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| Overview | This standard identifies the requirements when you manage tendering and contract processes in health and social care settings. It includes inviting providers to tender to deliver health and social care services and agreeing the details of contracts with them. It also includes negotiating and awarding contracts for the provision of services in addition to evaluating those contracts. |

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| **Performance criteria**  You must be able to:  *You must be able to:* | **Manage the tendering process**   1. accurately identify when you must go out to tender for services 2. develop tender documentation for the services you are responsible for commissioning, in line with work setting and legal requirements 3. ensure the tender documentation contains a detailed specification and all the information providers require to produce an accurately costed tender 4. ensure the tender documentation specifies the procedures and timing for submission of tenders 5. ensure the tender documentation specifies clear evaluation criteria that are capable of helping you select the tender which offers best overall value 6. invite tenders from a range of suitable providers agreed with your partner agencies 7. ensure any additional information requested is made available equally to all tenderers 8. accept only those tenders which have been made in accordance with the procedures and timing for submission of tenders 9. ensure tenders are evaluated fairly against the specified evaluation criteria by people who are competent to do so 10. provide tenderers with opportunities to clarify any details which may be necessary to evaluate tenders fairly   **Award contracts for the provision of services**   1. resolve with providers any areas where their tenders appear to be at variance with specifications 2. negotiate the details of contracts with providers in order to ensure the continuing delivery of specified services that represent good value for money over the medium term 3. negotiate in ways which are consistent with maintaining effective working relationships with providers and partner agencies 4. offer contracts for the provision of services to those providers whose tenders best meet the specified criteria 5. ensure the contracts you offer clearly state the aims and objectives of services and the level of service required 6. ensure the contracts you offer clearly state how the objectives and the level of services will be monitored and evaluated 7. ensure the contracts you offer clearly state the milestone payments to be made to the providers 8. ensure the contracts you offer clearly state the roles and obligations of each party 9. ensure the contracts you offer clearly state the action to be taken if the provider fails to deliver services to specifications 10. ensure the contracts you offer meet work setting and legal requirements 11. inform partner agencies and unsuccessful tenderers promptly of the outcome of the tendering process |

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| Knowledge and understanding  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand:  You need to know and understand: | **Rights**   1. legal and work setting requirements on equality, diversity, discrimination and rights 2. your role in promoting individuals’ rights, choices, wellbeing and active participation   **Your practice**   1. legislation, statutory codes, standards, frameworks and guidance relevant to your work, your work setting and the content of this standard 2. your own roles, responsibilities and accountabilities with their limits and boundaries 3. the roles, responsibilities and accountabilities of others with whom you work 4. how to access and work to procedures and agreed ways of working 5. the meaning of person-centred/child centred working 6. how your power and influence as a worker can impact on relationships 7. how to work in partnership with individuals, key people and others 8. how to manage ethical conflicts and dilemmas in your work 9. how and when to seek support in situations beyond your experience and expertise   **Theory for practice**   1. the nature and impact of **factors that may affect the health, wellbeing and development of individuals** for whom contracts are required   **Personal and professional development**   1. principles of reflective practice and why it is important   **Safe-guarding**   1. legislation and national policy relating to the safe-guarding and protection of children, young people and adults 2. the responsibility that everyone has to raise concerns about possible harm or abuse, poor or discriminatory practices   **Multi-disciplinary working**   1. the purpose of working with other professionals and agencies 2. the remit and responsibilities of other professionals and agencies involved in multi-disciplinary work   **Handling information**   1. legal requirements, policies and procedures for the security and confidentiality of information 2. legal and work setting requirements for recording information and producing reports 3. how to record written information with accuracy, clarity, relevance and an appropriate level of detail 4. how and where electronic communications can and should be used for communicating, recording and reporting   **Leading practice**   1. standards of practice, service standards and guidance relating to the work setting 2. national and local initiatives to promote the well-being of individuals 3. lessons learned from government reports, research and inquiries into serious failures of health or social care practice and from successful interventions 4. techniques for problem solving and innovative thinking   Specific to this NOS   1. the importance of ensuring additional information is made available equally to all tenderers, and how to do so 2. the partner agencies in the local area 3. the range of suitable providers of services in the local area 4. ways of monitoring and evaluating objectives and levels of service effectively 5. the importance of developing clear criteria for evaluation, and how to do so 6. how to evaluate fairly against specified criteria 7. how to negotiate in ways which deliver good value for money and maintain effective working relationships 8. when you must go out to tender for services 9. what service specifications, tender documents and contracts should contain 10. how to develop service specifications, tender documents and contracts 11. the level of detail providers need to be able to produce an accurately costed tender 12. procurement procedures 13. the importance of ensuring continuing delivery of specified services that represents good value for money over the medium term 14. the range of actions which may be taken if providers fail to deliver services to specifications 15. recognised good practice in commissioning and delivering services 16. the range of services that may be needed in health and social care settings |

**Additional Information**

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| 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.  **Partner agencies** are those agencies with which you work in partnership to provide services that address the health and social care needs of individuals and families; agencies may include those who are in receipt of personal budgets who are managing their own care and support  **Services** may include education and prevention services, health, care and treatment services, rehabilitation and transitional care services, services for direct employers, services for relatives and carers.  **Tenders** may be invited fromall providers, invited from a selected group of providers, or open to a single provider only.  **Tenderers** are those who bid for a tender |

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| 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 statements required for achievement of the NOS.  **All knowledge statements must be applied in the context of this standard.**  **Factors** **that may affect the health, wellbeing and development of individuals** may include adverse circumstances or trauma before or during birth; autistic spectrum conditions; dementia; family circumstances; frailty; harm or abuse; injury; learning disability; medical conditions (chronic or acute); mental health; physical disability; physical ill health; poverty; profound or complex needs; sensory needs; social deprivation; substance misuse |

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| 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 |

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