
Overview

This standard is concerned with how you can use a range of tools, techniques and approaches during procurement and contract management processes. It involves working collaboratively to use tools, techniques and approaches in your work, in particular for tendering and contract management, and maintaining up-to-date information to inform your practice.

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

Performance criteria

Work collaboratively to agree a range of tools, techniques and approaches

You must be able to:

- P1 research a range of evidence based **tools, techniques and approaches**
- P2 evaluate the impacts of introducing tools, techniques and approaches on the achievement of **outcomes**, including through **flexible and innovative ways of working**
- P3 analyse the impact of tools, techniques and approaches on **stakeholders**
- P4 analyse the **risks** associated with a range of tools, techniques and approaches
- P5 seek agreement to use tools, techniques and approaches in accordance with the values and requirements of your **organisation**
- P6 engage **individuals, key people** and stakeholders in planning how tools, techniques and approaches will be used
- P7 agree the use of tools, techniques and approaches with **commissioning partners**
- P8 ensure that small voluntary and micro- providers have the opportunity to access tenders that use tools, techniques and approaches
- P9 explain clearly to individuals, key people and stakeholders how tools, techniques and approaches will operate, including how information will be secured
- P10 maintain up-to-date **information** about tools, techniques and approaches relevant to your area of work

Use procurement tools, techniques and approaches

You must be able to:

- P11 use **information systems** to support procurement
- P12 use tendering tools to keep all providers informed about tendering opportunities
- P13 use tools, techniques and approaches at relevant stages of the procurement process in accordance with your organisation's values, policy, legislation and directives and those of commissioning partners
- P14 analyse feedback from stakeholders, colleagues and commissioning partners on the experience of using the tendering tools, techniques and

approaches

- P15 reflect on the effectiveness of tendering tools, techniques and approaches to identify areas for improvement

Work collaboratively to use contract management tools, techniques and approaches

You must be able to:

- P16 ensure that service providers are familiar with all aspects of how contracts will be managed
- P17 respond promptly to alerts that agreed contractual **criteria** might not be met
- P18 analyse whether concerns over contractual performance are a result of using new systems
- P19 offer support to providers whose performance is giving cause for concern, either through direct contact or using the new contract management system
- P20 analyse feedback from stakeholders, colleagues and commissioning partners on their experiences of using contract management tools, techniques and approaches
- P21 reflect on the effectiveness of contract management tools, techniques and approaches to identify areas for improvement

Knowledge and understanding

You need to know and understand:

Specific to this NOS

- K1 how to ensure that the working relationship with service providers is not lost through new procurement techniques
- K2 how to challenge information, documents, systems, structures, procedures and practices that are discriminatory when using new procurement techniques
- K3 how to access, evaluate and influence organisational and workplace policies, procedures and systems for new procurement techniques
- K4 how to access literature, information and support to inform your own and colleagues' practice in new procurement techniques
- K5 theories and models of new procurement techniques
- K6 an up-to-date knowledge of best practice in new procurement techniques

Rights

You need to know and understand:

- K7 legal and work setting requirements for equality, diversity, discrimination and rights
- K8 legal and work setting requirements for complaints and whistle blowing
- K9 your role and the roles of others in promoting **co-productive** commissioning
- K10 the role of service providers and partner agencies in promoting the rights, choices, wellbeing and active participation of **individuals, key people** and communities
- K11 how to address conflicts and dilemmas about rights and discrimination
- K12 your duty to report any acts or omissions poor or discriminatory practice, resources or operational difficulties that could infringe the rights of individuals, key people and communities

Safeguarding

You need to know and understand:

- K13 legislation, national policy, frameworks, local systems and multi-disciplinary procedures relating to the safeguarding and protection of children, young people and adults
- K14 the responsibility that everyone has to raise concerns about possible harm or abuse, poor or discriminatory practices
- K15 indicators of potential harm or abuse
- K16 how and when to escalate any concerns about harm or abuse, including whistleblowing
- K17 how to support others who have expressed concern about harm or abuse
- 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 how to evaluate the benefits of working in a **politically, economically, sociologically, technologically, legally and environmentally** sustainable way
- K20 how to promote your **organisation's** political, economic, sociological, technological, legal and environmental responsibilities
- K21 how to evaluate the sustainability of commissioned services
- K22 how to develop sustainable new ideas in your area of responsibility

Partnership working

You need to know and understand:

- K23 how **collaborative and integrated working** can be used to maximise resources
- K24 how to promote co-productive commissioning
- K25 how to work with individuals, key people and communities through co-productive commissioning, procurement and contracting
- K26 how to support the interests of individuals and other stakeholders
- K27 how to engage with social care and procurement professionals during

commissioning, procurement and contracting activities

- K28 how to analyse the **priorities, interests** and contributions of **stakeholders** and their impact on partnership working
- K29 how to analyse the drivers and constraints that impact on businesses and third sector organisations
- K30 the **business processes** and **operational realities** of service providers
- K31 how to influence the work of the partnership to meet agreed **outcomes**
- K32 how to use and develop integrated policies, procedures, guidance and protocols with others involved in partnerships
- K33 the statutory and financial constraints for **agreeing budgets** to support partnership working
- K34 how to evaluate effective partnership working

