

Unit: CPC 421 Manage contracts to achieve outcomes (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 421 A Plan to manage a contract
CPC 421 B Monitor and maintain progress towards achievement of outcomes
CPC 421 C Monitor and maintain contract costs and deal with any claims from contractors

About this unit

This unit covers the activities necessary for the effective running of a contract, from contract start to completion, including an on-going awareness of the financial position of the contract so that the cost implications of contract changes can be evaluated and implemented. It is also about progress toward achieving the outcomes, or other measures identified in the contract. The unit also covers the analysis and negotiation of claims from the contractor based on a detailed understanding of the contract conditions together with making assessments of the cost and time implications of any changes to work and the programme.

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 with items in the performance criteria. You need to provide evidence for any option related to your work area.

Cost data: actual expenditure; forecasts of expenditure; milestone payments; contract progress.

Agreed expenditure limits: at commencement of contract; adjusted during term of contract.

Remedial action: regulate expenditure to conform to agreed budgets; agree cost adjustment. seeking expert advice; implementing changes to contract requirements; varying contract terms

Appropriate people: contractors; users, managers, contractors

Compliance: express terms of contract; implied terms of contract; legal requirements; regulatory requirements.

Contractual action: implement changes to programme; implement contract changes in accordance with contract terms.

Communication: verbal; written.

Actions to bring about change or improvement: advice about operations; advice about systems and processes; workforce development; specialist input

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.**

Accessible: something that people can understand regardless of the level or way in which they communicate, this may mean translating information, or providing it in large print or on audio tape, or just in plain language

CPC 421 A Plan to manage a contract

Performance Criteria

You must show that you:

1. In consultation with the service provider, develop an implementation plan, capable of meeting the contract objectives, and agree it with **appropriate people**
2. Ensure that the plan clearly identifies the correct sequence, duration and resourcing of contracting activities

3. Present the implementation plan clearly in an **accessible** format and promptly communicate it to appropriate people
4. Accurately monitor the implementation plan for its ability to meet contract objectives
5. Clearly identify and accurately evaluate changes to the implementation plan and take appropriate action to modify the plan

CPC 421 B Monitor and maintain progress towards the achievement of outcomes

Performance Criteria

You need to show that you:

1. Agree contract/project plans with the service provider and user, which enable the delivery of outcomes to be effectively monitored against milestones or the support plan of the user.
2. Monitor progress at planned intervals against the milestones or support plan to determine if outcomes are being achieved within agreed timescales.
3. Plan any **actions with the contractor** if progress is not meeting milestones.
4. Inform appropriate people about progress towards outcomes and advise if any further action is necessary.
5. Evaluate the implications of anticipated, proposed or actual variances and their likely effect on outcomes.
6. Maintain accessible and clear contractual records

CPC 421 C Monitor and maintain contract costs and deal with any claims from contractors

Performance Criteria

You must show that you:

1. Obtain accurate cost data regularly and monitor it against planned budgets.
2. Identify cost variances and trends, follow up and agree with the service provider what action is to be taken
3. Identify cost saving opportunities, cost them accurately and identify the implications for service delivery and organisational responsibility

4. Implement any agreed cost saving opportunities promptly and effectively.
5. Identify variations to technical specifications, quantify and cost them accurately and take prompt and effective action to resolve them.
6. Promptly advise budget holders of any potential over spend or under spend
7. Maintain contract costs within agreed expenditure limits.
8. Conduct any negotiations about claims with contractors in accordance with organisational policy and procedures.
9. Maintain clear, auditable records and back up evidence about any claims from contractors
10. Resolve the claim as soon as possible and ensure that information is shared with relevant people promptly

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 managing contracts
3. How to manage ethical dilemmas and conflicts which can arise when managing contracts
4. Methods and ways of working that:
 - a. support equality and diversity
 - b. support the rights of people to communicate in their preferred way, media and language
 - c. support the development of sustainable new ideas
 - d. are ethical and adhere to any codes of practice relevant to your work respect other people's ideas, values and principles
5. How differing values and perspectives of service providers can have an impact on contract performance
6. The impact of organisational structure and culture upon

- how flexibly and innovatively resources can be used
- 7. Legal and organisational requirements about safeguarding children and vulnerable adults
- 8. Why it is important to reflect on your own practice and identify areas for further development, and how to do so

Legislation and organisational policy and procedures

- 9. Regulation, codes of practice and conduct relevant to yourself and others codes of practice and conduct, and standards and guidance and the roles, responsibilities, accountability and duties of others when managing contracts
- 10. Current local, UK and European legislation and organisational requirements, procedures and practices for:
 - procurement of services
 - contract compliance
 - termination of contracts
 - transfer of undertakings
 - data protection
 - risk assessment and management
 - best value
 - provision of social care and children's services
- 11. Key government initiatives which affect the organisation's practices when managing contracts

Theory and practice

- 12. Theories of:
 - Contract management in adult and children's services
 - Contract compliance in adult and children's services
 - public sector procurement in adult and children's services
 - Public sector commissioning for adult and children's services
 - Risk management in adult and children's services
 - Change management
- 13. Government reports, inquiries and research relevant to contract management
- 14. The use of evidence based practice to:
 - justify your actions and decisions
 - record and report processes and outcomes of your work.
- 15. The basis and real cost of providing care for adults or children