



Higher National Unit specification: general information

Unit title: Manage Care Contracts and Monitor Service Provider Performance

Unit code: H393 35

Superclass: PA

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Unit purpose

The Unit will enable candidates to gain an understanding of the management and monitoring of contracts to ensure service user Outcomes are achieved. The Unit is also about ensuring that key performance indicators are monitored and the collation and analysis of information is meaningful.

On completion of the Unit the candidate should be able to:

- 1 Understand the management of care contracts.
- 2 Understand how to monitor the performance of service providers.
- 3 Understand the need for and value of service provider development.
- 4 Understand the purpose of service reviews in relation to the commissioning cycle.

Recommended prior knowledge and skills

It is recommended that candidates should have completed the Units 1–4 of the PDA Award in Commissioning, Procurement and Contracting for Care Services, prior to undertaking this Unit. Candidates should have good communication skills, both written and oral; this could be evidenced by an employee's reference or the process or application and/or pre-course interview. It is recommended that Candidates are in a work situation that allows them to demonstrate the Evidence Requirements for this Unit through real work activities.

General information (cont)

Credit points and level

1.5 Higher National Unit credits at SCQF level 8: (12 SCQF credit points at SCQF level 8*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Core Skills

Opportunities to develop aspects of Core Skills are highlighted in the support notes of this Unit specification.

There is no automatic certification of Core Skills or Core Skill components in this Unit.

Context for delivery

If this Unit is delivered as part of a Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes.

Higher National Unit specification: statement of standards

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The sections of the Unit stating the Outcomes, Knowledge and/or Skills, and Evidence Requirements are mandatory.

Outcome 1

Understand the management of care contracts.

Knowledge and/or Skills

- ◆ Roles and responsibilities of all stakeholders
- ◆ Contract Management Life-cycle
- ◆ Contract data management
- ◆ Contractual compliance and non-compliance
- ◆ Interface with regulatory and government agencies.
- ◆ Outcome Service Management

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ explain the key responsibilities and obligations for the buying organisation; including its internal and external stakeholders.
- ◆ evaluate the level of contract management to apply.
- ◆ explain how all contract data management is collated and processed.
- ◆ evaluate the importance of contractual compliance and explain how best to deal with various forms of non-compliance.
- ◆ explain the role of service regulation and consider the impact any grading system and subsequent award will have on performance measurement.
- ◆ interpret a minimum of two challenges for procuring organisations and service providers in delivering Outcomes for service users.

Higher National Unit specification: statement of standards (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

Outcome 2

Understand how to monitor the performance of service providers.

Knowledge and/or Skills

- ◆ Measuring performance
- ◆ Key Performance Indicators
- ◆ Tools and techniques to monitor and record service delivery performance
- ◆ Corrective intervention
- ◆ Reporting to stakeholders

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ identify systems and processes to measure performance.
- ◆ explain how Key Performance Indicators link with Service Specifications.
- ◆ identify tools and techniques to monitor and record the performance of service providers.
- ◆ demonstrate an understanding of corrective intervention.
- ◆ plan and organise stakeholder communication.
- ◆ evaluate the purpose of collating information and producing reports that provide stakeholders with information that evidences performance.

Higher National Unit specification: statement of standards (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

Outcome 3

Understand the need for and value of service provider development.

Knowledge and/or Skills

- ◆ Relationship Spectrum
- ◆ Provider Development
- ◆ Innovation
- ◆ Effectiveness and efficiency
- ◆ Organisational Culture
- ◆ Conflict Management
- ◆ Demand and sustainability
- ◆ Joint service development

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ evaluate the importance of the Relationship Spectrum.
- ◆ explain the importance and characteristics of effective provider development.
- ◆ identify the significance of encouraging innovation.
- ◆ explain the importance of effective and efficient relationships.
- ◆ explain the impact of organisational culture on service provider development.
- ◆ evaluate how to manage conflict.
- ◆ explain the importance of demand management to promote effective and sustainable procurement.
- ◆ evaluate the need to take a joint approach to service development.

Higher National Unit specification: statement of standards (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

Outcome 4

Understand the purpose of service reviews in relation to the commissioning cycle.

Knowledge and/or Skills

- ◆ Contract reviews
- ◆ Service reviews
- ◆ Quality Management
- ◆ Strategic benchmarking
- ◆ Strategic commissioning

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ explain the purpose of contract reviews.
- ◆ demonstrate an understanding of service reviews.
- ◆ explain the need for a quality management system within the review process.
- ◆ demonstrate an understanding of strategic benchmarking in relation to service reviews.
- ◆ explain how reviews inform the strategic commissioning process.

Higher National Unit specification: support notes

Unit title: Manage Care Contracts and Monitor Service Provider Performance

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 60 hours.

