

# Coronavirus – restrictions placed on family contact



The CBF have heard from families who are understandably upset by the restrictions around contact that their loved one's care home are putting in place. We know how hard this will be for people with severe learning disabilities to understand and the detrimental effect it may have on their well-being and subsequent behaviour.

Following a discussion with a barrister we have produced this information sheet. Please note that until the Coronavirus Act is brought into force, the law has not changed.

**Article 8 of the European Convention on Human Rights** protects your right to respect for your private life, your family life, your home and your correspondence (letters, telephone calls and emails, for example). This may be achievable through Facetime, Skype and telephone contact for some, however for others this will not be a possible way to stay in touch.

Care homes and supported living providers **should not have blanket policies that ban all visitors**. Care homes should be conducting risk assessments but again should not apply these to everyone in the service. They should look at each person and their contacts individually and try to reduce the risk of contamination. This could be, for example, through the use of hand washing, minimal contact with other residents and innovative ways of gaining access e.g. through a back or patio door if possible. It may be possible to visit your relative in their bedroom for the foreseeable future or to agree that staff will not be present whilst you are visiting. It goes without saying that no one who has a fever or cough (symptoms of COVID-19) should be visiting a care home or supported living service and should be self-isolating at home.

Registered Managers are obviously very concerned about the well-being of both their residents and their staff at the moment. Their workforce may be depleted, and they may be working hard to make sure everyone is supported and safe.

**The principles of the Mental Capacity Act 2005 should still be followed.** Therefore, if your relative lacks the mental capacity to make decisions about visitors and contact with their family, those decisions should be made by those around them in their Best Interests. As a member of the person's family you should be involved in the best interest decision making process. At the moment, it may not be possible to hold a face to face best interests meeting but it should still be possible to consult you using conference calling or virtual meetings via Skype or Zoom. The best interests process will need to weigh up the risk to the person's health if they have contact with you and the risk to their well-being if you don't.

If you feel that the above hasn't been considered when deciding whether your loved one should have contact with you, the CBF would suggest first approaching the Registered Manager for a discussion about their risk assessment and the rationale behind the decision. You might be able to suggest a compromise that respects everyone's safety and wellbeing. If you feel your views are not being considered and an informal discussion does not resolve things you can post or email the Manager of the service and your relative's Social Worker using the template letter [here](#).

If you are not satisfied with the response you receive please contact the CBF Family Support Team on 0300 666 0126 or email [support@theCBF.org.uk](mailto:support@theCBF.org.uk) (attaching a copy of the response to the letter).

For more information on how to keep in touch with a loved one living away from home, please see our [Keeping in Touch With Home](#) resource.