

This template may be used by Foundation trusts and NHS trusts to record the self-certifications that must be made under their NHS Provider Licence.  
You do not need to return your completed template to NHS Improvement unless it is requested for audit purposes.

## Self-Certification Template - Condition FT4

Oxford Health NHS Foundation Trust



Foundation Trusts and NHS trusts are required to make the following self-certifications to NHS Improvement:

*Corporate Governance Statement - in accordance with Foundation Trust condition 4 (Foundations Trusts and NHS trusts)*  
*Certification on training of Governors - in accordance with s151(5) of the Health and Social Care Act (Foundation Trusts only)*

These self-certifications are set out in this template.

### **How to use this template**

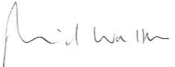

- 1) Save this file to your Local Network or Computer.
- 2) Enter responses and information into the yellow data-entry cells as appropriate.
- 3) Once the data has been entered, add signatures to the document.

Corporate Governance Statement (FTs and NHS trusts)

The Board are required to respond "Confirmed" or "Not confirmed" to the following statements, setting out any risks and mitigating actions planned for each one

Corporate Governance Statement	Response	Risks and Mitigating actions
1 The Board is satisfied that the Licensee applies those principles, systems and standards of good corporate governance which reasonably would be regarded as appropriate for a supplier of health care services to the NHS.	Confirmed	Risk: Governance framework and supporting structures not fit for purpose adversely affecting good corporate governance and decision making. Mitigation: Governance committee framework approved by Board which also in particular through sub committees takes account of CQC focus on fundamental standards of care. Trust's internal audit function which reports to the Audit Committee reviews and makes recommendations on the effectiveness of internal controls across a risk based rolling programme to cover the control environment. Audit Committee and Board annual review of compliance with Code of Governance (best practice in corporate governance) as part of Annual Report and External Audit's review of auditable sections and opinion. Robust scrutiny annually of the Annual Governance Statement as part of the Annual Report (Audit Committee, External Auditors and Board). Trust's Well Led Governance Review 2017, PwC and Board's own self assessment and true for us review early 2022 and work regarding 'journey to outstanding'. (CQC Well Led review 2018 and 2019 'good' outcome, and 'good' overall 2019). Board Development activity 2021 and 2022 to improve its own effectiveness.
2 The Board has regard to such guidance on good corporate governance as may be issued by NHS Improvement from time to time	Confirmed	Risk: Board members unaware of guidance in a timely manner affecting compliant status. Mitigation: DoCA/Company Secretary "horizon scans" and prepares monthly legal/statutory/regulatory updates to Board on such guidance both in and out of session to include updates on Trust position against requirements. DoCA/Company Secretary on NHSJ circulation list so receives early notification of NHS guidance/consultations/bulletins on governance, the same applying to membership of NHS Providers and other legal/regulatory networks. Board assesses compliance with Code of Governance as part of processes for Annual Report. Board/Board Committee Reports when appropriate clarify regulatory and legal obligations (eg NRATS committee reporting cover sheets). Chief Medical Officer is lead executive of the MHA and Law Committee and keeps the Board apprised of matters concerning MHA, DoLS and MCA. Policy and Standard Operating Procedure frameworks safeguard compliance with existing statute and regulation and incident and complaint investigations triangulate trends and themes which might identify non compliance with policy and mandatory frameworks.
3 The Board is satisfied that the Licensee has established and implements: (a) Effective board and committee structures; (b) Clear responsibilities for its Board, for committees reporting to the Board and for staff reporting to the Board and those committees; and (c) Clear reporting lines and accountabilities throughout its organisation.	Confirmed	Risk: Governance framework and supporting structures not fit for purpose adversely affecting good corporate governance and accountability controls. Annual Report and committee annual reports, approved by Board focus across the depth and breadth of committee workplans and CQC fundamental standards/core domains providing opportunity for Board to scrutinise the work, and assess the effectiveness of the Committees and the overall structure and responsibilities of committees. Trust's internal audit function which reports to the Audit Committee reviews and makes recommendations on the effectiveness of internal controls across a rolling programme of audit plans to cover. Information above in 1. re governance framework also applies. Approved Terms of Reference extant for all Board Committees outlining responsibilities; Scheme of Delegation and Reservation of Powers to Board in place (relevant but due for review). Detail of AGS, audited by the External Auditor includes the work of the committees and minutes of Board committees circulates alongside escalations from Committees to Board which includes following each meeting. Directorate reorganisation implementation ensures clarity of accountabilities and reporting and enhanced clinical governance structures have been implemented. As a minimum NED Chairs and Lead Executives agree the agendas and focus of each Board Committee meeting. New Monthly Executive Committee with cross directorate membership, OMT, WRM and Directorate governance meetings, with escalation routes.
