

SHDHSC0441

Manage tendering and contracting processes in health and social care settings



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

Manage the tendering process

You must be able to:

- P1 accurately identify when you must go out to **tender** for **services**
- P2 develop tender documentation for the services you are responsible for commissioning, in line with work setting and legal requirements
- P3 ensure the tender documentation contains a detailed specification and all the information providers require to produce an accurately costed tender
- P4 ensure the tender documentation specifies the procedures and timing for submission of tenders
- P5 ensure the tender documentation specifies clear evaluation criteria that are capable of helping you select the tender which offers best overall value
- P6 invite tenders from a range of suitable providers agreed with your **partner agencies**
- P7 ensure any additional information requested is made available equally to all **tenderers**
- P8 accept only those tenders which have been made in accordance with the procedures and timing for submission of tenders
- P9 ensure tenders are evaluated fairly against the specified evaluation criteria by people who are competent to do so
- P10 provide tenderers with opportunities to clarify any details which may be necessary to evaluate tenders fairly

Award contracts for the provision of services

You must be able to:

- P11 resolve with providers any areas where their tenders appear to be at variance with specifications
- P12 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
- P13 negotiate in ways which are consistent with maintaining effective working relationships with providers and partner agencies
- P14 offer contracts for the provision of services to those providers whose tenders best meet the specified criteria
- P15 ensure the contracts you offer clearly state the aims and objectives of services and the level of service required
- P16 ensure the contracts you offer clearly state how the objectives and the level of services will be monitored and evaluated
- P17 ensure the contracts you offer clearly state the milestone payments to be made to the providers
- P18 ensure the contracts you offer clearly state the roles and obligations of each party
- P19 ensure the contracts you offer clearly state the action to be taken if

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- the provider fails to deliver services to specifications
- P20 ensure the contracts you offer meet work setting and legal requirements
- P21 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:

Rights

- K1 legal and work setting requirements on equality, diversity, discrimination and rights
- K2 your role in promoting individuals' rights, choices, wellbeing and active participation

Your practice

You need to know and understand:

- K3 legislation, statutory codes, standards, frameworks and guidance relevant to your work, your work setting and the content of this standard
- K4 your own roles, responsibilities and accountabilities with their limits and boundaries
- K5 the roles, responsibilities and accountabilities of others with whom you work
- K6 how to access and work to procedures and agreed ways of working
- K7 the meaning of person-centred/child centred working
- K8 how your power and influence as a worker can impact on relationships
- K9 how to work in partnership with individuals, key people and others
- K10 how to manage ethical conflicts and dilemmas in your work
- K11 how and when to seek support in situations beyond your experience and expertise

Theory for practice

You need to know and understand:

- K12 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

You need to know and understand:

- K13 principles of reflective practice and why it is important

Safe-guarding

You need to know and understand:

- K14 legislation and national policy relating to the safe-guarding 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

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Multi-disciplinary working

You need to know and understand:

- K16 the purpose of working with other professionals and agencies
- K17 the remit and responsibilities of other professionals and agencies involved in multi-disciplinary work

Handling information

You need to know and understand:

- K18 legal requirements, policies and procedures for the security and confidentiality of information
- K19 legal and work setting requirements for recording information and producing reports
- K20 how to record written information with accuracy, clarity, relevance and an appropriate level of detail
- K21 how and where electronic communications can and should be used for communicating, recording and reporting

Leading practice

You need to know and understand:

- K22 standards of practice, service standards and guidance relating to the work setting
- K23 national and local initiatives to promote the well-being of individuals
- K24 lessons learned from government reports, research and inquiries into serious failures of health or social care practice and from successful interventions
- K25 techniques for problem solving and innovative thinking

You need to know and understand:

Specific to this NOS

- K26 the importance of ensuring additional information is made available equally to all tenderers, and how to do so
- K27 the partner agencies in the local area
- K28 the range of suitable providers of services in the local area
- K29 ways of monitoring and evaluating objectives and levels of service effectively
- K30 the importance of developing clear criteria for evaluation, and how to do so
- K31 how to evaluate fairly against specified criteria
- K32 how to negotiate in ways which deliver good value for money and maintain effective working relationships
- K33 when you must go out to tender for services
- K34 what service specifications, tender documents and contracts should contain
- K35 how to develop service specifications, tender documents and

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- contracts
- K36 the level of detail providers need to be able to produce an accurately costed tender
- K37 procurement procedures
- K38 the importance of ensuring continuing delivery of specified services that represents good value for money over the medium term
- K39 the range of actions which may be taken if providers fail to deliver services to specifications
- K40 recognised good practice in commissioning and delivering services
- K41 the range of services that may be needed in health and social care settings

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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.

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 from all 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

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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