

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.

Confirmed

OK

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.

Please Respond

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.

Please Respond

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.

Please Respond

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:

ELHT is not a Foundation Trust, so we have not responded to question 3a, 3b and 3c as they are not applicable.

The Trust has worked within its ICS to determine H1 plans for the period April to September 2021 and is reporting a break-even financial performance inclusive of monthly block payment, a monthly top-up payment, a funding application for COVID related expenditure and Elective recovery funding.

At the time of this declaration, the key financial risk facing the Trust in this declaration is that no further guidance on the financial funding mechanism for the period October 2021 to March 2022 and beyond has been issued.

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

Signature

Eileen Fairhurst

Name: Professor Eileen Fairhurst

Capacity: Chairman

Date: 14 July 2021

Signature

Mr Kevin McGee

Name: Mr Kevin McGee

Capacity: Chief Executive

Date: 14 July 2021

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