

Appendix 1:				
Licence Condition	Definition ¹	Executive Lead	Response	Evidence
General Condition 1: Provision of Information	This condition contains an obligation for all licensees to provide NHS I with any information we require for our licensing functions.	Chief Executive	The Trust complies with this condition as required. There are three established contacts with NHS Improvement – Chief Executive, Director of Finance and Chief Operating Officer. All information requested by NHS Improvement is supplied in a timely manner in the format requested.	Quarterly review meetings
General Condition 2: Publication of information	This licence condition obliges licensees to publish such information as NHS I may require	Chief Executive	The Trust complies with this condition as required. Information is published as required in accordance with the Code of Governance and the Annual Reporting Manual.	Self-assessment against Code of Governance Annual Report Quality Account
General Condition 3: Payment of fees to NHS I	The Act gives NHS I the ability to charge fees and this condition obliges licence holders to pay fees to NHS I if requested.	Director of Finance	The Trust will comply with this condition as required.	
General Condition 4: Fit and proper persons	This licence condition prevents licensees from allowing unfit persons to become or continue as governors or directors (or those performing similar or equivalent functions).	Director of Human Resources	The Foundation Trust is compliant with this condition. It has robust pre-employment and employment processes in place to ensure that Executive and Non-Executive Directors meet the requirements of the FPPR regulations both on appointment and then annually in terms of reviewing the ongoing fitness of Directors. This is documented in an assurance process. Whilst the FPPR regulations do not apply to governors the appointment process includes a self-declaration, DBS check and internet searches to provide assurance as to their suitability.	CQC 'Well led' inspection (February 2018)
General Condition 5: NHS I guidance	This licence condition requires licensees to have regard to any guidance that NHS I issues.	Chief Executive	The Trust is compliant with this condition. Guidance is studied in detail by the relevant Executive Director and a lead assigned that is relevant to the subject matter	Self-assessment against Code of Governance Compliance with Annual Reporting Manual.
General Condition 6: Systems for compliance with licence conditions and related obligations	This licence condition requires providers to take all reasonable precautions against the risk of failure to comply with the licence and other important requirements.	See Appendix 2. Annual declaration made. There is a specific agenda item on the Board of Directors agenda relating to any exception reporting of any risks required to NHS Improvement.		
General Condition 7:	This licence condition requires	Chief Executive	The Trust is compliant with this condition. The	CQC Registration document

¹ The New NHS Provider Licence 14 February 2013

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Registration with the Care Quality Commission	providers to be registered with the CQC (if required to do so by law) and to notify us if their registration is cancelled.		Trust is fully registered with the CQC. All sites are registered.	
General Condition 8: Patient eligibility and selection criteria	This condition requires licence holders to set transparent eligibility and selection criteria for patients and to apply these in a transparent manner.	Chief Operating Officer	<p>The Trust is compliant with this condition. Patient access and treatment is provided in line with national 18 week RTT standards, cancer waiting time standards and diagnostic waiting time standard.</p> <p>The ERS directory of services provides patients with easily accessible information by specialty on:</p> <ul style="list-style-type: none"> • Choice of hospital • Choice of Site • Wait times for appointment • Waiting time in relation to 18 week RTT 	Elective Care access policy 2017. NHS E-referral service – Directory of services.
General Condition 9: Application of Section 5 (Continuity of Services)	This condition applies to all licence holders. It sets out the conditions under which a service will be designated as a Commissioner Requested Service. If a licensee provides any Commissioner Requested Services, all the Continuity of Services Conditions apply to the licence holder.	Chief Operating Officer	<p>The Trust is compliant with this condition and agrees its commissioner requested services on an annual basis.</p> <p>The 2017/19 contract Schedule 2 Part D reflects the list of goods and services Bradford Teaching Hospitals NHS Foundation Trust must provide in accordance with their terms of authorisation:</p>	The 2017/19 contract Schedule 2 Part D
Pricing Condition 1: Recording of information	Under this licence condition, NHS I may oblige licensees to record information, particularly information about their costs, in line with guidance to be published by NHS I	Director of Finance	The Trust is compliant with this condition and produces cost information in relation to both the annual reference cost submission & the annual education and training cost submission (in line with the nationally prescribed costing methodology) and the annual accounts submission (in line with national guidelines)	Reference Cost Submission Annual Accounts Submission
Pricing Condition 2: Provision of information	Having recorded the information in line with Pricing condition 1 above, licensees can then be required to submit this information to NHS I.	Director of Finance	The Trust is compliant with this condition - See Pricing condition 1 – particularly in relation to reference cost submission	Reference Cost Submission
Pricing Condition 3: Assurance report on submissions to NHS I	When collecting information for price setting, it will be important that the information submitted is accurate. This condition allows NHS I to oblige	Director of Finance	The Trust is compliant with this condition - Bradford Teaching Hospitals NHS Foundation Trust's costing methodology aligns to nationally prescribed costing guidance	Reference Cost Submission National Audit of Reference Cost Submissions

