

Written submission from NHS Lanarkshire on the Care Home Services (Visits to and by Care Home Residents) (Scotland) Regulations 2026, 9 February 2026

Health Social Care and Sport Committee Call for Evidence

Question 1 – Regulation 2 states that the care provider must identify at least one individual as an Essential Care Supporter. Does this regulation provide/guarantee friends and relatives appropriate involvement in the process of identifying an Essential Care Supporter?

Yes, as regulation 2 (a) sets out that the person identified must be “in accordance with the resident’s wishes or, where appropriate, those of their representative”.

Question 2 – Regulation 3 covers the right to visits in general. Does this regulation adequately describe what ‘facilitation’ of visiting does or does not entail?

Yes, as it clearly sets out that visits must be facilitated but stipulates that this does not require a care home provider to “accompany a resident somewhere outwith the accommodation provided by the care home service, or pay for someone else to do so”.

Question 3 – Do you think that the regulations around suspension of visiting (Regulations 4 and 5) provide adequate assurance to residents and their loved ones that they will have the right to continue to care for and visit residents in the event of a suspension of visiting? For example, during an outbreak of infection?

Yes, as the regulations clearly set out that a care home provider must “take all reasonable steps ... so that the suspension of visits can be lifted as soon as

practicable". In addition, it provides appropriate examples of where visiting should continue.

Question 4 – Do you think the duty to review decisions to suspend on receipt of a valid request is clear and appropriate?

Yes, Regulation 6 clearly sets out the grounds on which a request to review can be made.

Question 5 – Do you think that the notification processes are appropriate and proportionate?

Yes, as Regulation 7 sets out clearly who needs to be notified and that the notification should be provided "as soon as practicable".

Question 6 – Do you have any comment on the regulations from an international human rights perspective?

Yes, the regulation supports the right to see family and maintain personal relationships.