

Unit: CPC 402 Promote effective arrangements for governance and organisational responsibility (Commissioning, Procurement and Contracting)

Key Purpose

The key purpose identified for those working in commissioning, procurement and contracting is to: "Specify, shape and secure quality services, responses and projects that deliver improving outcomes for individuals, families and communities within the strategic objectives of the organisation"

Elements of competence

CPC 402 A Champion your own and partner organisations' legal, ethical, social and regulatory responsibilities
--

CPC 402 B Promote compliance with your own and partner organisations' legal, ethical, social and regulatory responsibilities

CPC 402 C Review and evaluate the effectiveness of governance and organisational responsibility arrangements

About this unit

This unit is about promoting and encouraging responsible policy and practice in your organisation and in other partner organisations. Your role as a commissioner means that you are able to encourage and promote responsible governance through partnerships and through contracting provisions. Legal responsibilities are those specified in the laws, which apply to your organisation, such as employment, health and safety, workplace and contract laws. Regulatory responsibilities are those regulations laid down by a statutory regulator or a non-statutory authority that supervises the conduct of organisations in your sector; these will provide standards for your sector. Social, environmental and ethical responsibilities are part of your organisation's culture and value base and could include policies on sustainability and 'green' issues, as well as 'fair-trade' purchasing and valuing diversity and equality. All of this is delivered through the 'governance arrangements', i.e. the decision-making and accountability structure of your organisation.

Scope

The scope is here to give you guidance on possible areas to be covered in this unit. The terms in this section give you a list of options linked to the words highlighted in bold in the performance

criteria. You need to provide evidence for any option related to your work area.

Legal and regulatory requirements: current and emerging; legislation; standards; guidelines; codes of conduct; taxation; charity or company law compliance

Specialists: within your organisation; external to your organisation

Responsibilities: legal; regulatory; social; economic; environmental and ethical

Social, environmental and ethical responsibilities: to promote equality; to value diversity; to use sustainable solutions; to reduce 'carbon footprint' of organisation; to have fair employment practices; to have responsible purchasing and supply practices; to ensure financial probity; to be auditable; to use evidence-based practice

Partner organisations: voluntary sector; private sector; statutory sector; micro providers

Commissioning activities: identifying needs; identifying outcomes; developing the market; building capacity; preparing specifications; tendering; awarding contracts; contract provisions; contract monitoring; contract compliance

Values

The values underpinning this unit have been derived from the key purpose statement, the values and principles statement, relevant service standards and codes of practice for health and social care in the four UK countries. The values and principles statement is at the start of these units:

Key words and concepts

This section provides explanations of the key words and concepts used in this unit. In occupational standards it is quite common to find familiar words or phrases used, which, in the detail of the standards, may be used in a very particular way. **Therefore we would encourage you to read this section carefully before you begin working with the standards and to refer back to this section as required.**

Champion: to lead and promote an idea or concept throughout an organisation

Diversity: the principle that people are valued as individuals and that different ability; perspectives and approaches are a positive benefit to organisations and communities

Capacity: the ability to respond to, or deliver, any particular requirement. Capacity can be limited because of factors like staff, finance, knowledge, skills, confidence and support systems

Channels of accountability: the chain of people who are responsible for meeting the organisational responsibilities and where the final responsibility lies

CPC 402 A Champion your own and partner organisations' legal, ethical, social and regulatory responsibilities

Performance Criteria

You must show that you:

1. Identify accurately all the **legal and regulatory requirements**, which are relevant to your own and **partner organisations**
2. Obtain accurate interpretations of legal and regulatory requirements from **specialists**, where required
3. Establish accurately the **channels of accountability** for legal and regulatory requirements in your own and partner organisations
4. Clearly establish your own and partner organisations' **social, economic, environmental and ethical responsibilities** in consultation with relevant people
5. Establish channels of accountability for social, economic, environmental and ethical responsibilities in your own and partner organisations
6. Provide accessible information to decision makers about the positive outcomes of organisations acting in a responsible way
7. Establish and agree how organisational responsibilities are evidenced in practice
8. Promote organisational responsibilities through all **commissioning activities**
9. Model organisational responsibility through your own behaviour and professional practice

