

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.

[Empty box for details]

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.

[Empty box for details]


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:

Whilst the Trust remains in deficit as a Trust this is within a Devon ICS plan that has been approved by regulators. Whilst the plan requires a significant and challenging savings programme the Trust recognises there is a plausible plan to support this and will be prioritising delivery of the 2023/24 financial and operating plan as a key commitment. The Trust will also be using the QIA process to ensure no detrimental impact to patient safety through the delivery of this plan. In regards to Transformation system programmes of work any impact on the services of the Trust will be managed in a way that still provides access to services for the patient population, recognising we may be looking at resourcing and capacity across the whole of the Devon system to ensure the most effective use of the scarce resources we have, particularly in areas of vulnerable services.

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: Shan Morgan

Name: Chris Tidman

Capacity: Chair

Capacity: Deputy Chief Executive

Date: 30.06.23

Date: 30.06.23

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

The Trust is currently in SOF4 and continues to work closely with NHSE who have agreed a recovery plan which has been in place for a number of months. Whilst the plan is robust the Board cannot confirm at this time that the recovery plan has been effective in addressing all of the issues. The Board believes that with the processes and structures in place that it will get to a point of being able to "confirm" for next years return.