Risk management

You need to know and understand:

- K35 how to analyse the risks involved in commissioning, procurement and contracting for your area of responsibility
- K36 methods of managing and mitigating the risks involved in commissioning, procurement and contracting for your area of responsibility
- K37 how to develop practice that facilitates positive risk-taking

Your practice

You need to know and understand:

- K38 European, UK and country specific legislation, statutory codes, standards, regulations, frameworks and guidance relevant to commissioning, procurement and contracting relevant to your area of responsibility
- K39 European, UK and country specific legislation, statutory codes, standards, frameworks and guidance relevant to service providers and partner agencies
- K40 how to access accurate interpretations of legal and regulatory

requirements

- K41 how to use analysis from lessons learned from government reports, research and inquiries into serious failures of health or social care practice and from successful interventions
- K42 how your role fits within your organisation and where you can go to for support
- K43 how to identify priorities and contribute to priority setting
- K44 how to evaluate the impact of commissioning, procurement and contracting activities on individuals, key people and communities
- K45 how to evaluate different methods and approaches of measuring the achievement of outcomes
- K46 how to evaluate the importance of preventative and community based provision
- K47 how to manage agreed transformations for service provision
- K48 techniques for problem solving and innovative thinking
- K49 how to manage budgets and resources
- K50 how to identify and manage ethical conflicts and dilemmas in your work
- K51 your own background, experiences and beliefs that may have an impact on your practice
- K52 how to use **evidence based practice** to justify your actions and decisions
- K53 how to contribute to the development of systems, practices, policies and procedures

Theory for practice

You need to know and understand:

- K54 how to evaluate the impact of **social, medical and business models** on the achievement of outcomes
- K55 how to evaluate the impact of organisational structure and culture upon how flexibly and innovatively resources can be used
- K56 how to evaluate theories and approaches to management relevant to your area of responsibility

Personal and professional development

You need to know and understand:

- K57 how to promote reflective, person centred, evidence based practice
- K58 your role in sharing and developing knowledge and practice with others, including individuals, key people and communities
- K59 how to manage time and workload
- K60 how to provide constructive feedback
- K61 how to identify and access opportunities for professional development
- K62 how to develop professional knowledge and practice through reflective supervision and appraisal

Communication

You need to know and understand:

- K63 how to use communication as a foundation for co-productive commissioning
- K64 how to manage and promote effective communication with **colleagues**, individuals and other stakeholders

Handling information

You need to know and understand:

- K65 legal requirements, policies, procedures and protocols for the security and confidentiality of information, taking account of commercial sensitivity and procurement practice
- K66 legal and work setting requirements for recording information and producing reports within timescales
- K67 how to identify, collect, analyse, measure and assess data
- K68 methods of making data, information and analysis accessible for individuals, key people and other stakeholders including decision makers
- K69 how and where electronic communications can and should be used

Health and Safety

You need to know

- K70 legal and work setting requirements for health, safety and security in

SCDCPC423

Use a range of tools, techniques and approaches to secure services



and understand:

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.

Tools, techniques and approaches are new ways to carry out the processes involved in procuring and contracting services to achieve outcomes. They include the use of technology, such as e-procurement and e-contract management tools.

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.

Flexible and innovative ways of working incorporate a range of options that emphasise the need to work towards outcomes rather than be governed by established practice or processes which may be inflexible. They can be that way that services are provided, such as preventative, personalised and community based services, self directed support, personal budgets or social enterprises; they can also relate to commissioning arrangements, such as working within a collaborative arrangement.

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.

Risks can be influenced by a wide range of factors and include risks to people, property and organisations through reputation or ability to fulfil their roles and responsibilities.

An **organisation** is the agency, company or local authority for whom you work, volunteer, own or run; if you receive direct payments or fund your own services, it means you and the people who work for you.

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.

Commissioning partners are individuals or representatives of groups and organisations who are involved in making commissioning decisions for your organisation. They can include individuals, key people and other stakeholders as well as organisations with whom you undertake joint commissioning activities or who deliver services.

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.

Information systems are technological ways to collect and manage data such as e-procurement provider databases, e-sourcing and e-contract management tools.

Criteria are factors that can be used to measure and make a judgement about whether or not an outcome has been achieved, how much progress has been made or how well something has been done.

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 to collaborate with individuals, local people, community groups and organisations. It involves using and developing people's skills and abilities throughout all commissioning, procurement and contracting activities, including designing and delivering services. It places individuals, key people and communities at the centre of decision making and control, taking account of the roles that people want to take.

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.

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.

Collaborative and integrated working describes a range of ways in which two or more organisations can work together, for example health and social services working together or regional collaboratives. They can be formal or

informal, temporary or permanent and may include the agreement of budgets.

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.

Business processes describe the systems and tasks that organisations undertake to be able to provide the required service.

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

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.

Agreeing budgets involves combining or pooling budgets within or between organisations, for example using local authority and continuing healthcare funding, for joint commissioning or regional/collaborative purchasing.

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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