

National Health Service Act 2006 ("the Act")

NOTICE of exercise of intervention powers under section 52 of the Act

**To: The Board of Directors and The Board of Governors
Heatherwood and Wexham Park Hospitals NHS Foundation Trust
Wexham Park Hospital
Wexham Street
Slough
Berkshire
SL2 4HL**

1. On the basis of information made available to the Independent Regulator of NHS Foundation Trusts ("Monitor") by Heatherwood and Wexham Park Hospitals NHS Foundation Trust ("the Foundation Trust") and having taken into account representations made to Monitor by the Foundation Trust, Monitor is satisfied:
 - (1) that the Foundation Trust has contravened, and is failing to comply with its terms of Authorisation, in particular, Condition 2, which requires the Foundation Trust to exercise its functions "*effectively, efficiently and economically*"; and
 - (2) that the contravention and failure are significant under section 52(1) of the Act.
2. This Notice constitutes formal notification of the immediate exercise by Monitor of its statutory powers under section 52(3) and (4) of the Act.
3. Without prejudice to any further action which Monitor may take under the Act, Monitor:
 - (i) appoints with immediate effect Chris Langley as Interim Chairman of the Foundation Trust for such period or periods, and on such terms with respect to remuneration and allowances, as Monitor may direct; and
 - (ii) requires the Foundation Trust to appoint as Interim Medical Director, such person as Monitor may direct, for such period or periods, and on such terms with respect to remuneration and allowances, as Monitor may further direct.



**Dated 14 October 2009
William Moyes
Executive Chairman**

Annex to NOTICE dated 14 October 2009 of exercise of intervention powers under section 52 of the Act to:

Heatherwood and Wexham Park Hospitals NHS Foundation Trust (the Foundation Trust)

Currently Monitor has no reason for concerns as to the quality of the clinical care provided by the Foundation Trust to its patients.

The formal intervention relates at this stage to matters of strategic and operational leadership capacity. The Foundation Trust currently has a financial risk rating of 1, and forecasts that this rating will remain throughout the financial year 2009/10. The aim of this formal intervention is to assist the Foundation Trust in acquiring the leadership skills it will need in order to complete and then successfully deliver its recovery plan.

It is clear, in particular, that the Foundation Trust will need strong board and clinical leadership to design and then implement the level of organisational and resourcing change necessary to deliver against its plan.

Currently, the Foundation Trust has in place an acting Medical Director who will continue in the role until a longer term solution is identified and agreed at the earliest opportunity by Monitor working with the Foundation Trust. Under section 52 of the Act, Monitor may make interim appointments only.

Overall, intervention is a secure mechanism of ensuring that appropriate regulatory control is in place to help stabilise the Foundation Trust, assist in its successful recovery and to protect the services it provides for patients.