

## Contracting for Services – Guidance for Care Managers and Brokers

### 1. Overview

#### 1.1 Purpose of the Guidance

The purpose of the Contracting for Services guidance is to set out the procedure for arranging for an independent sector provider to supply a service to a service user. It includes:

- an explanation of the contractual arrangement between DCC and independent sector providers for each type of service;
- guidance on selecting providers;
- instructions on how to complete the relevant sections of the FACE form;
- information on how prices are agreed;
- guidance on responding to concerns about providers.

#### 1.2 Services covered by the Guidance

The guidance is divided into a number of modules, each covering a particular type of service. This format enables individual modules to be updated in the light of changing legislation, policy or operational practice, and allows further modules to be added when necessary.

The types of service covered are as follows:

- Care homes
- Domiciliary personal care
- Day care
- Individualised support
- Community meals
- Minor adaptations
- Adult placements
- “Live In” care packages
- Transport
- Deep cleaning

#### 1.3 Responsibility for other services

There are two main types of service which are **not** purchased by the ACS Directorate:

**Accommodation:** Other than residential or nursing home care in accommodation registered with CSCI, the ACS Directorate does not normally fund accommodation for service users. People in need of accommodation should be signposted to their local housing authority. However, the ACS Directorate may provide financial assistance in emergency homelessness situations.

**Healthcare:** The ACS Directorate is not able to purchase health care services. This is the responsibility of Health Care Trusts. This includes making placements in independent hospitals and hospices.

#### 1.4 Concerns about providers

Minor or one-off concerns about service delivery should be referred to the service provider in the first instance, in order that they can investigate the matter. Care managers and brokers should have a local system in place for logging such concerns, so that any patterns of non-delivery or poor performance will be evident.

## Contracting for Services – Guidance for Care Managers and Brokers

### 1. Overview Continued

Any more serious concern relating to the health, safety or well-being of service users should be reported to the relevant Practice Manager, in order that the protocol set out in *Contract Guidance Note 06-004 Concerns about Care and Support Providers* can be instigated. The protocol sets out that the Practice Manager will inform the Operations Manager, who in turn will inform the Procurement & Contracts Team, the Adult Protection Team and the Commission for Social Care Inspection as appropriate.

#### 1.5 Glossary

ACS	Adult & Community Services Directorate
Block Contract	A contract between Devon County Council and a service provider for a fixed volume of service. DCC is obliged to pay for the full volume of service irrespective of whether it has been used or not.
Care Manager	A person who is authorised by DCC to arrange for services to be provided by service providers (either in-house or in the independent sector) to service users.
Commissioning	The strategic activity of assessing needs, resources and current services and developing a strategy to make the best use of available resources.
Commissioning Manager	The officer of DCC or a partner organisation responsible for the commissioning activity which may result in the procurement of services.
DCC	Devon County Council
CSCI	Commission for Social Care Inspection (the body which registers and inspects care homes and personal care providers)
FACE	Functional Analysis in Care Environments
FACE Care Plan	The form that is used to arrange a service for an individual service user. The FACE Care Plan form encompasses the terms and conditions of the relevant block contract or pre-placement agreement.
Gross Payment Arrangement	DCC collects any Service User and Third Party contributions and pays the full Price to the Service Provider.
Monitoring	A process that takes place throughout the life of a contract to establish whether the performance of the service continues to achieve the outcomes identified within the service specification. It is a continual “health check” that enables corrective action to be taken if necessary.
Net Payment Arrangement	DCC pays only its own contribution to the Price to the Service Provider, with the Service User and any Third Party paying their contributions to the Service Provider.
Pre-Placement Agreement (PPA)	A contract between DCC and a service provider under which DCC is only obliged to pay for the volume of service that it uses.
Procurement	The whole process of acquisition from third parties. This process spans the whole life cycle from initial concept and definition of business needs through to the end of the useful life of an asset or the end of a services contract. In essence it is the process of implementing commissioning decisions to provide services and includes the actual “purchasing” activity.
Review	The act of determining whether the contract is successfully fulfilling its purpose. This will usually take place towards the end of the contract period, but may occur earlier if there are concerns about contract performance (as a result of monitoring) or other relevant factors. The review will measure the effectiveness of the contract against the strategic objectives of the ACS Directorate and determine what course of action should subsequently be taken.
Service Provider	The individual or organisation with which DCC has entered into a contract for the provision of a service.
Service User	An individual who has been assessed as eligible for a service arranged by DCC.

## Contracting for Services – Guidance for Care Managers and Brokers

### 1. Overview Continued

#### 1.6 Further Information About Contractual Arrangements

Any queries relating to this guidance that cannot be answered by local Practice or Operations Managers should be directed to the relevant ACS Procurement and Contracts Officer.

The Procurement & Contract Team consists of the following personnel:

Denise Brabin	Head of Procurement & Contracts	2942
John Wilkin	Deputy Procurement & Contracts Manager	8648
Ian Gibson	Procurement & Contracts Officer (Mental Health)	3010
Rebecca Beasley	Procurement & Contracts Officer (Older People and Physical Disability)	3559
Richard Day	Procurement & Contracts Officer (Learning Disability)	2450
Brad Hillson	Contracts Assistant	2021
Paul Clatworthy	Contracts Assistant	2361

**Procurement & Contracts Team 7/07**