

Notice of Removal of Section 111 Additional Licence Condition

For the purposes of this Notice, NHS England means "NHS Improvement".

The following licence condition was imposed by NHS England on Southern Health NHS Foundation Trust on 14 April 2016 in accordance with NHS England's powers under section 111 of the Health and Social Care Act 2012:

"Additional Licence Condition 1 — Additional governance requirements:

- 1) The Licensee must ensure that it has in place sufficient and effective board, management and clinical leadership capacity and capability, as well as appropriate governance systems and processes to enable it to-
 - a) address the issues specified in paragraph 2; and
 - b) comply with any enforcement undertakings accepted, or discretionary requirements imposed, by Monitor in relation to these issues.
- 2) The issues referred to in paragraph 1 are:
 - a) the failures in governance of the Licensee that have led to the enforcement undertakings agreed with Monitor on 17 April 2014 and 11 January 2016, and the warning notice issued by the CQC on 16 March 2016; and
 - b) any other issues relating to governance or operations that have caused or contributed to, or are causing or contributing to, or will cause or contribute to, the breach of the conditions of the Licensee's licence."

NHS England has decided it is appropriate to remove this additional licence condition, as from the date of this notice for the following reasons:

The risk that the Licensee will fail to comply with its licence conditions has been satisfactorily reduced. Sufficient work has been completed by the Trust to address the concerns referred to in the 2016 s.111 licence condition as evidenced through its response to Pascoe and ongoing CQC inspections, and through improvements made to the board governance, capacity and capability. The Trust has demonstrated compliance with the s.106 undertakings agreed with NHS England on 14 June 2018 and NHS England issued a compliance certificate in this respect on 1 March 2023.

Signed:



Anne Eden, Regional Director, NHS England South East

Date: 30 June 2023