
Report To: Health and Social Care
Committee

Date: 22 August 2019

Report By: Louise Long
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Partnership

Report No: SW/35/2019/HW

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Support

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Subject: Updating of the Contract Management Framework with Section on
Poor Performing Services

1.0 PURPOSE

1.1 The purpose of the report is to request that the Health and Social Care Committee approves a new section in the Contract Management Framework to include a process for managing Poor Performing Services.

2.0 SUMMARY

2.1 The operational responsibility for the Contract Management Framework (CMF) lies within the Quality and Development Strategic Commissioning Team.

2.2 The CMF was completed and approved by the Committee in February 2019. It describes the main roles and responsibilities of the Strategic Commissioning Team in relation to Contracts and Grants, Contract Monitoring of Services and the Governance of External Providers. It also reflects current legislative and policy requirements whilst making best use of the resources within the Strategic Commissioning Team.

2.3 After a review of the functions of the team within the CMF, it was considered necessary to add a process and provide guidance for staff to manage poor performing services, and to offer clarity to Providers about the action they can expect from the HSCP, if they do not or cannot deliver fully on their contracted obligations.

3.0 RECOMMENDATIONS

3.1 That the Health and Social Care Committee approves a new section in the Contract Management Framework to include a process for managing Poor Performing Services.

Louise Long
Chief Officer
Inverclyde HSCP

4.0 BACKGROUND

- 4.1 Inverclyde Health & Social Care Partnership (HSCP) covers the full range of community health and social care services. The HSCP comprises children and adult health and social care services, specialist adult and children's services, fostering and adoption services, public protection, commissioned social care services, health improvement and inequalities services, advice services, criminal justice, homelessness and a wide range of support services.
- 4.2 The responsibility for the HSCP Contract Management Framework (CMF) sits within Strategy and Support Services, specifically within the Quality and Development Strategic Commissioning Team.
- 4.3 The Inverclyde HSCP CMF outlines the responsibilities of the strategic commissioning team, contract management staff, care managers and providers in carrying out continuous evaluation and monitoring of purchased services. The CMF details the approach taken to effectively manage purchased care and support services across all client groups.
- 4.4 After a review of the functions of the team within the CMF, it was considered necessary to add a process and provide guidance for staff to manage poor performing services.
- 4.5 It is proposed that the following will be added to the CMF as Section 10 with a corresponding flowchart (Appendix 1).

Process Stages of Managing Service Poor Performance

There will be occasions when it will be necessary to respond and support services whose service delivery is not meeting contractual terms and conditions or fails to maintain the Care Inspectorate grade 3 or above. Appendix 1, '*Process Stages of Managing Service Poor Performance*' provides guidance for the Strategic Commissioning Team to manage services which are poorly performing.

It should be noted that each concern or issue that presents might be different and require different but appropriate approaches. Officers will be expected to seek guidance from the relevant Team Lead/Service Manager/Commissioner/Procurement and/ or Legal Services as appropriate and as per the relevant contract the concern(s) relates to.

Poor performance examples can be (but are not limited to) any of the following:

- Receipt of concerns, complaints or patterns/trends which suggest dissatisfaction with a service.
- Significant performance concerns/issues, such as missed visits, punctuality, and cancellation of visits at short notice or no notice.
- Performance concerns re: staff turnover, staff absence, level of serious incidents recorded.
- Care Inspectorate grades fall to 3 or below.
- Breakdown of service, which would potentially have a significant budgetary impact.
- Services where the Provider is allegedly in breach of terms and conditions of contract.

A timeline of events should be started immediately when significant and persistent concerns are highlighted to the Strategic Commissioning Officer/Support Officer and updated on a regular basis.

Updates/briefing report(s) to all appropriate Service Managers/Commissioners/Heads of Service should be completed by the Strategic Commissioning Officer/Support Officer as appropriate throughout the process.

5.0 IMPLICATIONS

Finance

5.1 No financial implications.

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

Legal

5.2 Legal Services will support the Service with legal advice and assistance as required as part of the process.

Human Resources

5.3 No human resource implications.

Equalities

5.4 Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
√	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
√	NO

5.5 Repopulation

N/A

6.0 CONSULTATIONS

6.1 N/A

7.0 BACKGROUND PAPERS

7.1 Appendix 1 - **Process Stages of Managing Service Poor Performance**

Appendix 1 - Managing Service/Provider Poor Performance

There will be occasions when it will be necessary to respond and support services whose service delivery is not meeting contractual terms and conditions or fail to maintain the Care Inspectorate grade 3 or above. The following flowchart provides guidance for the Strategic Commissioning Team to manage services which are poorly performing:

(Please note: each concern or issue that presents might be different and require appropriate approaches therefore Officers should seek guidance from the Team Lead/Service Manager/Commissioner/Procurement and or Legal Services as appropriate and as per the contract).



Updates/briefing report to all appropriate Service Managers/Commissioners/Heads of Service should be completed as appropriate throughout the process.