

# Procedure for emergency powers and urgent decisions (Chief Executive and Chair's actions and Committee urgent matters)

## *Executive Summary:*

The procedure relating to urgent Board decisions is referred to as 'Chief Executive and Chair's action'. Chief Executive and Chair's action should only be used in "emergency" situations and/or time-critical situations. Similarly, Committees may also act on urgent matters arising between meetings of the Committee, in accordance with their terms of reference. This procedure outlines how requests for Chief Executive and Chair's action, and Committee's urgent matters should be managed.

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# Version history

The table below logs the history of the steps in development and amendment of the document.

Version	Date	Author	Status	Comment
0.1	1 March 2013	Vicky Pickles Director of Corporate Affairs	Draft	Presented to Board for review
1	1 March 2013	Vicky Pickles Director of Corporate Affairs	Final	Approved by Board on 1 March 2013
2	13 June 2019	Diane Allison, Company Secretary	Draft	<p>Updated roles,</p> <p>'Chief Executive and Chair's action' defined for purposes of procedural document,</p> <p>Added 'time-critical situations' in addition to emergency situations to include for example the need for action when compliance documents need urgent Board approval.</p> <p>Added paragraphs to the introduction section to acknowledge the requirement for Committee's urgent matters.</p> <p>Added a section 6 'Committee's urgent matters' which had previously been confused within section 5 (which is about Board urgent decisions).</p> <p>Dissemination section - role descriptions have been amended to include senior managers, rather than General Managers.</p> <p>Added a requirement to document the reason for the urgency of a decision and the actual decision made - included on the Chief Executive and Chair's action form (appendix A) and on the Committee's urgent matters form (appendix B).</p> <p>Added a 'Committee's urgent matters' form (appendix B) – which was previously confused within appendix A, which was multi-use</p>

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### **Appendices**

Appendix A **Form:** Requests for Chief Executive and Chair's actions

Appendix B **Form:** Requests for Committee's urgent matters

# **Procedure for emergency powers and urgent decisions (Chief Executive and Chair's actions and Committee urgent matters)**

## **1. Introduction**

- 1.1 Under Leeds Community Healthcare's Standing Orders, Board committees and other groups undertake work on behalf of the Board. At times it may be necessary for urgent matters that the Board, Board Committees and other groups would normally consider at meetings, to be dealt with between meetings. These matters would then be formally reported at subsequent meetings for ratification. For the purposes of this document, the procedure relating to such actions is referred to as 'Chief Executive and Chair's action'.
- 1.2 Chief Executive and Chair's action should only be used in "emergency" situations and/or time-critical situations. This procedure outlines how requests for Chief Executive and Chair's action should be managed.
- 1.3 The way in which the Board makes urgent decisions between meetings is set out in section 5.2 of the organisation's Standing Orders. This states:
- 'Emergency Powers and Urgent Decisions  
The powers which the Board has reserved to itself within these Standing Orders (see Standing Order 2.8 ) may in emergency or for an urgent decision be exercised by the Chief Executive and the Chair after having consulted at least two non-officer members. The exercise of such powers and decisions by the Chief Executive and Chair shall be reported to the next formal meeting of the Trust Board in public session for formal ratification.'*
- 1.4 To ensure there is a clear audit trail of any such decisions, the form contained at Appendix A should be used for urgent decisions by the Board.
- 1.5 Similarly, there are occasionally urgent matters requiring a Committee's consideration and action which arise between meetings of the Committee. The way in which a Committee takes urgent action between meetings is set out in its terms of reference, which are in accordance with the Trust's scheme of delegation.
- 1.6 To ensure there is a clear audit trail of any such actions, the form contained at Appendix B should be used for a Committee's urgent matters.

## **2. Aims and Objectives**

- 2.1 This document clearly sets out the procedure that should be followed when requesting Chief Executive and Chair's action and that such requests are dealt with in a consistent and traceable manner.

## **3. Scope of the Procedure**

- 3.1 This procedure must be followed by all Leeds Community Healthcare NHS Trust staff including those on temporary or honorary contracts, secondments, pool staff and students.

3.2 It applies to the Board, Board Committees and all groups within Leeds Community Healthcare NHS Trust.

#### **4. Accountability**

4.1 The Company Secretary will be responsible for monitoring compliance with and use of this procedure.

4.2 Directors will be responsible for ensuring that their staff make appropriate requests for Chief Executive and Chair's action and for Committee Chair's urgent matters and that these are reported to the next formal meeting of the Board / Committee.

4.3 The Company Secretary will be responsible for offering advice and support to staff.

#### **5. Procedure for Chief Executive and Chair's Action**

5.1 If a member of staff has an item that they consider is appropriate and sufficiently urgent to warrant requesting Chief Executive and Chair's action they should, in the first instance, obtain the approval of their Director.

5.2 A 'Request for Chief Executive and Chair's action form (see Appendix A) should be completed by the requester, including obtaining the signature of the responsible Director.

5.3 The completed form, together with a copy of the appropriate document/s should be submitted to the Company Secretary.

5.4 The Company Secretary will confirm that Chief Executive and Chair's action is appropriate.

5.5 If Chief Executive and Chair's action is not considered appropriate all the documentation will be returned to the originator with an explanation of why it is considered inappropriate.