4 The Board is satisfied that the Licensee has established and effectively implements systems and/or processes: (a) To ensure compliance with the Licensee's duty to operate efficiently, economically and effectively; (b) For timely and effective scrutiny and oversight by the Board of the Licensee's operations; (c) To ensure compliance with health care standards binding on the Licensee including but not restricted to standards specified by the Secretary of State, the Care Quality Commission, the NHS Commissioning Board and statutory regulators of health care professions; (d) For effective financial decision-making, management and control (including but not restricted to appropriate systems and/or processes to ensure the Licensee's ability to continue as a going concern); (e) To obtain and disseminate accurate, comprehensive, timely and up to date information for Board and Committee decision-making; (f) To identify and manage (including but not restricted to manage through forward plans) material risks to compliance with the Conditions of its Licence; (g) To generate and monitor delivery of business plans (including any changes to such plans) and to receive internal and where appropriate external assurance on such plans and their delivery; and (h) To ensure compliance with all applicable legal requirements.	Confirmed	Risk: Failure to put effective governance (both corporate and clinical) arrangements in place may lead to: poor oversight at Board level of risks and challenges; strategic objectives not being established or structures not in place to achieve those objectives; or appropriate structures and processes not in place to maintain the Trust's reputation and accountability to its stakeholders. Mitigations: The governance framework includes both a Finance & Investment Committee and an Audit Committee which have roles in ensuring the Trust operates efficiently, economically and effectively and has roles in reviewing the Trust's financial decision-making, management and control and going concern status. The Board receives reporting on performance and operational matters at each meeting in public. In addition, the Trust's internal audit function which reports to the Audit Committee reviews and makes recommendations on the Trust's clinical and corporate governance regimes and information management systems. The External Auditor's Opinion comes out of work by the auditor to assess efficiency and value for money through effective use of resources. The Board monitors NHS's use of resources rating. Regular monitoring of financial performance and prospective views of performance against plan. The DoCA/Company Secretary's office maintains work plans for Board, Council and committees which set out when reports / information are required allowing an effective business cycle to be followed. The Board Assurance Framework sets all material risks to the Trust achieving its strategic objectives which inherently includes compliance with licence conditions; the BAF is reviewed by Board and its Committees. Committees review areas of key risk such as mental health act compliance with legal update reports going to Board and Charity Committee. The Trust has retained legal solicitors and relevant Trust departments have responsibility for managing legal risks.  Risk: Failure to (i) meet quality standards for clinical care; (ii) continuously improve care quality and safety; and/or (iii) engage patients and carers in that care, could result in patient harm, impaired outcomes, and poor experience. Some of the mitigating actions include: model of care and standard operating procedures (SOPs); clinical and managerial leaders focusing on achieving standards; day-to-day operational management structures, effective team working and evidence of training for team-based approaches; optimal staffing levels closely monitored and reported; processes to pick up exceptions/variations and for staff to raise concerns to include through the Whistleblowing policy and Speak Up Guardian; improvement initiatives including proactive wards, safer care programme, patient experience feedback, patient advice and liaison service feedback; feedback of patient experience (received through a mixed medium of postal feedback and also real-time feedback / PALS / iWantGreatCare/staff and patient services)
5 The Board is satisfied that the systems and/or processes referred to in paragraph 4 (above) should include but not be restricted to systems and/or processes to ensure: (a) That there is sufficient capability and Board level to provide effective organisational leadership on the quality of care provided; (b) That the Board's planning and decision-making processes take timely and appropriate account of quality of care considerations; (c) The collection of accurate, comprehensive, timely and up to date information on quality of care; (d) That the Board receives and takes into account accurate, comprehensive, timely and up to date information on quality of care; (e) That the Licensee, including its Board, actively engages on quality of care with patients, staff and other relevant stakeholders and takes into account as appropriate views and information from these sources; and (f) That there is clear accountability for quality of care throughout the Licensee including but not restricted to systems and/or processes for escalating and resolving quality issues including escalating them to the Board where appropriate.	Confirmed	Risk: Board does not have sustained capability or expertise to lead the quality of care delivery in current climate. Mitigation: Chief Executive accountable for the Executive Director composition and performance, and reports to Board, through Remuneration Committee on same. The Board composition of NEDs and EDs has been strengthened over the last 2 years. The Chief Nurse has lead responsibility for quality and reports to Board on these matters supported by the Chief Medical Officer. The Chairman regularly reviews the whole Board composition to ensure the skill mix and experience is appropriate and balanced through the work of the Governor and NED Nominations and Remuneration Committees whose succession planning responsibilities are clearly fulfilled in ToR operationally led by the DoCA/Company Secretary. Robust processes and defined panel compositions for recruitment of NEDs and EDs.  