

## Appendix 1

### Declaration on Licence Condition CoS7

This self-certification makes a declaration about the year ahead and that the Trust will have sufficient resources to continue providing commissioner requested services (CRS).

CRS are essential services which must continue to be provided locally should the current provider fail, because:

1. either there is no alternative provider close enough; or
2. removing them would increase health inequalities; or
3. removing them would make dependent services unviable

The Trust is asked to approve one of the following statements for CoS7:

### Continuity of services condition 7 - Availability of Resources

#### 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.

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.

It is proposed that the Trust selection statement **3b**.

- By way of explanation for choosing 3b, the Trust will add the following statement:

*Given the current changes in the financial regime from the Centre on financing in the NHS for 2022/23, as the UK moves out of its response to Covid-19 pandemic, the Trust is confident it will have the resources for the next 12 months, however funding is challenged across the system and additional shocks to the economy cannot be reliably predicted. The Trust cannot be certain it will have sufficient funding; however, it is expecting it will. The Trust will know more once all budgets for the system have been completed and submitted.*

# 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 & General condition 6 - Systems for compliance with licence conditions 2 (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

## 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.

**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.

Confirmed

**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:

Key assumptions are that:

Given the current changes in the financial regime from the Centre on financing in the NHS for 2022/23, as the UK moves out of its response to Covid-19 pandemic, the Trust is confident it will have the resources for the next 12 months, however funding is challenged across the system and additional shocks to the economy cannot be reliably predicted. The Trust cannot be certain it will have sufficient funding; however it is expecting it will. The Trust will know more once all budgets for the system have been completed and submitted.