
Overview

This standard is part of managing contracts; it is about contributing to the development of a contract that delivers the required outcomes. It covers the identification of the outcomes required by individuals, key people and communities that have been identified through planning activities and supporting the development and implementation of contracts.

This NOS is relevant to an individual undertaking commissioning, procurement and contracting in relation to care services.

**Performance
criteria****Identify the outcomes required for contracts**

- You must be able to:
- P1 clearly identify the priority **outcomes** that have been agreed with **individuals, key people** and communities
 - P2 assess the implications of the required outcomes for contract management, including consideration of cost, **resources, risk** and **sustainability**
 - P3 use your assessment of the implications to support individuals, key people and communities to make decisions
 - P4 address any conflicting priorities and demands that could arise from the implementation of the contract, in accordance with your level of responsibility
 - P5 make clear and accurate recommendations about the outcomes to be specified in the contract to all **relevant people**
 - P6 provide supporting **information** about how to implement the contract to achieve outcomes

Contribute to developing contracts

- You must be able to:
- P7 make recommendations about how to specify the achievement of outcomes
 - P8 determine when and how outcomes can be agreed with service providers
 - P9 contribute to the analysis of the **specified** contract outcomes to identify the most effective ways to achieve them, considering new approaches to contracting
 - P10 assess the costs associated with achieving specified outcomes
 - P11 analyse the **contract objectives** to identify the most effective ways to achieve them
 - P12 make recommendations about the type of contract that is best suited to deliver the specified outcomes and objectives within legal and organisational requirements
 - P13 assess the need for any **contractual provisions** that need to be included to ensure the delivery of outcomes and objectives

Develop plans to implement contracts

- You must be able to:
- P14 develop an **implementation plan** to achieve the priority outcomes that identifies the contract activities and resources required

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- P15 ensure that the implementation plan links to any specific contractual provisions, regulatory requirements, risks and **contingencies** that may affect the delivery of the plan
 - P16 ensure that the balance of risk for the implementation plan is in line with organisational guidelines and the regulatory requirements
 - P17 share the implementation plan clearly and in an **accessible** format with relevant people
 - P18 accurately monitor the implementation plan to ensure that it continues to meet contract outcomes
 - P19 reflect on your contribution to planning contract implementation to identify areas for development
 - P20 ensure that changes to the implementation plan are made where necessary

Knowledge and understanding

You need to know and understand:

Specific to this NOS

- K1 how to ensure that planning and implementing contracts promotes improved outcomes and value for money
- K2 how to identify the implications of outcomes on risk, sustainability and resources
- K3 the factors to take into account when prioritising contract outcomes and objectives
- K4 the information that should support contract plans
- K5 the methods that can be used for assessing variance

Rights

You need to know and understand:

- K6 legal and work setting requirements for equality, diversity, discrimination and rights
- K7 legal and work setting requirements for complaints and whistle blowing
- K8 your role and the roles of others in promoting **co-productive** commissioning
- K9 the role of service providers and partner agencies in promoting the rights, choices, wellbeing and active participation of **individuals, key people** and communities
- K10 how to deal with and challenge discrimination
- K11 your duty to report any acts or omissions, poor or discriminatory practice, resources or operational difficulties that could infringe the rights of individuals and key people

Safeguarding

You need to know and understand:

- K12 legislation, national policy, frameworks, local systems and multi-disciplinary procedures relating to the safeguarding and protection of children, young people and adults
- K13 the responsibility that everyone has to raise concerns about possible harm or abuse, poor or discriminatory practices
- K14 factors that increase the risk of potential harm or abuse

- K15 the different types of harm or abuse, poor or discriminatory practice
- K16 indicators of potential harm or abuse
- K17 how and when to report any concerns about harm or abuse, including whistleblowing
- K18 what to do if you have reported concerns but no action is taken to address them

Sustainability

You need to know and understand:

- K19 why it is important to work in a **political, economic, sociological, technological, legal and environmentally sustainable** way
- K20 how you can develop sustainable new ideas in your work role

Partnership working

You need to know and understand:

- K21 the factors that can affect partnership working
- K22 techniques for working with individuals, key people and communities through co-productive commissioning, procurement and contracting
- K23 how to support the best interests of individuals, key people and communities
- K24 how to engage with social care and procurement professionals during commissioning, procurement and contracting activities
- K25 the **priorities, interests** and contributions of **stakeholders**
- K26 the **operational realities** of service providers
- K27 policies, procedures, guidance and protocols with others involved in partnerships
- K28 how to assess the effectiveness of partnership working

