



Health and Social Care Committee

House of Commons London SW1A 0AA

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From Rt Hon. Jeremy Hunt MP

11 December 2020

Rt Hon Matt Hancock MP
Secretary of State for Health and Social Care

Email to

Dear Matt,

Re: Covid-19 guidance and testing for care homes and people with learning disabilities

As you know, we are currently working with the Science and Technology Committee to investigate the lessons learned during the Covid-19 pandemic. As part of this, we recently took evidence on the impact of the crisis on people with learning disabilities. Following this evidence, we are writing to you to ask for urgent action ahead of Christmas in a number of areas to address the major problems facing people with learning disabilities.

Guidance on visits out of care homes

The publication of guidance permitting visits out of care homes for residents under 65 is welcome and such a scheme should allow a more normal Christmas for some care home residents. However, we are concerned that the current guidance is excessively restrictive and may have the impact of preventing people visiting family.

The guidance requires that, after a person returns to a care home, they self-isolate for 14 days – regardless of whether they display any symptoms. As you will know, many people with learning disabilities and people with autism rely on routines, making such a period of self-isolation difficult or impossible.

In other areas, we are now using testing to release people from periods of self-isolation, including international travellers. As such, we are asking you to set out a programme of regular testing for those who have left care homes over Christmas which would allow them to end their self-isolation early if they do not test positive over multiple occasions. We would suggest daily lateral flow tests for 5 days would achieve this.

Given these extra precautions, it is also unacceptable that visits out of care homes are only allowed within the restrictions of that area's tier. Given that most of the country is in Tier 2 or 3, this means that care home residents will not be able to visit their families homes over Christmas, despite this being permitted for the rest of the population. In practice, this means that visits out will not go ahead over Christmas in the vast majority of cases. In light of the additional restrictions around testing and a one-household limit, we would ask you to reconsider this position and allow indoor visits in all areas during the Christmas bubble period.

Guidance on visits out of supported living

The guidance on allowing supported living residents to visit family over Christmas has not yet been published. We are now only 14 days from Christmas, meaning any two-week pre-visit

isolation period should already have started. As such, we are asking you to publish this guidance immediately. We also believe that this guidance should follow the principles set out above for care homes, with regular testing used to shorten the post-visit isolation period.

Testing in supported living settings

We have heard from providers that regular testing has not yet been rolled out for staff and residents in supported living settings. Throughout this crisis, there has been an ongoing issue with the testing of care staff and users outside of care homes, including those who have domiciliary carers come into their own homes.

The Government's Winter Plan said that regular testing for staff and residents in these settings would have access to testing in December. Can you update us on progress toward this, and set out what steps the Government is taking to ensure that all care staff and residents in supported living and extra-care settings have access to regular testing ahead of Christmas.

Support for people with learning disabilities in hospital

Despite the best efforts of care staff, the coming months will see some people with learning disabilities hospitalised. In some cases, this will be Covid-related, but in others it will be for routine treatment. We have heard from witnesses that, during the current pandemic, support staff and family members have been told they cannot accompany people with learning disabilities into hospital.

While for the general population this may be a sensible precaution, it risks putting people with learning disabilities in a position where they do not fully understand what is happening to them and are unable to adequately communicate their symptoms and their wishes. Staff or family members play a vital role as an advocate and interpreter for people with learning disabilities in hospitals, as well as helping ease communication.

Given this, we are asking you to set out guidance as soon as possible which makes clear that people with learning disabilities or other communication needs are allowed someone to accompany them on hospital visits such as a support staff member. Failing to do this risks seeing people with learning disabilities being denied the treatment they need due to communication issues.

Yours,

A handwritten signature in blue ink, appearing to read 'Jeremy'.

Rt Hon Jeremy Hunt MP
Chair, Health and Social Care Committee



Department of Health & Social Care

*From Helen Whately MP
Minister of State for Care*

Rt Hon Jeremy Hunt MP
Chair, Health and Social Care Committee

Email to

07 January 2021

Dear Jeremy,

Re: Covid-19 guidance and testing for care homes and people with learning disabilities

Thank you for your letter of 11 December 2020, expressing your concern about the difficulties facing people with learning difficulties as a result of the COVID-19 pandemic. We appreciate the particular challenges posed by the pandemic to people with learning disabilities and autistic adults, as well as their loved ones, and recognise that learning from the first wave is essential in providing effective support for those who need it most.

