FAQs: visiting care homes during outbreaks of COVID-19

The Relatives and Residents Association
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Below are some frequently asked questions about visiting and outbreaks in care homes, based on what the Relatives & Residents Association hears via the R&RA Helpline. The questions are framed from a resident's perspective and the answers are aimed to support care providers, as well as to help residents and their relatives/friends. The answers are based on the latest Government guidance on COVID-19 and relevant legal duties.

**What is an outbreak of COVID-19?**
An ‘outbreak’ consists of 2 or more positive linked cases of COVID-19 associated with the same care home within a 14-day period. This applies to both staff and residents and includes PCR and lateral flow test results.

**Can I have visitors during an outbreak?**
During an outbreak you should be able to have at least one person at a time visit you. Your care home should carry out an individual risk assessment to see how they can best facilitate this. Any restrictions on visiting will interfere with your right to family life (protected by Article 8 of the Human Rights Act). To be lawful, restrictions on visiting must be a necessary response to an identified risk and must be proportionate to that risk i.e. the least restrictive option.

**Do I need to have an Essential Caregiver?**
No, you no longer need to have a designated Essential Caregiver in order to have a visitor during outbreaks. The only requirement is that it is one person at a time, and it can be a different person each time. There are some specific circumstances explained below where you can have more than one person visit.

**How do I get access to visitors during an outbreak?**
The Government guidance makes clear that all residents should be supported to have visitors. Care homes should be proactive in letting residents, and the relatives/friends who want to visit them, know how they are able to visit. Blanket bans on visitors are not acceptable.

**Who can visit me during an outbreak?**
You can have anyone visit you during an outbreak. This could be a friend, a family member, or anyone else. You can also continue to have visits from professionals such as your GP or advocate.
**How many people can visit me during an outbreak?**
You can always have one person at a time visit you during an outbreak. This should be flexible so that, if a child is visiting and needs to be accompanied, or if your visitor requires support from another person, the home should facilitate this request as a reasonable adjustment (required by the Equality Act). The restriction of one person at a time also does not apply to end of life visits.

**Will my visitor be restricted to timed visits?**
No, the guidance does not recommend restrictions on length of visits at any time, including during outbreaks.

**What if my home has decided no-one can visit me during an outbreak?**
Blanket approaches are not acceptable, as the regulator has made clear. Blanket bans are also not permissible in law (under the Equality Act and Human Rights Act which require individual approaches).

**Do I or my visitor need to be vaccinated for COVID-19?**
No, it is not a requirement that you be vaccinated for COVID-19, nor your visitor.

**Does my visitor have to wear a mask?**
The guidance states that visitors should be encouraged to wear masks but can remove them if they are hindering communication or when they are eating / drinking in non-communal areas.

**What if I have tested positive for COVID-19?**
If you test positive for COVID-19 you will need to self-isolate, however you can still have one person at a time visit you.

**Does my visitor need to do a COVID-19 test before visiting?**
No, visitors are no longer required to take a test before visiting.

**I have another question or need some support**
Please get in touch with the R&RA Helpline: https://www.relres.org/helpline/contact-the-helpline/

For more information about care homes' legal duties around visiting see ‘Visiting and the Law’: http://www.relres.org/visiting-guide-providers/

For more information about visiting in care homes: https://www.relres.org/endisolationincare/