

NHS TDA Accountability Framework - Monitor Compliance

Public Trust Board 28/07/2015
Paper 5.2 Appendix 4

Condition	Compliance	Evidence
<p>1. Condition G4 - Fit and proper persons as Governors and Directors.</p>	<p>Yes</p>	<p>Register of Declarations of Directors Interests held & published; DBS checks; Job Application Forms (held in confidential personnel files); References (held in confidential personnel files); Executive Director's Terms & Conditions include clause viz 'fit & proper persons'. Trust Board, January 2014 approved; adopted: NHS FT Code of Governance (revised July 2014) and the Standards for Members of NHS Boards. Code of Conduct for the Board of Directors approved by Trust Board, January 2015.</p>
<p>2. Condition G5 - Having regard to monitor Guidance.</p>	<p>Yes</p>	<p>This is a statement of intent to comply with guidance issued by Monitor. If the Trust Board answered 'No' it would need to declare which parts of section 96(2) of the 2012 Act it would not have regard to. Evidence of Assurance includes: Trust Board & Committee Structure including independent Audit Committee; Board Assurance Framework (Trust Board 3 x per annum); Significant Incidents & Lessons Learned (Trust Board 2 x per annum); Annual Report, Annual Accounts & Disclosure Statements, Quality Account, Annual Governance Statement Board Memorandum on Quality Governance, External Audit Report For Those Charged with Governance; Integrated Business Plan; Risk Assessment Framework; Standing Orders/Standing Financial Instructions. The FT team horizon scan for any changes/updates or new publications from Monitor and assurances are provided via the FTDG. TEG receives National Policy Review update/monthly.</p>
<p>3. Condition G7 - Registration with the Care Quality Commission.</p>	<p>Yes</p>	<p>Registration Certificate embedded. A full CQC inspection took place 13-16 January 2015. The Trust received the draft CQC report in May 2015 and submitted a response in regard to factual accuracy by the deadline of 3 June 2015.</p>
<p>4. Condition G8 - Patient eligibility and selection criteria.</p>	<p>Yes</p>	<p>This is in regard to setting transparent eligibility and selection criteria, which is not applicable within the A&E and NHS 111 services. PTS eligibility criteria are set at national level by DH (URL attached). YAS implement the criteria by use of flowcharts attached.</p>
<p>5. Condition P1 - Recording of information.</p>	<p>Yes</p>	<p>This refers to "If required in writing by Monitor, and only in relation to periods from the date of that requirement" and so is merely a statement of intent that the Trust would adhere to Monitor's request if made.</p>

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6. Condition P2 - Provision of information.	Yes	As P1 this is a confirmation that the Trust would adhere with Monitor requests for provision of information.
7. Condition P3 - Assurance report on submissions to Monitor.	Yes	As P1 & P2 this is a confirmation that the Trust would adhere with Monitor requests. A full CQC inspection took place 13-16 January 2015. The Trust received the draft CQC report in May 2015 and submitted a response in regard to factual accuracy by the deadline of 3 June 2015.
8. Condition P4 - Compliance with the National Tariff.	No	NHS PbR Guidance-2014/15 7.4.5 pages 162-164 (in addition to the general rules in Subsections 7.4.1 and 7.4.2 page 151 onward)
YAS Response: National Tariff does not apply to Ambulance Services. YAS are applying local tariff to the four nationally agreed currencies.		
9. Condition P5 - Constructive engagement concerning local tariff modifications.	No	
YAS Response: National Tariff does not apply to Ambulance Services. YAS are applying local tariff to the four nationally agreed currencies.		The detail behind this is that : <i>" the Licensee shall ensure that at every point where that person has a choice of provider under the NHS Constitution or a choice of provider conferred locally by Commissioner"</i> . So this is a statement confirming the Board's agreement with the principle, in reality for this is at present not applicable for Ambulance Trust core services, including NHS 111
10. Condition C1 - The right of patients to make choices.	Yes	
11. Condition C2 - Competition oversight.	Yes	This is a statement the Board are asked to make that the Trust will not <i>" enter into or maintain any agreement or other arrangement which has the object or which has (or would be likely to have) the effect of preventing, restricting or distorting competition in the provision of health care services"</i> .
12. Condition IC1 - Provision of integrated care.	Yes	This is a statement the Board are asked to make that : <i>"The Licensee shall not do anything that reasonably would be regarded as against the interests of people who use health care services by being detrimental to enabling its provision of health care services for the purposes of the NHS to be integrated with the provision of such services by others"</i> .