Guidance on the content and context for this Unit

This PDA has been designed to support the implementation of the Scottish Government's Guidance on the Procurement of Care and Support Services. This particular Unit offers learning on appropriate contract compliance and monitoring service provider performance and the impact on the delivery of care service provision.

The Social Work Inspection Agency (SWIA) Guide to Strategic Commissioning defines strategic commissioning as the term used for all the activities involved in assessing and forecasting needs, agreeing desired Outcomes, considering options, planning the nature, range and quality of future services, and working in partnership to put these in place.

In line with the vision for Protecting Vulnerable People, a contract management system should be developed to ensure that any individual who receives care and support can be confident that services are monitored to ensure they deliver their Outcomes.

The principles and performance measures within any contract monitoring process or framework should apply to services which are contracted to provide services. Services should regularly undergo Best Value tests to ensure that they are providing relevant services on a value for money basis.

In developing the performance measures purchasers should consult with service users and carers and with providers in terms of what is measurable and does not involve giving information which has already been provided to another area regulation. Any contract monitoring process or framework ensuring the right things are measured and the provision and collection and analysis of information supplied is not so onerous that it prevents providers concentrating on what is important — meeting service users' Outcome.

Where things do go wrong, and services fail it is important that service users and carers know what will happen next. Any contract monitoring process or framework should set out what will happen. It should outline the process and roles and responsibilities for both the purchaser — practitioners -care and contract managers - and providers to ensure that things are improved for the person concerned and other people are not similarly affected.

It is important that any contract monitoring process or framework developed will give service users and carer's confidence that people are safe in services and having their Outcomes met. However, it's important to accept that systems can be improved and therefore should be reviewed at regular intervals to establish how it can be improved or whether different performance measures are required.

Higher National Unit specification: support notes (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

The award of a contract or framework agreement is not the end of the process, but right at the start so ensuring that effective services are delivered to support service users

The purchaser of services has a requirement to make arrangements for:

- ◆ Managing the contract
- ◆ Managing the relationship between the purchaser and provider
- ◆ Managing any care deficiencies
- ◆ Reviewing the service

This final Unit in the Group Award and the purpose of contract management is to ensure that services are being delivered in line with service users' stated Outcomes, Best Value (quality and price), continually meet contract and regulatory requirements and strive for efficiencies and improvements. It allows the purchaser to identify and manage any risks which might affect providers' ability to deliver services and to ensure that any variations in price or quality are negotiated in accordance with contract requirements. The Scottish Procurement Department Guidance lists the following as the purpose of contract and supplier management:

- ◆ Ensure the contract is successfully executed
- ◆ Provide a system of monitoring supplier performance against contract requirements
- ◆ Ensure there is clarity of roles and responsibilities by all parties relating to supplier and contract management
- ◆ Monitor overall compliance by all parties to the terms of the agreement and contract key performance indicators
- ◆ Facilitate the identification and management of all relationships
- ◆ Identify potential additional savings due to proactive contract and supplier management
- ◆ Realise savings due to continuous monitoring of spend information
- ◆ Provide a focus for development of initiatives/innovation
- ◆ Deliver learning and knowledge transfer
- ◆ Drive continual improvement.

This guidance maps out a process similar to that of the learning Outcomes associated with this Unit and helps to gel the flow and sequencing of knowledge and best practice that is a cornerstone of this important area of the procurement cycle.

However what is nonetheless crucial to understand is a balance has to be struck between buyer intervention and supplier performance. One area that should not be compromised given the contractual implications is that it is always the providers' responsibility to maintain quality assurance systems, which ensures that services are delivered in line with the requirements of any contract. Therefore, it is with an emphasis on providers' responsibilities, that the contract monitoring process or framework should aim to provide an approach to evidencing the quality and performance of all care services.

Higher National Unit specification: support notes (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

Taking now each learning Outcome and picking out key considerations the following should be understood and reinforced.

Outcome 1

This is made up of six Knowledge and/or Skills bullet points and begins the journey of effective contract management.

- (a) To be effective it is necessary to re-visit why it is important to understand internal as well as external needs and aspirations this helps the buyer to properly create and subsequently manage any resultant contract and to pave the way for its subsequent development if required.
- (b) To be both effective as well as efficient it is necessary to understand the Contract Management Life-Cycle and to realise the key interventions points so as to ensure that the contract is designed in the first instance properly and that is managed and reviewed in accordance with its terms.
- (c) For the above point to be fulfilled it takes sound and accurate information – step in the importance of contract data management.
- (d) To ensure proper compliance with any contract's terms and conditions it takes both familiarity with as well as an understanding of the terms included within any contract whether they be set within standard terms and conditions of contract set by the organisation or added to by the buyer on a contract by contract basis — the key considerations require to be taught and understood.
- (e) Given the specialist nature of the context of this Unit (care services) and the PDA it helps to achieve understanding the regulatory framework together with government agencies and other key stakeholders is of vital importance.
- (f) Outcome Service Management which will be taught is that model which helps to achieve what we should always set out with namely securing and maintaining an effective contract for all parties associated with it.

