

Unit: CPC 424 Improve contract performance (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 424A Identify opportunities for improving contract performance against outcomes
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CPC 424 B Negotiate and agree the implementation of improvements

CPC 424 C Evaluate the impact of improvements on the achievement of outcomes

About this unit

This unit is about working with providers when it is clear that performance can be improved. This may have been as the result of regular outcome monitoring, or as the result of concerns or complaints. It is important that you take every chance to work with providers to achieve the outcomes specified in the contract; sometimes the outcomes can be achieved with some additional advice and a plan for improvement. Effective action at this stage can avoid any compliance issues or remedial action.

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 words highlighted in bold in the performance criteria. You need to provide evidence for any option related to your work area.

Action (service provider): recruit more staff; additional training; review systems and processes; invest more resources; improve facilities

Actions (commissioner): advice; specialist support; workforce development; contract variation

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.**

Relevant people: people to whom a particular issue or incident is important or who are affected by it. Who the relevant people are can depend upon circumstances

Organisation: the organisation/company/local authority for whom you work or volunteer; the organisation/company you own or run; if you receive direct payments or fund your own services, it means you and the people who work for you

Criteria: 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

CPC 424A Identify opportunities for improving contract performance against outcomes

Performance Criteria

You must show that you:

1. Provide a clear explanation of why performance needs to be improved
2. Encourage the service provider, as a positive step, to identify reasons for performance falling short of the requirements of the contract
3. Discuss in detail the areas of performance giving most concern
4. Identify, in a supportive way, possible options for resolving performance concerns
5. Discuss and agree with the service provider the preferred option to improve performance

6. Identify and agree a series of performance measures to enable progress to be clearly monitored

CPC 424 B Negotiate and agree the implementation of improvements

Performance Criteria

You must show that you:

1. Discuss and agree the **action** to be taken by the service provider to improve performance
2. Discuss and agree any **actions** to be taken by you or your organisation in order to improve contract performance
3. Agree reasonable timescales and record a proposed action plan
4. Agree intervals for monitoring improvements and progress against outcomes
5. Agree any follow-up action and outcomes to be achieved
6. Follow-up as agreed and check that appropriate action is taken
7. Inform **relevant people** in your own or other **organisation** about the need for improvements and the actions agreed
8. Record the agreements in a way that complies with any legal or audit requirements relating to the contract
9. Carry out the discussion and agreement in a way that promotes good will and fosters co-operation and understanding

CPC 424 C Evaluate the impact of improvements on the achievement of outcomes

Performance Criteria

You must show that you:

1. Identify openly the baseline **criteria** against which you will evaluate improvements
2. Monitor performance and progress towards outcomes at agreed intervals
3. Share the ongoing findings promptly with the service provider and other relevant people
4. Keep the action plan under review in the light of the evaluation
5. Make changes to the action plan to reflect improvements or a lack of improvement

6. At the end of the agreed time period use evidence from the agreed monitoring to make a recommendations for any further action, if necessary

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 improving provider performance
2. How to ensure that you and others for whom you are responsible protect the rights and the interests of individuals families and communities
3. How to manage ethical dilemmas and conflicts that may arise when you are managing contracts
4. Legal and organisational requirements about safeguarding children and vulnerable adults
5. Why it is important to reflect on your own practice and identify areas for further development and how to do so
6. 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
 - e. respect other people's ideas, values and principles

Legislation and organisational policy and procedures

7. Codes of practice and conduct, and standards and guidance and the roles, responsibilities, accountability and duties of others when improving performance of contractors
8. Current local, UK and European legislation and organisational requirements, procedures and practices for contractor performance and compliance
9. Key government initiatives which affect the organisational practices to improve contract performance
10. How different philosophies, principles, priorities and codes of practice can impact on contract performance monitoring
11. Policies, procedures, guidance and protocols with the other organisations and professions with which you work that are relevant to improving contract performance

Theory and practice

- 12 The importance of working alongside contractors to try to improve performance
13. The different ways contracts can be structured and the implications of the different types for being able to agree improvements in performance
- 14 The types of support that may be available to contractors that need to improve their performance and how to access it
- 15 The relationship between the achievement of outcomes and contractor performance
- 16 The factors that can cause a contractor to under-perform and how to address them