

Declarations required by General condition 6 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

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 confirms this non-compliant position on account of the fact that it has agreed undertakings with NHSEI since 2019 (updated in 2021). Although significant work has been undertaken to address the issues outlined by the undertakings, with relevant improvement plans and governance mechanisms in place, the Trust has not yet received a certificate of compliance from the regulator. It cannot therefore at this stage record confirmation of full compliance with condition G6.

The Trust acknowledges its exit from special measures in April 2020 which demonstrates its positive trajectory of improvement. At the same time, the Trust continues to focus on service and financial sustainability and improvements to systems of internal control whilst recognising that the Head of Internal Audit returned an opinion of limited assurance for 2020/21.

The Board regularly reviews strategic risks and mitigations through the Board Assurance Framework and annually sets its risk appetite. During 2020/21 the Board has also focussed on the additional risks presented by the Covid-19 pandemic and its related impacts.

The effectiveness of internal control systems and processes are reviewed on an annual basis and documented within the Annual Governance Statement as presented to the Audit & Risk Committee and incorporated within the Trust Annual Report. The Trust has due regard to the requirements of the NHS Constitution in all of the above.

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

Signature

Signature

Name Mairi McLean

Name Kate Shields

Capacity Chairwoman of the Board of Directors

Capacity Chief Executive

Date 06 May 2021

Date 06 May 2021

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

As above