## Adults and Communities Contract Management Intervention Protocol - August 2012 To be used with the Supplier Relationship Management Guide (SRM)

Encourage – provider may benefit from networking with others or support from Commissioning, involvement with market shaping and strategic discussions

Enable – moderate concerns. Action required by provider to make improvements

Enforce – serious concerns regarding either non-compliant or below standard service delivery

Number	What is the issue?	What will you do?	Above - Monitor Intervention Support/Co-produce	Below - Improvement Plan	Why am I choosing this action?	How will I know it's done?	How am I going to do it?
1	Providers won't engage in a two-way dialogue on performance I need to develop supplier relationship management (SRM) I need to proactively engage and encourage I need to do some market shaping	Learning points and feedback	Above - Monitor Encourage	B - Enable/Enforce	I need to: Feedback to providers and stakeholders on findings, risks and recommendations relating to future performance. Use evidence to trigger learning points and feedback e.g. quality and assessment toolkit, citizen feedback, provider self-assessment, lay-assessor reports, management information Evidence base decision making Encourage citizen involvement and use of lay assessors  Providers have the opportunity to feedback via self-assessment	Used my feedback to inform action plans Updated the performance and risk rating	Using face-to-face, e-mail, telephone, on-line - SRM Making best use of various sources e.g. Lay Assessors, customer satisfaction, mystery shoppers, user boards Assessing feedback Attendance and active participation at forums
2	There is a lack of communication and trust between providers Providers aren't collaborating I need to increase knowledge in the market about what is happening in adult social care	Information Sharing - providers	Above - Monitor Encourage	B - Enable/Enforce	I need to: Share best practice between providers to inform, challenge and improve delivery and performance. Conducted information sharing in a planned and coordinated manner e.g. through forums and networking events Encourage provider networks and sharing of good practice through newsletters and the Provider Portal (future)	I have: Updated the communication and/or campaign Plan Engaged appropriate providers for strategic direction and market shaping discussions Held forums/networks to an agreed timeframe Shared knowledge through the provider portal Stored evidence of actions on ICT system Providers can evidence: Improved performance and quality of service delivery to citizens Taking ownership (viewing themselves as stakeholders) for whole social care market Sharing of information focussing on delivering better performance outcomes for the citizen and value for money for the taxpayer Working together to enhance business opportunities	information sharing through a variety of channels e.g. Collaborative Forums, on-line Using Lay assessors and Mystery Shoppers Joint working with partners to share knowledge and information to inform decision making e.g. NHS, CQC, other Local Authorities Sharing best practice Encouraging providers to maximise their business potential by advertising on the Marketplace on My Care in Birmingham
3	I need to share information with other parties so I have a complete view of a provider's performance I need to know about issues and risks identified by others about a provider sooner rather than later	Information sharing - brokers of care and stakeholders/partners	Above - Monitor I - Encourage/ Enable	B - Enable/Enforce	I need to: Inform brokers of care and stakeholders/partners of: The performance of providers to promote an open and transparent approach and increase informed choice for citizens Best practice delivery models and approaches to help drive improvement in service delivery	I can access: Performance information from colleagues and other organisations Micro tendering demonstrates: Providers giving increased citizen choice and control I have: Engaged appropriate partners for strategic direction and market shaping Improved relationship management Evidenced, audit trail on ICT system	Publication of performance/risk ranking on Contract Management System Information sharing to avoid duplication of effort for providers, partners, stakeholders and Commissioning
4	Providers lack knowledge and understanding of the strategic and national direction and future operating model	Targeted Communications	Above - Monitor  1 - Encourage/ Enable	B - Enable/Enforce	I need to: Promote transparency and communication, including: Knowledge sharing of Adults and Communities aspirations and strategic direction Communication on national and local government direction Ensure providers understand that citizens need choice and control to meet their outcomes and taxpayer requires value for money services Embed understanding of performance expectations	I can demonstrate my providers fully understand: - Framework, supplier selection and contract management models - Objectives of the Adults and Communities Directorate - Reviews - timeframes and types - Data collection, sources of feedback and Quality Assessment toolkit  All engagement with providers is evidenced on the ICT system and analysed for effectiveness	Ensuring all communications have a purpose and intended outcome and are approved by the appropriate Commissioning Officer Use existing targeted communications Request development of new communication material where appropriate
5	I need incentives for providers to encourage theme to consistently deliver high levels of performance	Reward	Above - Monitor Encourage		I need to: Reward consistently high-performing providers to encourage continued best practice e.g. User Board awards Engage high performing providers in strategic market shaping and development Increase awareness of the providers of excellent social care with partners, stakeholders and citizens	I have:  Nominated providers to be acknowledged and held up as examples of best practice Given my providers the opportunity to help influence market development Encouraged my providers to present at forums and events Informed appropriate Commissioning Officers to ensure providers are involved in strategic discussions  Evidenced audit trail on ICT system  Future - providers have a preferred positioning on Supplier Selection ICT system	Engage providers in market shaping and development Have an open and transparent two-way dialogue with providers
6	I need to assist providers who have neither the capability, capacity or knowledge to deliver improvements in performance or make changes to their business model without support and guidance.	Advice and guidance on performance	I - Encourage/ Enable	B - Enable/Enforce	I need to: Provide input and advice to providers on their approach to delivery and best practice initiatives to improve performance.  Base my advice on information gathered from a variety of sources e.g. data, input from citizens, providers, lay assessors, BCC and other stakeholders/partners e.g. CQC, alert list etc.	I have: Assisted providers to identify business potential or acknowledge under-performance and implement plans to deliver improvements Explained clearly the need for change and reasons for requiring improvement Evidenced, audit trail on the ICT system	By giving advice on key topic areas including: Strategic direction Market development Social Care - national and local direction Giving guidance on statutory, legal and financial obligations (link to targeted communications) Improvement Plans Working jointly with partners and providers on a solution focussed approach
7	I need to addresses capability gaps in providers that are causing poor performance including: Skills Knowledge Mindset/Behaviours Organisational practice	Training (Commissioning, citizens working on behalf of and providers)	Above - Monitor	B - Enable/Enforce		I have ensured: Links are made with BCDA Training is organised for providers to improve by addressing capability gaps, for example: Skills (business planning, strategic direction, resourcing) Knowledge (performance and contract requirements, customer needs, informed choice, demand and supply, statutory requirements) Mindset/Behaviours (how to work within the new model of commissioning services by Birmingham City Council) Training is evaluated by providers and results analysed for effectiveness and stored on the ICT system	Nominating providers for appropriate training and aiming for the most suitable method of delivery, for example: - eLearning - One-to-one provider sessions - Forums - by type of provider or mixed service provision