Risk management

You need to know and understand:

- K29 the types of risk involved in commissioning, procurement and contracting
- K30 methods of identifying, assessing and managing risk
- K31 your role in identifying, managing and reporting risk
- K32 principles of positive risk-taking

Your practice

You need to know and understand:

- K33 European, UK and country specific legislation, statutory codes, standards, regulations, frameworks and guidance relevant to your commissioning, procurement and contracting role
- K34 European, UK and country specific legislation, statutory codes, standards, frameworks and guidance relevant to service providers and partner agencies
- K35 how to access and work to procedures and agreed ways of working
- K36 lessons learned from government reports, research and inquiries into serious failures of health or social care practice and from successful interventions
- K37 how your role fits within your organisation and where you can go to for support
- K38 how to assess the impact of commissioning, procurement and contracting activities on individuals, key people and other stakeholders
- K39 how to measure the achievement of **outcomes**
- K40 the nature and importance of preventative and community based provision
- K41 factors that can cause conflicting demands
- K42 techniques for problem solving and innovative thinking
- K43 how to fulfil your role in managing resources, including your own time
- K44 how to cost and work with budgets
- K45 how and when to seek support with ethical conflicts and dilemmas in your work
- K46 your own background, experiences and beliefs that may have an impact on your practice
- K47 how to use **evidence-based practice** to justify your actions and decisions
- K48 how to contribute to the development of systems, practices, policies and procedures
- K49 how to challenge poor practice in your own and other organisations

Theory for practice

You need to know
and understand:

- K50 how the **social, medical and business** models impact on the achievement of outcomes
- K51 how commissioning, procurement and contracting can contribute to improved outcomes for individuals, key people and communities

Personal and professional development

You need to know
and understand:

- K52 principles of reflective, person centred, evidence based practice
- K53 your role in sharing and developing knowledge and practice with others, including , key people and communities
- K54 how to provide constructive feedback to others
- K55 how to identify and access opportunities for professional development
- K56 how to develop professional knowledge and practice through reflective supervision and appraisal

Communication

You need to know
and understand:

- K57 how to use communication as a foundation for co-productive commissioning
- K58 methods to promote effective communication with **colleagues**, individuals and other stakeholders

Handling information

You need to know
and understand:

- K59 legal requirements, policies and procedures for the security and confidentiality of information, taking account of commercial sensitivity and procurement practice
- K60 legal and work setting requirements for recording information and producing reports within timescales
- K61 how to identify, collect, measure and assess data and present it as information
- K62 how information software products can help you collect information
- K63 how to record written information with accuracy, clarity, relevance and an appropriate level of detail

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- K64 methods of making data and information accessible for individuals, key people and other stakeholders
 - K65 how and where electronic communications can and should be used

Health and Safety

You need to know
and understand:

- K66 legal and work setting requirements for health, safety and security in the work environment

Additional information**Scope / range
related to
performance
criteria:**

The details in this field are explanatory statements of scope and/or examples of possible contexts in which the NOS may apply; they are not to be regarded as range statements required for achievement of the NOS.

Where an individual finds it difficult or impossible to express their own preferences and make decisions about their life, achievement of this standard may require the involvement of advocates or others who are able to represent the views and best interests of the individual.

Where there are language differences within the work setting, achievement of this standard may require the involvement of interpreters or translation services.

Outcomes are the desired result of the activity for individuals, key people and communities. They move the focus from the processes, transactions and performance management to the differences that provision can actually make to people's lives. It underpins citizen centred commissioning by placing individuals in a central role in evaluating the effectiveness of commissioning.

The **individual** is the adult, child or young person receiving a service.

Key people are those who are important to an individual and who can make a difference to his or her well-being. Key people may include family, friends, carers and others with whom the individual has a supportive relationship.

Resources include financial, human and physical resources as well as time.

Risks can be influenced by a wide range of factors and include a wide range of risks to people, property and organisations.

For services to be **sustainable**, they must deliver the current specified outcomes and be able to meet longer term desired social outcomes. This means taking account of any factors that might limit the outcomes that services can deliver in

the future, in particular financial, social or environmental factors. It is particularly important in a climate where social care needs are forecast to increase more than available funding.

