

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.

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.

[Greyed out box]

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.

[Greyed out box]

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:

Oxleas NHS Foundation Trust ended the 2021/22 financial year at £0.4m before profit on sale of assets and £0.8m if this was included; this was £0.4m better than plan, which is calculated before any profit on sale of assets. The approved plan for 2022/23 is a breakeven position net of a £13.5m cost improvement plan (CIP). In 2021/22, the trust received circa £12.0m new investments in mental health and another £1.9m uplift in community physical investment. The trust was also awarded a number of smaller investments for specific programmes. The majority of these investments are yet to be recruited into fully. In addition, the trust has received another £7.5m mental health investment and £2.8m community physical uplift for the 2022/23 financial year. Some of these investments cover spend that are already in our run rate and would mitigate where these were presenting us with a pressure. Like last year, the trust's plan has assumed expectation that slippage from vacant posts will mitigate the need to deliver some element of the CIP target. The trust was also successful in a number of prison contract bids as well as the continued delivery of the devolved NHS England (NHSE) budget for adult secure forensics services. These come with some contribution to the trust bottom line. The above combined with tighter fiscal programmes in collaboration with south east London Integrated Care System are the basis for confirming our continuity of service.

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

Signature

Andrew Trotter

Signature

Ify Okocha

Name: Andrew Trotter

Name: Ify Okocha

Capacity: Trust Chair

Capacity: Chief Executive

Date: 17 May 2022

Date: 17 May 2022

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

[Empty box for further explanatory information]