						I need to:	Quality assessment of provider linked to data collection to give an evidence based	Refer to the Quality Assessment Toolkit
8	I need to know about and address issues at an early stage I need to identify examples of best practice I need to ensure citizens are receiving the care the provider stated they would deliver under Supplier Selection	Scheduled visits	Above - Monitor	Enable	able/En	citizens when they receive care Check the impact this has upon their health and wellbeing	performance rating of a provider Joint review, improvement plan or directive improvement plan and training needs may be identified as a result of the visit Best practice exemplars may be identified for use and reward given where appropriate Risk assessment checklist complete All evidence stored on ICT system	Considering contract compliance and at least one of the 4 themes in the four Adult Social Care Outcomes Framework (ASCOF) outcomes:  Ensuring quality of life for people with care and support needs reducing the need for care and support  Ensuring people have a positive experience of care and support  Safeguarding adults whose circumstances make them vulnerable and protecting from avoidable harm  Changing the focus of my visit if areas of concern are identified
9	I need to address issues and risks highlighted as an area of concern and communicate with the provider about their service delivery I need to ensure areas of concern are mitigated to ensure service provision is of an acceptable quality	Responsive visits	I - Encourage/	Enable	B - Enable/Enforce	concerns raised by partners, citizens, serious complaints or whistle blowing).  Providers may or may not have advanced notice of these visits depending on the nature of the concern	I have: Completed a quality assessment of provider which includes specific investigation of an issue and may result in an amended performance rating of a provider Completed an improvement plan or directive improvement plan and listed training needs where appropriate Completed a risk assessment checklist Linked to ASP (A Team) to ensure joined up approach All evidence stored on ICT system	Refer to the Quality Assessment Toolkit  Ensuring the areas under consideration of a responsive visit is linked to the reason for the visit  Using the contract compliance part of the toolkit at your discretion  Changing the focus of my assessment if areas of concern are identified during the visit
10	I need to develop supplier relationship management I need to promote two way, open, transparent communication	Contract management meeting	Above - Monitor	Enable	able/I	This can be linked to the scheduled visits or may be a separate conversation.	I have: Discussed any issues and concerns at an early stage and given immediate feedback to a provider Identify areas of best practice - link to reward Communicated strategic and operational objectives of Commissioning Completed a risk assessment checklist  Results of the meeting and feedback stored on the ICT system	Face-to-face, e-mail, telephone, on-line - SRM
11	A provider has failed to implement an improvement plan within the agreed timescales. The provider has issues around putting in place agreed measures.	Contract review meeting	I - Encourage/	Enable	B - Enable/Enforce	NC - Enforce	I have: Discussed any issues and concerns Ensured the plan is being implemented and discussed reasons for failure and mitigated to enable provider to improve Ensured citizens are receiving a service of an acceptable quality Reviewed timescales for improvement and amended where appropriate Completed a risk assessment checklist Informed the Market Manager  Results of the meeting and feedback stored on the ICT system	Face-to-face, e-mail, telephone, on-line
12	I need to analyse best practice and share information I need to analyse under-performance that has not been mitigated by joint review I need to collate market intelligence and data I need to Commissioning Officers understanding of provider issues and causes of failure	Risk Assessment	Above - Monitor	l - Encourage/ Enable	77	of under-performance Review can also be used in extra-ordinary situations e.g. safeguarding and serious complaints to determine if further action needs to be taken. Review may be to investigate further information received from other sources e.g. whistleblowing	I have: Used the risk checklist and quality assessment toolkit to produce a clear analysis of causes of under-performance Used my assessment as the basis of any improvement plan developed to resolve issues and deliver provider performance improvement Discussed my analysis with the provider Nominated providers where there is evidence of best practice which can be shared and used for market development identified by strategic intentions Improvement Plan - agreed by Commissioning and implemented by provider. Isssued a Breach Notice where appropriate Monitored the success of implementation fany plan by the provider Evidenced, audit trail on ICT system	Reviewing all relevant aspects of service delivery under the Quality Assessment Toolkit/quarterly data collection (those scoring as areas for concern or areas of best practice)  Completing a risk assessment checklist Amending the performance and risk rating
14	A provider has a management/staff/resource failure. A provider has capability and capacity shortfall in meeting contract requirements. There is non-compliance with the contract The provision of service falls short of acceptable quality	Improvement plan			B - Enable/Enforce	performance and quality assessment of provider Include defined measures and timescales	I have: Worked with the provider to develop an Improvement Plan that results in defined improvements which are SMART: specific, measurable, attainable, relevant and timebound Review the plan for effectiveness Completed a risk checklist Considered a contract variation Informed the appropriate Market Manager and relevant partners My Provider: Evidences improvement Evidence and plan stored on ICT system	Use an Improvement Plan as an incentive and enforcement and defining timescales Amend performance/risk ratings Use a phased approach to change with a provider if multiple changes are required Ensure Plan is be received by Commissioning from Provider within 10 working days Review with provider to ensure targets on track at 30 days and met in 60 days Make one visit within 60 days and conduct a review meeting as specified in the Framework Contract
13	I have evidence that a provider performance is failing to meet the requirements of the Framework Agreement	Breach Notice			B - Enable/Enforce	m -	I have: Issued Breach Notice with timescales Monitored implementation Breach Notice and implementation audit stored on ICT system	Issuing a notice setting out the performance deficiency, the action required to rectify it and timescales  Considering decommission or suspension If the provider fails to meet the terms of the breach notice  Notify CQC and other relevant partners
15	Providers are unable to implement and achieve previously identified improvements. Previous interventions (training, engagement etc) have not succeeded.	Directed Improvement Plan		l - Encourage/ Enable	B - Enable/Enforce	NC - E	I have Developed a directive improvement plan detailing changes required in: - Performance - Resources - Delivery of service - Quality of service - Quality of service - Contract compliance Completed a risk assessment checklist and revised performance ranking Monitored provider to ensure changes are implemented and impact tracked to assess improvement in performance Enforced suspension of further agreements where appropriate - see schedule 9 (6.1-6.8) of Framework Agreement Issued a Breach Notice issued or link made to previous breach notice Informed the appropriate Market Manager  All plans and evidence stored on ICT system	Ensure significant directed changes are implemented Amend performance/risk ratings Agree timescales for changes Review plan with provider, including further 60 day involvement (from any original improvement plan) as specified in the Framework Contract Give examples of best practice to drive onsite changes to delivery
16	To address a specific issue with a provider which is not covered by the Framework Agreement or Supplier Selection	Contract Variation	I - Encourage/	Enable	B - Enable/Enforce	Pilot a specilist service linked to Market Shaping	I have developed a Identified service requirements Expression of interest has gone to providers Responses have been evaluated Variation to a contract is agreed outside of the Supplier Selection Process All actions and evidence stored on the ICT system	Ask for expressions for interest from Providers for a specific piece of work Clearly communicate the reasons for variation and engage key stakeholders Inform appropriate Market Manager

