

Declarations required by General condition 6 and Continuity of Service condition 7 of the NHS provider licence

The board are required to respond "Confirmed" or "Not confirmed" to the following statements (please select 'not confirmed' if confirming another option). Explanatory information should be provided where required.

1 & 2 General condition 6 - Systems for compliance with licence conditions (FTs and NHS trusts)

- 1 Following a review for the purpose of paragraph 2(b) of licence condition G6, the Directors of the Licensee are satisfied that, in the Financial Year most recently ended, the Licensee took all such precautions as were necessary in order to comply with the conditions of the licence, any requirements imposed on it under the NHS Acts and have had regard to the NHS Constitution.

Confirmed

OK

3 Continuity of services condition 7 - Availability of Resources (FTs designated CRS only)

EITHER:

- 3a After making enquiries the Directors of the Licensee have a reasonable expectation that the Licensee will have the Required Resources available to it after taking account distributions which might reasonably be expected to be declared or paid for the period of 12 months referred to in this certificate.

Confirmed

OR

- 3b After making enquiries the Directors of the Licensee have a reasonable expectation, subject to what is explained below, that the Licensee will have the Required Resources available to it after taking into account in particular (but without limitation) any distribution which might reasonably be expected to be declared or paid for the period of 12 months referred to in this certificate. However, they would like to draw attention to the following factors (as described in the text box below) which may cast doubt on the ability of the Licensee to provide Commissioner Requested Services.

OR

- 3c In the opinion of the Directors of the Licensee, the Licensee will not have the Required Resources available to it for the period of 12 months referred to in this certificate.

Statement of main factors taken into account in making the above declaration

In making the above declaration, the main factors which have been taken into account by the Board of Directors are as follows:

The Board of Directors has identified key risks to financial, clinical and operational sustainability. The Board has declared concerns with regards to the consistent delivery of the 62 day cancer referral to treatment access standard, due to the continuous impact of patient choice, complexity of pathways and system wide pressures and challenges outwith its influence and control.

The Covid-19 pandemic, initially impacting in March 2020 and continuing into 2020/21, is recognised as a key risk to on-going delivery of both non elective and elective pathway delivery. The Trust has developed and implemented resilience plans to mitigate the risks, with further recovery plans underway to ensure sustainable delivery of the Trust's services. However, the significant impact has, and is predicted to continue to, affect performance against key access standards in 2020/21.


The Trust reported a surplus position in 2019/20 (after the inclusion of PSF and FRF) which was ahead of the plan / control total agreed with NHSE/I. Due to the CoVID pandemic the financial arrangements for 2020/21 cover the first four months of the financial year only. The Trust anticipates achieving a break-even position during the four months. The Trust is awaiting further guidance as to the arrangements for the remainder of the financial year.

Governance, mitigatory actions and assurance processes have been appropriately escalated within the Board Assurance Framework.

The Board of Directors is aware of internal and external risks which pose a threat to quality, service performance and financial balance, within the agreed NHS Improvement plan, and whilst mitigation is in place supported by enhanced accountability and governance frameworks, will continue to assess service delivery options and radical efficiency gains to mitigate and maintain assurance.

Signed on behalf of the board of directors, and, in the case of Foundation Trusts, having regard to the views of the governors

Signature



Name Paul Garvin

Capacity Chairman

Date 31 May 2020

Signature



Name Julie Gillon

Capacity Chief Executive

Date 31 May 2020

Further explanatory information should be provided below where the Board has been unable to confirm declarations under G6.