
Overview

This standard is about leading an effective risk management process in your area of responsibility. This involves laying the foundations for risk management through policy, developing a culture of positive risk taking and evaluating, prioritising and managing risk in your area of responsibility.

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

Performance

criteria

Ensure that policy underpins risk management in your area of responsibility

- You must be able to:
- P1 ensure that there is a written risk management policy with clear lines of accountability and enough flexibility to cover the breadth of risks for your area of responsibility
 - P2 ensure that the risk management policy is communicated to relevant people within and outside your **organisation**, including **individuals, key people** and **stakeholders** involved in **co-productive** commissioning
 - P3 negotiate with **relevant people** to establish current risk criteria for your area of responsibility

Develop a culture of positive risk taking

- You must be able to:
- P4 develop a culture of positive risk taking in your area of responsibility, in which people assess, evaluate and learn from both the potential hazards and the positive outcomes that can result from taking risks
 - P5 ensure senior management commitment to the risk management process
 - P6 encourage service providers and other partners to share information about the risks they are facing

Evaluate risks for your area of responsibility

- You must be able to:
- P7 analyse the **types of risk** for your area of responsibility, both within and outside your organisation
 - P8 evaluate the impact of potential risks involved in current and planned activities for your area of responsibility
 - P9 critically evaluate the likelihood of potential risks
 - P10 produce a risk profile for your area of responsibility
 - P11 communicate information on identified risks to relevant people to support decision making

Manage risk

- You must be able to:
- P12 identify who is responsible for managing the risks involved in providing commissioned services, including self-procurement and self-directed

support

- P13 ensure those responsible for risk management are able to fulfil their responsibilities
- P14 prioritise identified risks, taking account of your analysis and evaluation and the organisation's risk criteria
- P15 ensure that sufficient resources are allocated in your area of responsibility to support effective risk management
- P16 critically evaluate the effectiveness of risk management for your area of responsibility, including contingency planning
- P17 review the effectiveness of the risk management process in your organisation, identifying lessons learned and making changes where necessary

Knowledge and understanding

Specific to this NOS

You need to know and understand:

- K1 how to develop a written risk management policy
- K2 the importance of showing senior management commitment to risk management
- K3 the type of decisions that might be taken in relation to identified risks
- K4 how to evaluate information on risk management practice, including contingency planning
- K5 ways to develop an organisational culture
- K6 the type of resources required to implement the risk management policy effectively
- K7 how to establish effective systems for reviewing the risk management process

Rights

You need to know and understand:

- K8 legal and work setting requirements for equality, diversity, discrimination and rights
- K9 legal and work setting requirements for complaints and whistle blowing
- K10 your role and the roles of others in promoting **co-productive** and **community based commissioning**
- K11 the role of service providers and partner agencies in promoting the rights, choices, wellbeing and active participation of **individuals, key people** and communities
- K12 how to challenge, critically evaluate and take informed action against discrimination
- K13 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:

- K14 legislation, national policy, frameworks, local systems and multi-disciplinary procedures relating to the safeguarding and protection of children, young people and adults

- K15 the responsibility that everyone has to raise concerns about possible harm or abuse, poor or discriminatory practices
- 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 critically analyse the **political, economic, sociological, technological, legal and environmental** responsibilities relevant to your area of responsibility
- K20 how to promote your **organisation's** political, economic, sociological, technological, legal and environmental responsibilities
- K21 how to critically evaluate the sustainability of commissioned services
- K22 how to critically evaluate the development of sustainable new ideas in your area of responsibility

Partnership working

You need to know and understand:

- K23 how **collaborative and integrated working** can maximise resources
- K24 how to lead co-productive and community based commissioning
- K25 how to ensure that social care and procurement professionals are engaged during commissioning, procurement and contracting activities
- K26 how to critically analyse the **priorities, interests** and contributions of **stakeholders** and their impact on partnership working
- K27 how to critically analyse the drivers and constraints that impact on businesses and third sector organisations
- K28 the **business processes** and **operational realities** of service providers
- K29 how to influence the work of the partnership to meet agreed **outcomes**
- K30 how to develop governance arrangements for partnerships that take account of the strategic aims and objectives of different partners
- K31 how to analyse the statutory and financial constraints for **agreeing budgets** to support partnership working
- K32 how to promote further partnerships amongst providers and other

stakeholders through strategic commissioning

K33 how to critically evaluate the effectiveness of partnership working

Risk management

You need to know
and understand:

K34 how to critically analyse the risks involved in commissioning, procurement and contracting for your area of responsibility

K35 how to assess the financial viability of commissioning plans and proposals

K36 methods of managing and mitigating the risks involved in commissioning, procurement and contracting for your area of responsibility

K37 how to promote practice that facilitates positive risk-taking

Your practice

You need to know
and understand:

K38 European, UK and national legislation, statutory codes, standards, regulations, frameworks and guidance relevant to commissioning, procurement and contracting for your area of responsibility

K39 European, UK and national 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 analyse lessons learned from government reports, research and inquiries into serious failures of health or social care practice and from successful interventions

K42 how to work with key decision makers to ensure accountability for fiscal policy and the achievement of outcomes

K43 how to make decisions and agree priorities

K44 how to critically evaluate the impact of commissioning, procurement and contracting decisions on individuals, key people and communities

K45 how to critically evaluate the importance of preventative and community based provision

K46 how to lead the transformation of service provision

K47 how to interpret financial information, including financial mapping, to inform commissioning, procurement and contracting

K48 how to use and promote **evidence based practice** to justify your actions

and decisions

K49 principles of reflective practice and why it is important

K50 how to identify and access opportunities for professional development

Theory for practice

You need to know
and understand:

K51 how to critically evaluate the impacts of **social, medical and business models** on the achievement of outcomes

K52 how to critically evaluate the impact of organisational structure and culture upon how flexibly and innovatively resources can be used

K53 how to critically evaluate theories and approaches to leadership and management relevant to your area of responsibility

Communication

You need to know
and understand:

K54 how to promote communication as a foundation for co-productive and community based commissioning

K55 how to lead effective communication within and between organisations

Handling information

You need to know
and understand:

K56 legal requirements, policies and procedures for the security and confidentiality of information, taking account of commercial sensitivity and procurement practice

K57 legal and work setting requirements for recording information and producing reports within timescales

K58 methods of making data, information and analysis accessible for individuals, key people and other stakeholders others including decision makers

K59 how and where electronic communications can and should be used

Health and Safety

You need to know
and understand:

K60 legal and work setting requirements for health, safety and security in the work environment

Managing People

You need to know
and understand:

- K61 legal and work setting requirements for employment practices
- K62 internal and external governance arrangements for your area of responsibility
- K63 how to create a culture that promotes openness, creativity and problem solving
- K64 how to create a culture that supports people to embrace change
- K65 factors that can lead to pressures on the service, individual and team performance
- K66 how to manage time workload and performance to meet targets and achieve outcomes
- K67 how to provide constructive feedback to others
- K68 how to develop the professional knowledge and practice of others through reflective supervision and appraisal

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.

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.

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 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.

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.

The **types of risk** that need to be considered are broad and varied. They include risks to people, for example the health, safety and safeguarding risks for individuals and the workforce involved with commissioned services; risks in the community and how these could impact on the organisation as a whole. There may also be significant financial or reputational risks involved in contracting with other organisations.

**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.

Community based commissioning involves collaborating with local people, community groups and organisations in designing and delivering services, taking account of the roles that people want to take. It involves using and developing people's skills and abilities throughout all commissioning, procurement and contracting activities.

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 including those 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.

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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