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	licensees to submit an assurance report confirming that the information they have provided is accurate.			
Pricing Condition 4: Compliance with the National Tariff	The Health and Social Care Act 2012 requires commissioners to pay providers a price which complies with, or is determined in accordance with, the National Tariff for NHS health care services. This licence condition imposes a similar obligation on licensees, i.e. the obligation to charge for NHS health care services in line with the National Tariff.	Director of Finance	The Trust is compliant with this condition – and quantifies the charges levied for activity undertaken using the HRG4+ grouper for services that attract a national tariff.	Annual contract agreement (price & volume) Monthly Contract Management Statements Internal Audit of Contract Income (PbR)
Pricing Condition 5: Constructive engagement concerning local tariff modifications	The Act allows for local modifications to prices. This licence condition requires licence holders to engage constructively with commissioners, and to try to reach agreement locally, before applying to NHS I for a modification	Director of Finance	The Trust is compliant with this condition - Local Tariffs and alternative payment mechanisms are developed and agreed with Commissioners for other services. BTHFT has not requested a modification to National Tariff prices. Local variations are in line with National Guidelines.	Annual contract agreement (price & volume)
Choice and Competition Condition 1: Patient choice	This condition protects patients' rights to choose between providers by obliging providers to make information available and act in a fair way where patients have a choice of provider. This condition applies wherever patients have a choice of provider under the NHS Constitution, or where a choice has been conferred locally by commissioners.	Chief Operating Officer	The Trust is compliant with this condition. The ERS directory of services provides patients with easily accessible information by specialty on: <ul style="list-style-type: none"> • Choice of hospital • Choice of Site • Wait times for appointment • Waiting time in relation to 18 week RTT 	ERS directory of services
Choice and Competition Condition 2: Competition oversight	This condition prevents providers from entering into or maintaining agreements that have the object or effect of preventing, restricting or distorting competition to the extent that it is against the interests of health care users. It also prohibits licensees from engaging in other conduct which has the effect of preventing, restricting or distorting competition to the extent that it is against the interests of health care	Director of Strategy and Integration	The Trust is compliant with this condition and is bound by EU law (as transcribed into UK law) on competitive practice. Requirements on the Trust on these matters are set in the Trust documents "Reservation of Powers to the Board and Scheme of Delegation" and "Standing Financial Instructions". These documents cover instances where the Trust is bidding to provide commissioned services and where we are offering contracts to the	Minutes of Board of Director meetings. Minutes of EMT Meetings Minutes of Audit Committee Internal Audit Reports

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The Integrated Care Condition	The Integrated Care Condition is a broadly defined prohibition: the licensee shall not do anything that could reasonably be regarded as detrimental to enabling integrated care. It also includes a patient interest test. The patient interest test means that the obligations only apply to the extent that they are in the interests of people who use health care services.	Director of Strategy and Integration	<p>The Trust is compliant with this condition and plays a full part in the development of integrated care systems across Bradford and wider West Yorkshire. Specific examples in Bradford include the development of the Integrated Diabetes Service, Out of Hospital Care Programme and the work undertaken with social care to develop out intermediate care hub. Both of these programmes of work are managed via the Bradford Provider Alliance – a formal alliance of the Trust, Bradford MDC, the Bradford Care Alliance (a social enterprise of 64 of Bradford's 67 GP practices) and Bradford District Care NHS Foundation Trust.</p> <p>In addition to this, the Trust is working on a wider West Yorkshire basis with the West Yorkshire and Harrogate Integrated Care System and the West Yorkshire Association of Acute Trusts (WYAAT) on a wide range of work programmes.</p>	<p>Clinical Strategy Annual Plan Board Assurance Framework and Risk Register Minutes of WYAAT meetings Minutes of WY&H Integrated Care System meetings Minutes of Bradford Provider Alliance Integrated Management Board Meetings Minutes of Board Partnerships Committee</p>
Continuity of Services Condition 1: Continuing provision of Commissioner Requested Services	This condition prevents licensees from ceasing to provide Commissioner Requested Services, or from changing the way in which they provide Commissioner Requested Services, without the agreement of relevant commissioners.	Chief Operating Officer	The Trust is compliant with this condition.	
Continuity of Services Condition 2: Restriction on the disposal of assets	This licence condition ensures that licensees keep an up-to-date register of relevant assets used in the provision of Commissioner disposal of assets Requested Services. It also creates a requirement for licensees to obtain NHS I's consent before disposing of these assets when NHS I is concerned about the ability of the licensee to carry on as a going concern.	Director of Finance	The Trust is compliant with this condition. There is a policy in place for the disposal of assets	<p>Asset Register Internal Audit Reports Trust Policy</p>
Continuity of Services Condition 3: NHS I risk rating	This condition requires licensees to have due regard to adequate standards of corporate governance and financial	Chief Executive/ Director of Finance	The Trust is compliant with this condition. It has a clearly defined corporate and financial governance structure supported by an	<p>Internal and External Audit Reports Board Assurance Framework and</p>

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	management.		established risk escalation framework.	Risk Register Annual Report and Accounts and Quality Account Annual Governance Statement Self-Assessment against Code of Governance Standing Financial Instructions Scheme of Delegation Financial Policies & Procedures Budgetary Control Framework
Continuity of Services Condition 4: Undertaking from the ultimate controller	This condition requires licensees to put in place a legally enforceable agreement with their 'ultimate controller' to stop ultimate controllers from taking any action that would cause licensees to breach the licence conditions. This condition specifies who is considered to be an ultimate controller.	Not applicable		
Continuity of Services Condition 5: Risk pool levy	This licence condition obliges licensees to contribute, if required, towards the funding of the "risk pool" - this is like an insurance mechanism to pay for vital services if a provider fails.	Director of Finance	The regulatory Risk Pool Levy has not come into effect to date. The Trust currently contributes to the NHS Litigation Authority risk pool for clinical negligence, property expenses and public liability schemes.	
Continuity of Services Condition 6: Cooperation in the event of financial stress	This licence condition applies when a licensee fails a test of sound finances, and obliges the licensee to cooperate with NHS I in these circumstances.	Director of Finance	The Trust is not in financial special measures, but would cooperate fully with NHSI should this ever be the case.	
Continuity of Services Condition 7: Availability of resources	This condition requires licensees to act in a way that secures access to the resources needed to operate Commissioner Requested Services.	The Trust is compliant with this condition – and has agreements/contracts in place with Commissioners to continue to provide services. See Appendix 3.		