

TRUST BOARD PUBLIC – JULY 2013

Agenda Item Number: 129/13
Enclosure Number: (5)

Subject:	NHS TDA Self Certification return for June 2013
Prepared by: Sponsored by: Presented by:	<i>Brian Courtney, Interim Company Secretary</i> <i>Ursula Ward, Chief Executive</i> <i>Brian Courtney, Interim Company Secretary</i>
Purpose of paper	For the Board to consider the Self-Certification return to the NHS Trust Development Authority
Key points for Trust Board members <i>Briefly summarise in bullet point format the main points and key issues that the Trust Board members should focus on including conclusions and proposals</i>	<ul style="list-style-type: none"> • Position is broadly unchanged from the May submission • Note the revised submission timetable for the remainder of 2013 • Note the Executive Leads identified for each compliance and Board Statement
Options and decisions required <i>Clearly identify options that are to be considered and any decisions required</i>	Board are asked to consider draft Self Certification submission, and accept or amend in the light of discussion
Next steps / future actions: <i>Clearly identify what will follow the Trust Board's discussion</i>	Self-Certification will be submitted to the NHS Trust Development Authority on 31 July.
Consideration of legal issues (including Equality Impact Assessment)?	Considered and none apparent
Consideration of Public and Patient Involvement and Communications Implications?	Not applicable

Links to Portsmouth Hospitals NHS Trust Board Strategic Aims, Assurance Framework/Corporate Risk Register

Strategic Aim	Strategic aim 5: Develop sufficient financial strengths to adapt to change and invest in the future.
BAF/Corporate Risk Register Reference (if applicable)	5.1
Risk Description	Inability to achieve Foundation Trust status within the agreed timetable
CQC Reference	26

Committees/Meetings at which paper has been approved:	Date
EMT	8/7 and 22/7/2013

Oversight Submission Timetable for Trusts 2013 / 14

Indicative data for:	Submission of Self Certification Returns
April 2013*	17 May 2013**
May 2013	17 June 2013**
June 2013	31 July 2013
July 2013	30 August 2013
August 2013	30 September 2013
September 2013	31 October 2013
October 2013	29 November 2013
November 2013	31 December 2013
December 2013	31 January 2014
January 2014	28 February 2014
February 2014	31 March 2014
March 2014	30 April 2014

Trust Development Authority - Monthly Self-Certification Requirements

June 2013

Board statements

For each statement, the Board is asked to confirm that:

	For Clinical Quality, that	Response	Comment	Timetable to achieve Compliance	Executive Lead
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 regime (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.	YES			JD
2	The board is satisfied that plans in place are sufficient to ensure ongoing compliance with the Care Quality Commission's registration requirements.	YES			JD
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.	YES			SH
	For Finance, that				
4.	The board is satisfied that the trust shall at all times remain a going concern, as defined by relevant accounting standards in force from time to time.	YES			BL
	For Governance, that				
5	The board will ensure that the trust remains at all	YES			UW/BC

	times compliant with the NTDA accountability framework and shows regard to the NHS Constitution at all times.				
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	YES			UW/BC/JD
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 occurrence and the plans for mitigation of these risks.	YES			UW/BC/JD
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.	YES			BL/CW/JD
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 (www.hm-treasury.gov.uk).	YES			BL
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 commissioned targets going forward.	NO	The Trust is currently failing to meet the 4hr waiting times target in A&E. The Trust is working with local partners and ECIST to implement action plans to restore performance to above 95%.	30/9/2013	CW
11	The trust has achieved a minimum of Level 2 performance against the requirements of the Information Governance Toolkit.	NO	The Trust continues to work on its essential skills programme to achieve and maintain the target of 95% of staff	31/10/2013	PM

			trained on information governance. Progress is being made towards delivery of 95% (the only element on which the Trust is not compliant with Level 2 of the Toolkit)		
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.	YES			BC
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.	YES			UW
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.	YES			UW

Compliance with monitor licence requirements for NHS Trusts:

	Licence Condition	Compliance	Comment	Executive Lead
1	Condition G4 – Fit and proper persons as governors and Directors	YES		UW/BC
2	Condition G5 - Having regard to Monitor guidance	YES		BC
3	Condition G7 – Registration with the Care Quality Commission	YES		JD
4	Condition G8 – Patient Eligibility and selection criteria	YES		CW
5	Condition P1 - Recording of information	YES		BL
6	Condition P2 - Provision of information	YES		BL
7	Condition P3 - Assurance report on submissions to monitor	YES		BL
8	Condition P4 - Compliance with the National Tariff	YES		BL
9	Condition P5 - Constructive engagement concerning local tariff indicators	YES		BL
10	Condition C1 - The right of patients to make choices	YES		JD
11	Condition C2 - Competition oversight	YES		BL
12	Condition IC1 – Provision of integrated care	YES		CW

Chief Executive:

Chair:

Date:

Date of submission to TDA website: