

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

Please complete the explanatory information in cell E36

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

Please fill details in cell E22

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's financial operational plans, CIP programme and working capital requirements are under continued review. The Trust has an improved I and E and cashflow position since last years' declaration. In addition, whilst COVID will impose additional pressures on the Trusts resources in the first half of 2020/21, NHS Trusts are assured by central government and NHS/E that resources will be made available to deal with the crisis. The situation is closely monitored by the Board..

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

Signature

Y. H. Buckland

Signature

D. Wake

Name

Yve Buckland

Name

Diane Wake

Capacity

Chairman

Capacity

Chief Executive Officer

Date

30th June 2020

Date

30th June 2020

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

The Trust has entered into enforcement undertakings that acknowledge that it is in breach of its licence condition. The undertakings entered into by the Trust are set out a letter signed by the Trust and NHS/E in February 2020, details of which were considered by the Board at its February 2020 meeting. In summary, the Trust received a Section 31 notice arising from the CQC inspection between January and February 2019 and a further Section 31 notice from the CQC in July 2019. However in August 2019 the CQC did remove one section31 notice in relation to clinical review in the Emergency department. The existing S31 notices are being reviewed by the CQC with the intention to advise if they can be removed based on the assurance from the monthly data submissions. In addition, in relation to operational performance the Undertakings cite delivery against the four hour emergency care standard, the 62 day cancer