



Department
of Health &
Social Care

*Karin Smyth MP
Minister of State for Health (Secondary Care)*

*39 Victoria Street
London
SW1H 0EU*

24th April 2026

Dear Alison,

Acknowledgement of call-in request: Permanent closure of Zachary Merton Hospital

Thank you for your letter of 2 March 2026 asking the Secretary of State to intervene in Sussex Community NHS Foundation Trust's decision to permanently close Zachary Merton Hospital. I understand that you have already received a reply to that letter, and I apologise for not acknowledging the request for ministerial intervention sooner.

I have asked my officials to look into the issues you have raised and to provide advice to Secretary of State on whether he should use the powers under Schedule 10A of the National Health Service Act 2006 to call in the decision by Sussex Community NHS Foundation Trust to permanently close Zachary Merton Hospital.

Ministerial intervention powers

You will appreciate that the Department of Health and Social Care (the Department) has to consider the use of the call-in power on the merits of each case. To support decision-making, the Department has published statutory guidance on the call-in powers (January 2024) which sets out how call-in requests may be considered.

As explained in the statutory guidance, it is likely that a reconfiguration will not be called in before:

- NHS commissioning bodies and local authorities have taken all reasonable steps to try to resolve any issues, and
- those making a request or others have tried to resolve any concerns through their local NHS commissioning body or have raised concerns with their local Health Overview and Scrutiny Committee.

To inform a decision on whether to call-in a proposal, Ministers may consider whether the proposed change meets at least one of the following criteria:

- there are concerns with the process that has been followed by the NHS commissioning body or NHS provider, or

- a decision has been made and there are concerns that a proposal is not in the best interests of the health service in the area.

In addition, Ministers may consider:

- whether the reconfiguration proposal is considered to be substantial, and
- the regional or national significance of an NHS service reconfiguration and the impact on the quality, safety or effectiveness of services.

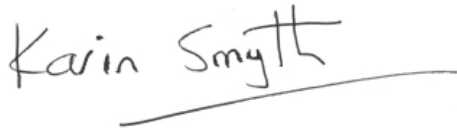
Decision to permanently close Zachary Merton Hospital

You have requested that ministers intervene in the decision to permanently close Zachary Merton Hospital as you have concerns about the process that has been followed, particularly with regard to consultation and engagement.

Next steps

The Department will now consider your request. As set out in the 2024 guidance, the Department may also need to seek further information from other parties in order to take a decision about whether to call-in the proposal. We will inform you of the final outcome of your request in due course.

Kind regards,

A handwritten signature in black ink that reads "Karin Smyth". The signature is written in a cursive style and is underlined with a single horizontal stroke.

KARIN SMYTH MP
MINISTER OF STATE FOR HEALTH