See above re risk and mitigation regarding governance frameworks.  Risk: Failure to protect the information we hold as a result of ineffective information governance and/or cyber security could lead to personal data and information being processed unlawfully (with resultant legal or regulatory fines or sanctions), cyber-attacks which could compromise the Trust's infrastructure and ability to deliver services and patient care; data loss or theft affecting patients, staff or finances; reputational damage Mitigation: Dedicated departments, reporting to Executive Directors that have responsibility for information management. The Trust's internal audit function which reports to the Audit Committee reviews and makes recommendations on the management of information. Specific reports on Cyber Security overseen along with Board training activity on same. The Board receive regular reports on quality performance and the Board scrutinises the reliability of data through this. Work is progressing to enhance the quality of data. - development of internal data warehouse; quality account priority to develop quality dashboard and standard operating procedures for data to assure data quality and reliability; benchmarking of data and performance against other trusts improving triangulation of data to assess validity and accuracy. Data Trust Strategy progressed through the Board and the CoG strategy session and to be approved by Board (circa July 2021). DPO and Deputy DPO lead on the DP Impact Assessment process aligned to business/process change along with the CIA for service change led by the CN and CMO. The implementation of Carenotes/EHR includes activity to improve and safeguard the quality and accessibility of data. Progress with Performance Framework and SLR monitored to satisfactory completion and leading to the introduction of the Integrated Performance Framework.  Risk that there is not an agreed and clear system for escalating and resolving quality issues. The mitigation is that the Trust has processes to identify, report and investigate incidents and complaints, and the Quality Committee receives assurance reports on such. The Audit Committee reviews the effectiveness of processes for raising concerns, including Whistleblowing policies and the work of the Freedom to Speak Up Guardian also reviewed by the People Leadership and Culture Committee. Strong reporting culture promoted across the organisation. The clinical audit function is a key component of the wider clinical governance.
6 The Board is satisfied that there are systems to ensure that the Licensee has in place personnel on the Board, reporting to the Board and within the rest of the organisation who are sufficient in number and appropriately qualified to ensure compliance with the conditions of its NHS provider licence.	Confirmed	Risk: Trust does not have systems and processes to ensure Directors, managers, clinicians and staff are sufficient in number and qualified affecting quality and decision making. See previous section. The mitigation is: the Chairman regularly reviews the whole Board composition to ensure the skill mix and experience is appropriate and balanced with the Governors supporting determination of the NED composition and skills and the CEO accountable for the executive and conducting regular performance reviews. The DoCA/Company Secretary leads on annual Fit and Proper Person Test for the members of the Board. The Trust's HR department manages the workforce strategy and reports to Board on workforce matters, including staff numbers, with L&D reporting on strategies for training and development, and appraisal and the work to improve achievement against targets. Workforce plans set establishments which are monitored for variation and appropriate actions taken to rectify any concerns. Inpatient Safer Staffing (Nursing) Report sent monthly to Board. Vacancies and sickness closely monitored and use of locums and agency workers overseen and where possible use mitigated (including HCA agency reduction strategy). Medical revalidation process and reporting and significant progress with implementation of Nursing revalidation. Robust apprenticeship and cadet schemes, and progressive nursing practitioner (ANPs) programmes and international recruitment drives. Improving Quality and Reducing Agency focus has been prioritised.

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 David Walker Name Dr Nick Broughton

Further explanatory information should be provided below where the Board has been unable to confirm declarations under FT4.

A:   
 [Empty box for further explanatory information]

Certification on training of governors (FTs only)

The Board are required to respond "Confirmed" or "Not confirmed" to the following statements. Explanatory information should be provided where required.

Training of Governors

- 1 The Board is satisfied that during the financial year most recently ended the Licensee has provided the necessary training to its Governors, as required in s151(5) of the Health and Social Care Act, to ensure they are equipped with the skills and knowledge they need to undertake their role.

Confirmed OK

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 David Walker

Name Dr Nick Broughton

Capacity Trust Chair

Capacity Chief Executive

Date 20 July 2022

Date 20 July 2022

Further explanatory information should be provided below where the Board has been unable to confirm declarations under s151(5) of the Health and Social Care Act

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