



Department  
of Health &  
Social Care

*From Helen Whately MP  
Minister of State for Care*

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Catherine West MP

By email: [catherine.west.mp@parliament.uk](mailto:catherine.west.mp@parliament.uk)

26 April 2021

Dear Catherine,

Thank you for your correspondence of 11 and 16 March about the closure of the Mary Fielding Guild Care Home. I apologise for the delay in replying, which has been caused by an unprecedented volume of correspondence throughout the pandemic.

I appreciate your concerns about the closure of the care home, and I am grateful to you for taking the time to raise them with me.

We know that situations such as this are worrying for residents and their families. We are clear that local authorities should have appropriate plans in place to minimise any disruption if a provider is no longer able to carry on operating, so that people continue to receive the care they need. Under the Care Act 2014, local authorities are required to shape their local markets, and ensure that people have a range of sustainable and person-centred care and support options available to them, and that they can access the services that best meet their needs. Local authorities also have a temporary duty to ensure continuity of care if a provider fails or exits the market. Those with care and support needs should be reassured that they should not suffer a gap in their care service, even if their care is funded privately.

Clauses about evictions should be clearly set out in the contracts that residents sign on entering the care homes. The legal minimum notice period is 28 days. This is set out in the Protection from Eviction Act 1977. Guidance on complying with the Consumer Protection Act issued by the Competition and Markets Authority clearly states that the resident, their representatives and any other relevant independent professional should be consulted, and eviction only occur after efforts have been made to meet the resident's care needs.

I understand the care provider in question is working closely with Haringey Council to ensure that all residents can move to new accommodation before the home closes. Local authorities are best placed to understand and plan for the care needs of their populations, and to develop and build local market capacity, and I note that you have raised your concerns direct with Zina Etheridge, the Chief Executive of Haringey Council. I would urge you to continue to engage with the Council about this matter.

I hope this reply is helpful.

**HELEN WHATELY**