

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. Not confirmed

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 Trust has been classified by the Auditors as a 'going concern' and the accounts have been prepared on that basis. The Trust is judged to be a going concern if it is to continue in operation for the foreseeable future.

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 Sir David Henshaw
 Capacity Chairman
 Date 24th June 2020

Signature 
 Name Janelle Holmes
 Capacity Chief Executive
 Date 24th June 2020

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

NHSI has found the Trust to be in breach of licence conditions FT4 in relation to financial sustainability and A&E performance. NHSI also invoked the additional licence condition under section 111 following the resignation of the Chair in February 2018 which led to the appointment of an interim Chair. In February 2019 the Trust appointed a substantive Chair.