Higher National Unit specification: support notes (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

Outcome 2

This is made up of five Knowledge and/or Skills bullet points and is the 'doing' part of effective contract management.

- (a) Here we begin by understanding the importance of Performance Management to Contract Management. How we need to properly consider pre-contract our Key Success Criteria to establish effective Key Performance Indicators to effectively measure the service provider's performance once underway and in a contractual setting.
- (b) As alluded to above Key Performance Indicators are the way most contracts communicate what is expected and what will be measured – these require to be properly understood and contractually embedded into any resultant contract.
- (c) It is important to keep accurate records as to the on-going as well as overall performance of the service provider. Firstly to spot and deal with early on any contractual drift and secondly to pave the way for informative performance reviews where you, as the buyer, stay firmly in the driving seat — knowledge is power.
- (d) Understanding what you can and can't do in relation to intervention is also important and this is taught as well as practically discussed within the third sub-learning Outcome of this Unit.
- (e) All of the above is tied back to sound record keeping vital should there be a dispute or contractual claim during the life of or at the end of the contractual period.

Outcome 3

This is where we look at the peripheral yet very important considerations associated with effective contract management. It is quite an extensive learning Outcome with no less than eight Knowledge and/or Skills bullet points.

- (a) The first point of theory to be examined is that of the Relationship Spectrum – why because crucial to effective contract management is understanding the stage at which you have the relationship with the service provider and understanding that helps you either cut and run should things go wrong or more positively give you a launch pad to develop the relationship along further stages of the relationship spectrum which will be taught; discussed and applied into various contractual scenarios.
- (b) An important part stemming from understanding the relationship dynamic is to know when it is right to press forward with service provider development — which should be the aim when it comes to effectively managing the contract. This sub-learning Outcome explores this important consideration.

Higher National Unit specification: support notes (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

- (c) Today, the challenges faced by buyers is to consistently add value to the contract, one way to achieve added value is to seek and secure innovative solutions. It is important to teach candidates about the importance of innovation as well as how to encourage and achieve it from the service provider.
- (d) Effectiveness and Efficiency here we examine and recognise that the term effectiveness is a strategic term and must be considered much earlier in the contract life-cycle if it's going to be achieved whereas efficiency is more an operational term and is an on-going requirement of a sound contract.
- (e) Organisational Culture needs to be understood as it plays an important part of creating as well as maintaining and developing the buyer-service provider relationship. Any contract bring two or more parties (organisations) together that will have different organisational cultures — it is therefore important to effectiveness to understand that and to ensure the best blend of cultures right from the outset.
- (f) Conflict Management — this is often an under-estimated phase of the contract management life-cycle but despite best endeavours contracts do go into dispute from time to time and it is important that the buyer stays firmly in the driving seat at this time — this is explored here using theory; and application of best practices.
- (g) Demand and Sustainability — so crucial in care contracting as it is so diverse and variable even manifesting itself through the life of the contract as service users' needs and requirements change during the life of the contract — the key considerations are fully explored here using theory as well as practical case examples.
- (h) Joint Service Development here we are looking at consultation with all key stakeholders to deliver the best possible Outcomes for service users and can make the difference between a good and not so good contract.

Outcome 4

The final Outcome within this Unit and consists of five Knowledge and/or Skills bullet points

- (a) Contract Reviews require to be handled in a professional manner and always on the buyer's terms here we look at theories associated with best practice alongside real life case examples taken from the care sector.
- (b) Service Reviews are an augment to ensuring that Service Level Agreements are fulfilled and is more about the efficient management of service levels on a day to day basis and is therefore more operational in outlook but does inform at the strategic level, if used correctly, to inform future commissioning as well as contracting.
- (c) Quality Management here the aspect of quality and how it can be measured is understood and best principles applied to ensure that the highest level of quality output is maintained throughout the life of the contract.

Higher National Unit specification: support notes (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

- (d) Strategic Benchmarking is a concept that will be taught to help inform the future performance requirement of contracts and the wider commissioning question.
- (e) Strategic Commissioning is finally reviewed — explained as to its purpose and how effective contract management can best inform it going forward.

This Unit is both comprehensive as well as essential to the full PDA. Its contribution should not be under-estimated. By working through all four previous Units learning new theories; models and best practices culminate here with the effective management of contracts to ensure sustainable added value.

