То:		Trust Board
From:		Stephen Ward, Director of Corporate & Legal Affairs
Date:		20 th December 2013
CQC regulation:		N/A
Title:	NHS trust oversight self certification	

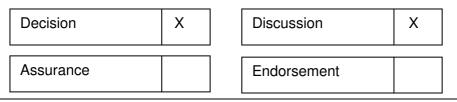
Author/Responsible Director: Helen Harrison, FT Programme Manager / Stephen Ward, **Director of Corporate & Legal Affairs**

Purpose of the Report:

At the beginning of April 2013, the NHS Trust Development Authority (NTDA) published a single set of systems, policies and processes governing all aspects of its interactions with NHS trusts in the form of 'Delivering High Quality Care for Patients: The Accountability Framework for NHS Trust Boards'.

In accordance with the Accountability Framework, the Trust is required to complete two self certifications in relation to the Foundation Trust application process. Copies of the November 2013 self certifications are attached as Appendix A and B.

The Report is provided to the Board for:



Summary / Key Points:

Subject to discussion at the December 2013 Trust Board meeting on matters relating to operational and financial performance, it is proposed that the December 2013 self certification against Monitor Licensing Requirements (Appendix A) and Trust Board Statements (Appendix B) be updated following the Trust Board meeting and submitted to the NHS Trust Development Authority accordingly

Recommendations:

The Trust Board is asked to provide the Director of Corporate and Legal Affairs with the delegated authority to agree a form of words with the Chief Executive in respect of the December 2013 self certifications (Appendix A and B), to be updated following the Trust Board meeting and submitted to the NHS Trust Development Authority accordingly

Performance KPIs year to date: N/A

Previously considered at another corporate UHL Committee? No

Strategic Risk Register: No

Resource Implications (eg Financial, HR): No

Assurance Implications: Yes

Patient and Public Involvement (PPI) Implications: No

Stakeholder Engagement Implications: No

Equality Impact: None

Information exempt from Disclosure: None

Requirement for further review? All future trust oversight self certifications will be presented to the Trust Board for approval



NHS Trust

NHS TRUST DEVELOPMENT AUTHORITY



OVERSIGHT: Monthly self-certification requirements - Compliance Monitor Monthly Data.

CONTACT INFORMATION:

Enter Your Name:	John Adler			
Enter Your Email Address	john.adler@uhl-tr.nhs.uk			
Full Telephone Number:	01162588940	Tel Extension:	8940	

SELF-CERTIFICATION DETAILS:

Select Your Trust: University Hospitals Of Leicester NHS Trust Submission Date: 29/11/2013 Reporting Year: 2013/14 Select the Month April May O June O July August September • October November O December January February March

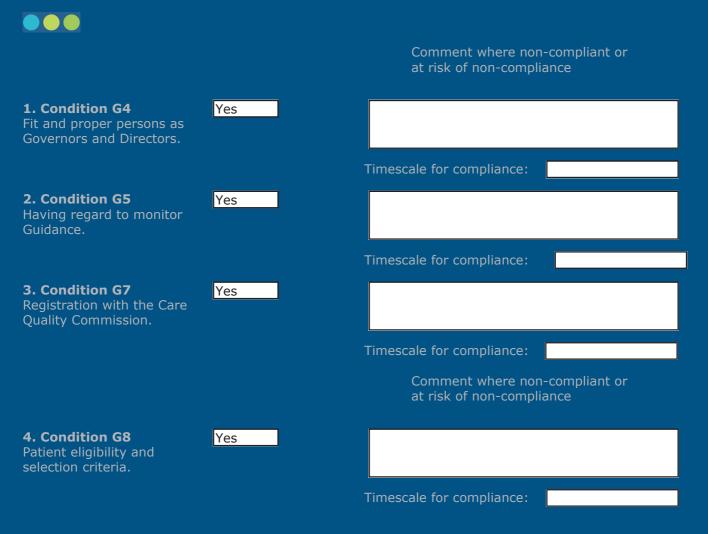
COMPLIANCE WITH MONITOR LICENCE REQUIREMENTS FOR NHS TRUSTS:



- **1. Condition G4** Fit and proper persons as Governors and Directors (also applicable to those performing equivalent or similar functions).
- **2. Condition G5** Having regard to monitor Guidance.
- **3. Condition G7** Registration with the Care Quality Commission.
- 4. Condition G8 Patient eligibility and selection criteria.
- **5.** Condition **P1** Recording of information.
- **6. Condition P2** Provision of information.
- 7. Condition P3 Assurance report on submissions to Monitor.
- 8. Condition P4 Compliance with the National Tariff.
- **9. Condition P5** Constructive engagement concerning local tariff modifications.
- **10. Condition C1** The right of patients to make choices.
- 11. Condition C2 Competition oversight.
- **12. Condition IC1** Provision of integrated care.

Further guidance can be found in Monitor's response to the statutory consultation on the new NHS provider licence: <u>The new NHS Provider Licence</u>

COMPLIANCE WITH MONITOR LICENCE REQUIREMENTS FOR NHS TRUSTS:



Comment where non-compliant or 5. Condition P1 Yes Recording of information. 6. Condition P2 Yes 7. Condition P3 Yes Assurance report on submissions to Monitor. 8. Condition P4 Yes Compliance with the 9. Condition P5 Yes Constructive engagement concerning local tariff modifications.



NHS TRUST DEVELOPMENT AUTHORITY



OVERSIGHT: Monthly self-certification requirements - Board Statements Monthly Data.

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CLINICAL QUALITY FINANCE GOVERNANCE

The NHS TDA's role is to ensure, on behalf of the Secretary of State, that aspirant FTs are ready to proceed for assessment by Monitor. As such, the processes outlined here replace those previously undertaken by both SHAs and the Department of Health.

