



Llywodraeth Cymru  
Welsh Government

ATISN 15566

13 October 2021

Dear Mr Walker

Thank you for your request to the Welsh Government for information under the Freedom of Information Act (2000) received on 05 October. You requested the following -

- *A copy of Welsh Government's policies regarding Residential Care homes and COVID. Specifically, under what circumstances will the Hywel Dda Health Board insist that care home to go into lock down and how will the Hywel Dda Health Board ensure that care homes are abiding by the Welsh Government regulations regarding visiting care home residents.*

## Our response

The *Health Protection (Coronavirus Restrictions) (No 5) (Wales) Regulations 2020* apply to individuals living in care homes in the same way as the general population. Everyone, including care home residents and staff members, are required to isolate if they contract COVID-19, as set out under the regulations above. Close contacts of people who have tested positive for COVID-19 must also isolate, unless they have received a full course of an approved COVID-19 vaccine. Further information can be found at:

<https://gov.wales/coronavirus-law>.

Guidance is provided by Public Health Wales to support care home providers to prevent and manage COVID-19 infection in care homes. Public Health Wales' document, *Guidance to Prevent COVID-19 and Manage Cases, Incidents & Outbreaks in Care Homes, Supported Living and Supported Accommodation Settings in Wales*, sets out the circumstances in which additional restrictions on the movement of people in and out of the home may apply:

<https://phw.nhs.wales/topics/latest-information-on-novel-coronavirus-covid-19/information-for-health-and-social-care/gui-001/>.

The Welsh Government has produced guidance to support care home providers to facilitate visiting. This guidance can be found at: <https://gov.wales/visits-care-homes-guidance-providers-html>

Whilst the care home visiting guidance is not statutory, providers who do not support meaningful visiting are likely to be in breach of broader regulatory requirements under the Regulation and Inspection of Social Care (Wales) Act 2016. In particular, service providers are required to provide care and support in a way which protects, promotes and maintains the safety and well-being of individuals. A link to the regulations and statutory guidance is included below: <https://gov.wales/sites/default/files/publications/2019-04/guidance-for-providers-and-responsible-individuals.pdf>

Care Inspectorate Wales, the independent regulator of social care in Wales, is continuing to raise the matter with care homes when it becomes aware of issues. The inspectorate has the powers to take enforcement action when it identified areas of non compliance in relation to the above regulations.

### **Next Steps**

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,  
Welsh Government,  
Cathays Park,  
Cardiff,  
CF10 3NQ  
or Email: [Freedom.ofinformation@gov.wales](mailto:Freedom.ofinformation@gov.wales)

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,  
Wycliffe House,  
Water Lane,  
Wilmslow,  
Cheshire,  
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely,