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To:  
Registered care home providers (adults and older people)

Copied to:  
Chief Executives NHS Boards and Local Authorities  
IJB / HSCP Chief Officers  
Chief Social Work Officers  
Directors of Public Health  
Nurse Directors  
Scottish Care  
CCPS  
Care Inspectorate  
ARHAI Scotland, Public Health Scotland

31 March 2022

Dear Colleagues

## **New Health and Social Care Standards strengthen rights for people living in adult care homes**

I am pleased to inform you that, under powers conferred to Ministers by Section 50 of the Public Services Reform (Scotland) Act 2010, I have today introduced two new statutory Health and Social Care Standards to strengthen rights for people living in adult care homes to have visits and care from their loved ones. See link:

<https://www.gov.scot/publications/health-social-care-standards-support-life/>

The two new standards, which were developed after public consultation, are:

- ***If I am an adult living in a care home and restrictions to routine visiting are needed to prevent infection, I can nominate relatives/friends (and substitutes) to visit me. My nominated relatives/friends will be supported by the care home to see me in person day-to-day and to be directly involved in providing my care and support if that is what I want.***
- ***If I am an adult living in a care home, I can nominate relatives/friends (and substitutes), who will be supported by the care home to be directly involved in providing my day-to-day care and support if that is what I want.***



As you know, the Health and Social Care Standards set out what people should expect when experiencing health, social care or social work services in Scotland. In our recent public consultation, there was considerable, near unanimous support for strengthening the Health and Social Care Standards around visiting for adults living in care homes and it was welcomed as a significant milestone in the delivery of Anne's Law.

These new Standards have been developed with sector representatives including Scottish Care as well as families of care home relatives. They set out the clear expectation that people living in care homes should have the right to see someone who is dear to them, even during an outbreak, and be able to name a person or persons who can directly participate in meeting their care needs.

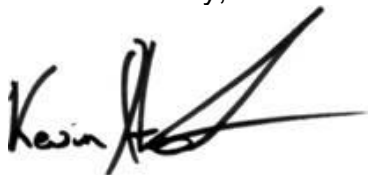
I fully expect these new Standards, that are in force today, to be imminently reflected by care homes in their policies. As with the existing Standards, the Care Inspectorate will be under a duty to consider how care service providers are upholding them in relation to registering, inspecting and supporting care services. Guidance to support implementation has been developed by the Care Inspectorate and will soon be available here: <https://www.careinspectorate.com/>

People living in adult care homes and their loved ones are undoubtedly among those hardest hit by the Covid-19 pandemic. I would like to thank you all for the exceptional work and the steadfast commitment you have made, and continue to make, to help maintain and maximise meaningful connections, particularly during the Omicron wave, and prepare for the launch of the new Standards.

I very much look forward to working with you in their implementation and building upon the success of the existing Health and Social Care Standards and our recently expanded named visitor guidance. Together we will continue to support the aims of Anne's Law for people in care homes and their loved ones right now.

I hope that you will join me in warmly welcoming the introduction of the new Standards as an important milestone in delivering on the Scottish Government's commitment to strengthening visiting rights for residents in adult care homes.

Yours sincerely,



**KEVIN STEWART**