I am pleased to hear you welcome the guidance permitting visits out of care homes. As you will know, for 25 December 2020, in Tiers 1 to 3 there were some easements of the general restrictions on household mixing, though we advised to keep the number of people with whom any care home residents had contact to a minimum. In Tier 4, individuals (including care home residents) must stay at home and must not gather with another household indoors unless one of the specified exemptions apply. This applies at all times, including the Christmas period.

As over Christmas, in all circumstances residents on visits out of a care home must follow national and local restrictions in addition to any requirements of the visit agreed with the care home. 14-day isolation on return is necessary in order to protect other residents and the care home staff in case – despite the care and best efforts of everyone involved – they inadvertently become infected with COVID while they are out of the care home. We are looking in-to whether it may be possible to reduce this to 10-days in combination with testing, but the balance of risk suggests 14-days is currently appropriate. This is important as the risks of the visit do not relate solely to the individual resident and their family – but also other residents, staff and their families. Some other residents may be clinically extremely vulnerable even if this is not the case for a resident themselves making a visit out of the care home.

In supported living environments, the accommodation is the person's own home and so local tier rules apply. Anyone in supported living who is in a formal support bubble, including in Tier 4, can continue to meet with other members of their support bubble, in line with our guidance.

You also expressed concerns that regular testing has not been rolled out for staff and residents in supported living settings. I am pleased to say that, following the rollout of a single round of national testing to the most high-risk extra care and supported living

settings, **on 9 December we launched regular retesting: weekly testing for staff and monthly for residents.** Eligible settings must meet both of the following criteria:

- A closed community with substantial facilities shared between multiple people, and
- Where most residents receive the kind of personal care that is CQC regulated (rather than help with cooking, cleaning and shopping).

These criteria were set in consultation with the sector to identify settings most similar to care homes, and most at risk of an outbreak. As a result, settings that meet these criteria are ones where the risk of transmission and outbreak is high, and the impact on service users may be high given their vulnerability.

From Friday 11 December, eligible settings can access testing either through a referral from their local authority or through our new [self-referral portal](#). The self-referral portal will support us in identifying more settings, reducing the burden on Local Authorities, and extending testing to more people.

You also asked that we set out guidance to make clear that people with learning disabilities or other communication needs are allowed to have someone accompany them on hospital visits. Visiting is down to local Trusts, who will be best placed to make a judgement on their local situation, but we recognise the importance of family and friends being allowed to visit their loved ones in hospital in a careful and COVID-19 secure way. The latest [guidance](#), published on 13 October 2020, advises that trusts and NHS bodies take a more compassionate and caring approach to hospital visiting compared to the previous guidance. It stipulates that one family contact, or somebody important to the patient, can visit. However, where social distancing can be maintained and specific needs have been agreed with the clinical team, up to four visitors are allowed. People in attendance to support the needs of the patient (e.g. a familiar carer/supporter/personal assistant) should not be counted as an additional visitor.

In addition, on 23 October 2020, NHS England and NHS Improvement wrote to mental health, learning disability and autism inpatient providers to remind them that they must take all steps possible to enable safe regular visits. The [letter](#) also acknowledges the significant adaptations many settings have made to ensure that visiting for all, including children and young people, and particularly those with a learning disability, autism, or both has been maintained in creative ways during this time, including utilising digital options to support this.

Finally, I would like to thank you again for your letter. You raise important and pressing concerns, which I hope I have been able to address and reassure. We remain committed to finding workable solutions to the challenges posed by the COVID-19 pandemic for people in care, including people with learning disabilities and autistic people, and we will continue to draw on lessons learnt to ensure that we protect and support people receiving care, care workers, and their families.

Best wishes,



HELEN WHATELY
MINISTER OF STATE FOR CARE