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**Ed Humpherson, Director General for Regulation**

Professor Roger Halliday  
Head of COVID Analysis  
Scottish Government  
(by email)

21 December 2020

Dear Roger

**Proportion of care homes in Scotland allowing and enabling indoor visiting**

I am writing about a statement made by the First Minister in Scottish Parliament on 17 September 2020. In response to an oral question from Willie Rennie MSP about the tragic situation of a constituent whose mother was in a care home, the First Minister said:

*"Around 40 per cent of the care homes around the country now allow and enable indoor visiting" ...*

We have received correspondence highlighting a [Freedom Of Information](#) response published by the Scottish Government on 5 November which sets out details of the source of this statement. While it is laudable that Scottish Government collected these estimates, it is clear from that FOI and information you shared with us that the 'around 40%' figure is a very loose approximation based on incomplete data. It is unsurprising that there is some uncertainty in the data, but this should have been more clearly reflected in the response and associated published materials. For example, it should have been clearer that:

- that some health boards either did not know how many care homes had initiated Stage 3 visiting or had not supplied data, especially given that two of those health boards, Greater Glasgow and Clyde and Lanarkshire, represent a significant proportion of the care homes in Scotland
- the figure referred to Stage 3 visiting which included both indoor and outdoor visiting

The First Minister's statement of 'around 40%' of care homes enable indoor visiting of residents suggested too much confidence in the figure. Some of the risk of this would have been mitigated if the management information had been published quickly in an accessible form. It should not have been necessary to wait for the information to be published as part of an FOI response.

With increased scrutiny of all decisions, and a greater thirst for timely information from the media and the public, it is unsurprising that ministers and other public figures find themselves quoting management information in public forums, such as in parliament and in media interviews. You will be aware of the Office for Statistics Regulation's published [guidance](#) on the production and use of Management Information by government and other bodies during Covid19, an important aspect of which is equality of access. You have confirmed to us your commitment to this principle which I welcome.

I am very encouraged that Scottish Government has added detail to the visiting questions which ask boards for more information about care home safety. This seems to be a commendable initiative. I also welcome your commitment to make this data available as soon as possible with appropriate context and explanation to enable users to understand what the figures mean.

Sir David Norgrove, UK Statistics Authority Chairman is writing to Willie Rennie MSP to make him aware of this correspondence.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ed Humpherson', with a stylized flourish at the end.

Ed Humpherson  
Director General for Regulation