Whilst this Unit can be delivered on a stand-alone basis it is recommended that it is delivered as the final taught Unit in the Group Award

Guidance on the delivery of this Unit

This Unit should be delivered as part of the Group Award in Commissioning, Procurement and Contracting for Care Services; it is recommended that it should be taught and assessed within the subject area of the Group Award, to which it contributes.

The Group Award consists of five taught Units and it is recommended that these are undertaken in sequence if the candidate aims to achieve the Group Award, however, this Unit could be undertaken as a stand-alone Unit

It is recommended that delivery will be mainly by distance learning, but supplemented by face to face discussions which could be facilitated by a variety of methods.

Guidance on the assessment of this Unit

Assessment Guidelines

Outcomes 1 to 4

In this assessment it is recommended candidates produce a Report of 2500 words +/- 10% taken from a real life example of a contract and to evaluate critically how it was managed.

It is important the candidate demonstrates in their Report that they:

- 1 Understand the management of care contracts.
- 2 Understand how to monitor the performance of service providers.
- 3 Understand the need for and value of service provider development.
- 4 Understand the purpose of service reviews in relation to the commissioning cycle.

Or

Higher National Unit specification: support notes (cont)

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In the case of someone not working in the field at the time of undertaking this PDA, the assessment will look at a hypothetical contract, which should be drawn up and included as an Appendix to the Report being written to aid with contextualisation.

It is important the candidate demonstrates in their Report that they:

- 1 Understand the management of care contracts.
- 2 Understand how to monitor the performance of service providers.
- 3 Understand the need for and value of service provider development.
- 4 Understand the importance of sound contract management.
- 5 Understand the purpose of service reviews in relation to the commissioning cycle.

The Report will be 2500 words +/- 10%

Online and Distance Learning

The emphasis for delivery of this Unit should be on tuition that includes options for distance learning, delivery/support by video conferencing, e-learning and classroom learning within SQA approved centres.

To meet the needs of the commissioning, procurement and contracting workforce this Professional Development Award should be offered via a range of delivery options including a part-time flexible basis of learning,

Opportunities for developing Core Skills

Assessment of this Unit will assume the development of Core Skills necessary in the performance of work tasks at this level. For example the assessment includes the need to use appropriate information technology and the demonstration of skills to undertake written presentations which will include the use of complex information.

Candidates will have the opportunity to develop the following Core Skills:

Communication: Written communications will be developed through candidates producing written work in their assessment; oral communication will be developed through discussion, debate and evidence of engagement with other internal stakeholders in the preparation of their Report for the assessment of this Unit.

Working with Others: Will be developed as a natural consequence of working in the field of procurement as candidates to be effective will be required to work collaboratively with colleagues from their own function as well as other key functions within the organisation. This is further enhanced with the need to engage with other thirds parties within the supply chain and external to their organisation, in the preparation and research for the assignment.

Higher National Unit specification: support notes (cont)

Unit title: Manage Care Contracts and Monitor Service Provider Performance

Information and Communication Technology (ICT): Candidates will develop their *ICT* skills through research and the presentation of written assignments.

Problem Solving: *Problem Solving* will be developed when candidates consider scenarios associated with identifying and encouraging innovation and managing conflict within the contract management life-cycle.

Disabled candidates and/or those with additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments, or considering whether any reasonable adjustments may be required. Further advice can be found on our website www.sqa.org.uk/assessmentarrangements

History of changes to Unit

Version	Description of change	Date

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General information for candidates

Unit title: Manage Care Contracts and Monitor Service Provider Performance

This Unit represents the final stage of the Professional Development Award in Commissioning, Procurement and Contracting for Care Services.

Its key purpose is to pull together all the theories and best practices learned into the stage when procurement have placed the contract and it now requires to be effectively monitored and measured to ensure full contractual compliance.

It goes beyond that stage to the importance of relationship management and building to ensure the potential for service provider development and the scope for further added value.

It deals as a result not only with fundamental contract life-cycle management but goes into other areas such as:

- (a) Relationship management with both internal and external stakeholders
- (b) Outcome Service Management
- (c) Performance Management
- (d) Corrective action planning
- (e) Organisational Culture
- (f) Conflict Management
- (g) Joint service development
- (h) Quality Management
- (i) Strategic Benchmarking and
- (j) Strategic Commissioning

It is a comprehensive Unit which will allow you to broaden your knowledge and understanding of the commissioning and procurement life cycle.

In undertaking this Unit you will be given opportunities to develop the Core Skills of *Communication, Information and Communication Technology (ICT), Working with Others and Problem Solving* at SCQF level 6 although there is no automatic certification of Core Skills or Core Skills components.