5.6 The Company Secretary will contact the relevant people as described in the Standing Orders (section 5.2). to obtain their support for Chief Executive and Chair's action being taken. This will be the Chair, the Chief Executive and at least two non-officer members. Details of other members contacted, including Non-officer Members, will be recorded on the 'Request for Chief Executive and Chair's Action' form together with details of the next formal Board meeting that the Chief Executive and Chair's action will be reported to, for formal ratification.

5.7 Once a decision is made, the Company Secretary will advise the responsible officer of the approval of Chief Executive and Chair's action. The Company Secretary will then ensure that the item is presented for ratification at the next formal Board meeting.

5.8 The Company Secretary will retain a record of all Chief Executive and Chair's actions.

## **6. Committees' urgent matters**

- 6.1 The Chair of a Committee in consultation with at least one other member may act on urgent matters arising between meetings of the Committee. Any such action will be reported to the next Committee meeting, to be recorded in the meeting minutes and in the Chair's assurance report to the Board. The Committee's delegated decision making will be in accordance with the Trust's scheme of delegation as approved by the Board and as reflected in the Committee's terms of reference.
- 6.2 A Committee's urgent matters form (see Appendix B) should be completed by the requester, including obtaining the signature of the responsible Director.
- 6.3 The completed form, together with a copy of the appropriate document/s should be submitted to the Company Secretary.
- 6.4 The Company Secretary will confirm that the request for Committee's urgent matters is appropriate.
- 6.5 If is not considered appropriate for Committee's urgent matters, all documentation will be returned to the originator with an explanation of why it is considered inappropriate.
- 6.6 The Company Secretary will contact the relevant people as described in the terms of reference for the Committee to obtain their support for the Committee's urgent matters. This will be the Committee Chair and at least one other member of the Committee. Details of all members contacted, will be recorded on the 'Request for Committee's urgent matters form.
- 6.7 The completed form, together with a copy of the appropriate document/s must be submitted to the Company Secretary, who will ensure the item is presented at the next Committee meeting for information.
- 6.8 The Company Secretary will retain a record of all Committee's urgent matters forms.

## **7. Monitoring Compliance with and the Effectiveness of Procedural Documents**

- 7.1 The Company Secretary will monitor performance against this procedure.

## **8. Dissemination**

- 8.1 Once approved by the Board, this procedure will be disseminated to all Board members, senior managers, and Board and Committee administrative support.

## **9. Associated Documentation**

- 9.1 In all cases reference should be made to section 5.2 of the organisation's Standing Orders and the relevant section of the terms of reference for the Board Committees

**Appendix A**

**LEEDS COMMUNITY HEALTHCARE NHS TRUST**  
**REQUEST FOR CHIEF EXECUTIVE AND CHAIR'S ACTION**

The top part of this form should be completed and submitted, together with supporting documents, to the Company Secretary.

**SUBJECT** (please give a brief outline of the item that requires Chief Executive and Chair's action, describe why this is deemed to be an emergency or requiring an urgent decision, and provide a copy of any relevant papers):

**RESPONSIBLE DIRECTOR:**

**RESPONSIBLE MANAGER (if different):**

**DATE:**

-----  
(This part of the form will be completed by Company Secretary and a copy will be returned to the originator)

**APPROVAL BY CHIEF EXECUTIVE AND CHAIR:**

***Describe the decision made:***

Chief Executive Signature \_\_\_\_\_ Date \_\_\_\_\_

Chair Signature \_\_\_\_\_ Date \_\_\_\_\_

**CONSULTATION WITH OTHER MEMBERS:\***

1.Name \_\_\_\_\_ Date \_\_\_\_\_

2.Name \_\_\_\_\_ Date \_\_\_\_\_

To be ratified at [insert name of meeting) on \_\_\_\_\_ (insert date)

Copy returned to originator \_\_\_\_\_ (insert date)

\* For urgent Board matters at least two Non-Executive Directors should be consulted

**Appendix B**

**LEEDS COMMUNITY HEALTHCARE NHS TRUST  
COMMITTEE'S URGENT MATTERS**

The top part of this form should be completed and submitted, together with supporting documents, to the Company Secretary.

**SUBJECT** (please give a brief outline of the item that requires a Committee's urgent action, describe why this is deemed an urgent matter, and provide a copy of any relevant papers):

**RESPONSIBLE DIRECTOR:**

**RESPONSIBLE MANAGER (if different):**

**DATE:**

-----  
(This part of the form will be completed by Company Secretary and a copy will be returned to the originator)

**APPROVAL BY COMMITTEE CHAIR:**

***Describe the decision made:***

Committee Chair Signature \_\_\_\_\_

Date

**CONSULTATION WITH OTHER MEMBER(s):**

1.Name \_\_\_\_\_ Date \_\_\_\_\_

2.Name \_\_\_\_\_ Date \_\_\_\_\_

To be noted at [insert name of meeting] on \_\_\_\_\_ (insert date)

Copy returned to originator \_\_\_\_\_ (insert date)

\* For Committee's urgent matters at least one other Committee member should be consulted.