CPC 402 B Promote compliance with your own and partner organisations' legal, ethical, social and regulatory responsibilities

Performance Criteria

You must show that you:

1. Develop clear and accessible plans to ensure your area of responsibility in your organisation complies with its responsibilities
2. Ensure that commissioning activities involving partner organisations include compliance with organisational responsibilities
3. Ensure that the compliance provisions of commissioning activities reflect the **diversity** and **capacity** of partner organisations
4. Develop and agree with partners, the **criteria** that will be used to measure compliance
5. Ensure the availability of systems for accurately monitoring compliance with responsibilities
6. Provide information to decision makers about performance of compliance with organisational responsibilities

CPC 402 C Review and evaluate the effectiveness of governance and organisational responsibility arrangements

Performance criteria

You must show that you:

1. Gather information about the governance and organisational responsibility arrangements of your own and partner organisations
2. Obtain regular feedback about organisational performance in complying with responsibilities
3. Evaluate the information accurately using agreed criteria
4. Reach justified conclusions about the effectiveness of current arrangements and make recommendations about any changes and adjustments required
5. **Provide feedback** on the evaluation to your own and partner organisations

Knowledge specification for the whole of this unit

Competent practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent practice in the performance described in this unit.

When using this specification **it is important to read the knowledge requirements in relation to the expectations and requirements of your job role.**

You need to show that you know, understand and can apply in practice:

Values

1. Legal and organisational requirements on equality, diversity, discrimination, rights, confidentiality and sharing of information when promoting effective governance and organisational responsibility
2. Methods and ways of working that:
 - a. Support equality and diversity
 - b. Are ethical and adhere to any codes of practice relevant to your work
 - c. Respect other people's ideas, values and principles
3. How to ensure that you and others for whom you are responsible protect the rights and the interests of individuals, families and communities
4. How to manage ethical dilemmas and conflicts resulting from promoting organisational responsibilities
5. The reasons why effective governance can assist in obtaining best possible value from services

Legislation and organisational policy and procedures

6. Codes of practice and conduct, standards and guidance and the roles, responsibilities, accountability and duties of others when providing effective governance for an organisation
7. Current local, UK and European legislation and organisational requirements, procedures and practices for:
 - a. Data protection
 - b. Health and safety
 - c. Risk assessment and management
 - d. Employment practices
 - e. Making and dealing with complaints and whistle blowing
 - f. Developing practices which affect governance
8. Key government initiatives which affect organisational governance

9. How to access, evaluate and influence organisational and workplace policies, procedures and systems for effective governance
10. How different philosophies, principles, priorities and codes of practice can impact on governance and organisational responsibility
11. Policies, procedures, guidance and protocols with the other organisations and professions with which you work that are relevant to governance and organisational responsibility.

Theory and practice

- 12 How to assess the impact of organisational practice and why it is important to work in a sustainable way
- 13 Ways to communicate clearly to people what they need to do to comply with your own and partner organisations' responsibilities
- 14 The importance of obtaining accurate and timely reports of your own and partner organisations' performance in complying with responsibilities and how to do so
- 15 The reports you need to make and to whom, and how and when to make these reports
- 16 The importance of developing strategies to ensure compliance and how to do so
17. How to use commissioning activities to promote compliance with organisation responsibilities
- 18 The range of systems for monitoring compliance and how to ensure a suitable system is available
- 19 Organisational requirements or codes of practice for communicating information
- 20 How different people within and outside your organisation are affected by your organisation's legal, regulatory, social and ethical responsibilities
- 21 Specialists outside your organisation from whom you can obtain accurate interpretations of legal and regulatory requirements
- 22 How to establish your organisation's social and ethical responsibilities