

Board of Directors

Pandemic Flu Preparedness- Exercise of Emergency Powers

Report of the Trust Secretary and Lead Director for Flu, Tom Bennett

1. Purpose

The purpose of this paper is to advise the Board of Directors that emergency powers were invoked on 24 September 2009. The Standing Orders and the Scheme of Delegation for the Trust allow emergency powers to be exercised when a decision which has been reserved to the Board of Directors needs to be actioned between board meetings. Standing Order paragraphs 4.2 and 4.3 state that

4.2 The powers which the Board has retained to itself within these Standing Orders (Standing Order 2.3) may in emergency be exercised by the Chief Executive and the Chairman after having consulted at least 50% of the Board of Directors of whom at least one must be an Executive Director and one a Non-Executive Director. The exercise of such powers by the Chief Executive and Chairman shall be reported to the next formal meeting of the Board for [noting](#).

4.3 The exercise of emergency powers should only take place following the advice of the Trust Secretary. Wherever possible, when matters need to be dealt with urgently between board meetings a telephone or video conference meeting should be held in which as many directors as possible participate. This allows directors the opportunity to discuss the matter and ask questions. Any director who cannot attend should still be sent the relevant papers and have the opportunity to give views to the chairman, another director or the Trust Secretary before the meeting. If the matter is routine and discussion is not necessary the approval of all the directors may be obtained by means of a written resolution. In all cases, however, the procedures should balance the need for urgency with the overriding principle that each director should be given as much information as possible, the time to consider it properly and an opportunity to discuss the matter prior to the commitment of the Trust.

2. Board Resolution

On the 1 September 2009 the Board agreed to delegate the review of Flu preparedness to Finance, Operations and Performance Committee (FOP) on the 24 September 2009.

FOP reviewed the Report on Pandemic Flu Preparedness and the Self-Assessment of Pandemic Preparedness, and as 75% of the Board were

present the statement below was approved using Emergency Powers on 24 September 2009.

PUBLIC STATEMENT OF PANDEMIC FLU READINESS

“Cambridge University Hospitals NHS Foundation Trust (CUH) has made appropriate preparations for a flu pandemic in line with Department of Health Planning Assumptions for Swine Flu. This includes significant investments in equipment to ensure we are able to deliver an increase in critical care capacity for adults and children. CUH has established leadership and governance to ensure the preparations and plans are reasonable and appropriate. These plans are co-ordinated as part of the overall response by the NHS and other government agencies.”

3. Proposal

The Board of Directors is asked to note the exercise of Emergency Powers as per Standing Order 4.2. and following full compliance with paragraphs 4.2 and 4.3.

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