44 of the Public Services Reform (Scotland) Act 2010.

Duty to notify the Commission for Equality and Human Rights

2.—(1) Paragraph (2) applies where SCSWIS is of the view that a person registered to provide a child contact service (within the meaning of paragraph 19A of schedule 12 of the Public Reform (Scotland) Act 2010(**c**)) has, or may have, failed to comply with that person's duties under the Equality Act 2010(**d**), and in particular any duty to make reasonable adjustments to premises in order to facilitate their use by disabled people.

(**a**) 2010 asp 8.
(**b**) Section 104(2) has been modified by paragraph 5 of schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).
(**c**) Paragraph 19A was inserted by S.S.I. 2025/XXX.
(**d**) 2010 c. 15.

(2) SCSWIS must notify the Commission for Equality and Human Rights(**a**) of SCSWIS's view and provide it with such other information regarding the failure, or possible failure, as SCSWIS considers appropriate.

(3) A notification under paragraph (2) may be in such form, and communicated to the Commission for Equality and Human Rights in such manner, as SCSWIS may determine.

(4) This regulation does not affect SCSWIS's other functions.

Name
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
Date

(**a**) The Commission for Equality and Human Rights was established by section 1 of the Equality Act 2006 (c. 3).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations confer an additional function upon Social Care and Social Work Improvement Scotland (commonly known as "the Care Inspectorate") in relation to child contact services.

Regulation 2 requires the Care Inspectorate to notify the Commission for Equality and Human Rights (commonly known as "the Equalities and Human Rights Commission") if the Care Inspectorate is of the view that a child contact service provider has, or may have, failed to comply with duties under the Equality Act 2010. The regulation focuses on, but is not limited to, duties to make reasonable adjustments to allow access by people with disabilities.

The form, content and means of communication of the notification are to be determined by the Care Inspectorate (see regulation 2(2) and (3)).

Regulation 2(4) makes clear that the existence of this express duty to notify the Equalities and Human Rights Commission in certain circumstances does not prevent the Care Inspectorate from notifying the Equalities and Human Rights Commission (or any other regulator) in other circumstances.

© Crown copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, the King's Printer for Scotland.

£6.40

http://www.legislation.gov.uk/id/sdsi/2025/9780111063736

ISBN 978-0-11-106373-6