In line with the recommendations of the Mid Staffordshire Public Inquiry, the achievement of FT status will only be possible for NHS Trusts that are delivering the key fundamentals of clinical quality, good patient experience, and national and local standards and targets, within the available financial envelope.

BOARD STATEMENTS:



For CLINICAL QUALITY, that

1. The Board is satisfied that, to the best of its knowledge and using its own processes and having had regard to the TDA's oversight model (supported by Care Quality Commission information, its own information on serious incidents, patterns of complaints, and including any further metrics it chooses to adopt), the trust has, and will keep in place, effective arrangements for the purpose of monitoring and continually improving the quality of healthcare provided to its patients.

1. CLINICAL QUALITY Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	



For CLINICAL QUALITY, that

2. The board is satisfied that plans in place are sufficient to ensure ongoing compliance with the Care Quality Commission's registration requirements.

2. CLINICAL QUALITY Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	

BOARD STATEMENTS:



For CLINICAL QUALITY, that

3. The board is satisfied that processes and procedures are in place to ensure all medical practitioners providing care on behalf of the trust have met the relevant registration and revalidation requirements.

3. CLINICAL QUALITY Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	





For FINANCE, that

4. The board is satisfied that the trust shall at all times remain a going concern, as defined by the most up to date accounting standards in force from time to time.

4. FINANCE Indicate compliance.	Yes		
Timescale for compliance:			
RESPONSE:			
Comment where non- compliant or at risk of non- compliance			

BOARD STATEMENTS:



For GOVERNANCE, that

5. The board will ensure that the trust remains at all times compliant with the NTDA accountability framework and shows regard to the NHS Constitution at all times.

5. GOVERNANCE Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	



6. All current key risks to compliance with the NTDA's Accountability Framework have been identified (raised either internally or by external audit and assessment bodies) and addressed – or there are appropriate action plans in place to address the issues in a timely manner.

6. GOVERNANCE

Indicate compliance.

Timescale for compliance:

RESPONSE:

Comment where noncompliant or at risk of noncompliance .____.

Risk

28/11/2013

The Trust has reported to the NTDA that it is £19.5m adverse to plan as at month 7. Urgent discussions continue with the NTDA and commissioners regarding the year end forecast. The Trust has commissioned independent advice to assist in verifying the financial position and forecast. A special Board meeting will be held on 13th December 2013 to agree the submission to the NTDA due on 16th December 2013. The financial forecast will be reported publicly to the Trust Board on 20th December 2013.

BOARD STATEMENTS:



For GOVERNANCE, that

7. The board has considered all likely future risks to compliance with the NTDA Accountability Framework and has reviewed appropriate evidence regarding the level of severity, likelihood of a breach occurring and the plans for mitigation of these risks to ensure continued compliance.

7. GOVERNANCE Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	



8. The necessary planning, performance management and corporate and clinical risk management processes and mitigation plans are in place to deliver the annual operating plan, including that all audit committee recommendations accepted by the board are implemented satisfactorily.

8. GOVERNANCE Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	

BOARD STATEMENTS:



For GOVERNANCE, that

9. An Annual Governance Statement is in place, and the trust is compliant with the risk management and assurance framework requirements that support the Statement pursuant to the most up to date guidance from HM Treasury (<u>www.hm-treasury.gov.uk</u>).

9. GOVERNANCE Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	



10. The Board is satisfied that plans in place are sufficient to ensure ongoing compliance with all existing targets as set out in the NTDA oversight model; and a commitment to comply with all known targets going forward.

10. GOVERNANCE

Indicate compliance.

Timescale for compliance:

No

investigated

RESPONSE:

Comment where noncompliant or at risk of noncompliance

01/04/2014	
JHL is currently non compliant with the ED 4 hour wait target and the Refer to Treatment (RTT) - admitted and non-admitted targets.	ral
The Trust is working towards sustainable compliance with the ED target. An	
Emergency Care Improvement Hub has been established, which brings toge	ther
partners from across health and social care.	
The formal agreement of a RTT plan by commissioners remains outstanding nitial RTT action plan was submitted to commissioners on 14th August 2013	3
and a revised plan was subsequently submitted on 11th September 2013. /	As 🛛
requested, we have submitted a further recovery plan to commissioners on	
28th November 2013. Recovery of the RTT admitted and non-admitted targ	
s expected by 2014/15. Previous reported performance appears to have be	en 📘
enhanced by not taking patients in chronological order. This is being	

BOARD STATEMENTS:



For GOVERNANCE, that

11. The trust has achieved a minimum of Level 2 performance against the requirements of the Information Governance Toolkit.

11. GOVERNANCE Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	



12. The board will ensure that the trust will at all times operate effectively. This includes maintaining its register of interests, ensuring that there are no material conflicts of interest in the board of directors; and that all board positions are filled, or plans are in place to fill any vacancies.

12. GOVERNANCE Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	

BOARD STATEMENTS:



For GOVERNANCE, that

13. The board is satisfied that all executive and non-executive directors have the appropriate qualifications, experience and skills to discharge their functions effectively, including setting strategy, monitoring and managing performance and risks, and ensuring management capacity and capability.

13. GOVERNANCE Indicate compliance.	Yes
Timescale for compliance:	
RESPONSE:	
Comment where non- compliant or at risk of non- compliance	



14. The board is satisfied that: the management team has the capacity, capability and experience necessary to deliver the annual operating plan; and the management structure in place is adequate to deliver the annual operating plan.

14.	GOV	ERN	NCE
Indi	cate	compl	liance

Timescale for compliance:

RESPONSE:

Comment where noncompliant or at risk of noncompliance