17	Sustained underperformance and/or non-compliance	Suspension	B - Enable/Enforce NC - Enforce	I need to: Suspend delivery by a provider due to business failure or severe failure to deliver services of an acceptable standard under the contract	suspend and this has been agreed.  I will then:  Ensure new contracts are not be awarded to a provider  Developed a contingency plan for existing citizens for whom the provider is responsible  Issued a Breach Notice  Completed a risk assessment checklist and amended the performance ranking  Make a link to Directive Improvement Plan  Informed the Market Manager  All actions and evidence stored on the ICT system	Suspend provider from the Framework Contract and Supplier Selection Process using the defined Suspension Process
18	There is sustained underperformance and/or non-compliance and a suspension period has not addressed identified issues. Service delivery by a provider is no longer seen as at an acceptable quality level for Birmingham City Council Adults and Communities Directorate.	Decommission	B - Enable/Enforce NC - Enforce	I need to:  Decommission delivery by a provider due to business failure or severe failure to deliver services of an acceptable standard under the contract	suspend and this has been agreed. I will then:	Use the defined "Termination Process" under the Framework Contract to ensure termination occurs in a legally compliant manner.  Plan to ensure continuous service to citizens Inform the appropriate stakeholders and partners  Remove the provider from the Framework and Supplier Selection systems