Relevant people can include individuals, key people, decision makers and other stakeholders and will vary depending on the issues and circumstances. Who the relevant people are can depend upon circumstances.

Information may be any form of communication from and about individuals, key people and other people and organisations. Information might be about legislation or working practices which should be passed on and for which your organisation may have procedures set in place. It includes performance information, previous contractual information, confidential and public information.

The **specified** outcomes of a contract will state precisely the requirements that are included in that particular contract.

Contract objectives stipulate the quality, price, delivery, technical, health and safety and continuity of supply of the contract.

Contractual provision means information about performance measures, performance incentives, milestone dates and payment time scales.

An **implementation plan** should include the award of the contract and how performance will be measured. It should also be proportionate and can either be formal and written or informal and verbal.

Contingencies are unexpected issues that were not in the original plans or contract and can result in additional expenditure or may need extra time or people to deal with them.

For something to be **accessible**, it should be able to be used by all people whatever their levels and types of ability, for example something that people can understand regardless of the level or way in which they communicate

**Scope / range
related to
knowledge and
understanding:**

The details in this field are explanatory statements of scope and/or examples of possible contexts in which the NOS may apply; they are not to be regarded as range statement required for achievement of the NOS.

All knowledge statements must be applied in the context of this standard.

The process of **co-production** involves developing relationships with individuals, key people and communities, recognising the expertise that people have and the support that they offer to each other. It places individuals, key people and communities at the centre of decision making and control.

The **individual** is the adult, child or young person receiving a service.

Key people are those who are important to an individual and who can make a difference to his or her well-being. Key people may include family, friends, carers and others with whom the individual has a supportive relationship.

The **political, economic, sociological, technological, legal and environmental** model (also known as the PESTLE model) is used to analyse the influences that an organisation has on its environment, both now and in the future. It is used to inform decisions and enable the organisation to respond to change.

The **priorities and interests** of stakeholders encompass the outcomes sought and are influenced by different philosophies, principles, priorities and codes of practice and are affected by their differences in size, structure, governance and capacity. They may change over time in response to national and local factors.

Stakeholders are individuals and other people who have an interest in or are in some way affected by your work. They include service providers from the statutory, third or business sectors; regulators; colleagues and other professionals whose work contributes to the individual's well-being and who enable you to carry out your role; commissioning partners or those who commission services from the same provider, whether or not they are joint

arrangements.

The **operational realities** of service providers are the factors that impact on how they are able to run their other services, in particular where there is competition for funding and customers.

An **organisation** is used to mean the organisation for which you work or volunteer, or which you own or run. For people funding their own services or using other self directed support, it means you and the people who may work for you.

Outcomes are the desired result of the activity for individuals, key people and communities. They move the focus from the processes, transactions and performance management to the differences that provision can actually make to people's lives. It underpins citizen centred commissioning by placing individuals in a central role in evaluating the effectiveness of commissioning.

Evidence based practice uses systems, processes and 'practice wisdom' that has been proved to be effective in supporting the achievement of positive outcomes. Evidence may have been drawn from a variety of sources: research, both formal and informal, and the views and opinions of individuals, key people and other stakeholders involved in the delivery of care services.

The **social model** describes disability as a series of barriers located in society and not an individual, for example attitudes towards people in need or physical barriers. The **medical model** described illness or disability as an inherent part of the individual, and as such would attempt to treat or cure the person.

Business models refers to an organisation's need to function as a business within financial constraints and in some cases to make profit, for example social enterprises and private businesses.

Colleagues are people who you work with in your own or other organisations, including your team, managers, service providers, other teams, other departments and other organisations.

Values:

Adherence to codes of practice or conduct where applicable to your role and the principles and values that underpin your work setting, including the rights of children, young people and adults. These include the rights:

To be treated as an individual

To be treated equally and not be discriminated against

To be respected

To have privacy

To be treated in a dignified way

To be protected from danger and harm

To be supported and cared for in a way that meets their needs, takes account of their choices and also protects them

To communicate using their preferred methods of communication and language

To access information about themselves

All aspects of commissioning, procurement and contracting should seek to build on these underpinning values and should:

Respect the inherent worth and dignity of all people

Respect the human rights of children, young people and adults

Respect people's right to take positive risks

Be transparent

Be accountable

Be proportional

Be consistent

Be targeted

Be impartial

Enable providers

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