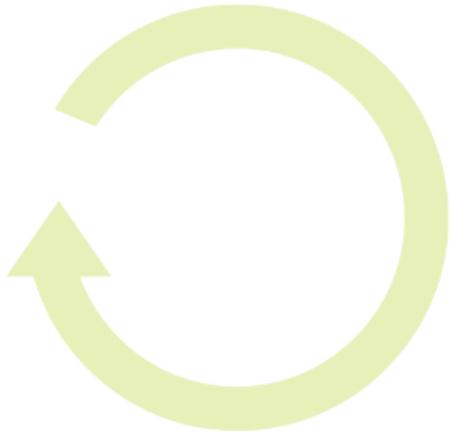




Nottingham
City Council

Nottingham City Council Commissioning Handbook



- **ANALYSE**
- **PLAN**
- **DO**
- **REVIEW**

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1 Introduction

This handbook sets out the fundamentals of our commissioning approach. It is based on best practice methodology and intended to set consistent standards and support anyone involved in commissioning across Nottingham City Council to deliver Best Value and the outcomes that we wish to achieve for, and with, the people of Nottingham, in line with our Council Plan.

The intention is for the document to **inform and guide** commissioning activities and provides:

- An overview of the commissioning cycle and activities involved with each stage
- A repository of tools, documents and templates
- A general outline of good practice
- Links to Nottingham City Council's 'Procurement' and 'Contract Management' best practice materials and e-learning.

2 What is Commissioning?

Commissioning is the process for deciding how to achieve effective outcomes for and with people and communities through the most efficient models with the most economical resource (Council / partnership and community resources) in a sustainable way.

It is a continual process that works through four stages:

1. **Analyse** the available information about need, resources, and ways to deliver, or make available support and services.
2. **Plan** how to make best use of resources to deliver the desired outcomes.
3. **Do** the work needed to ensure services are delivered, and needs and outcomes are met.
4. **Review** the activity involved in delivering services and maintaining the system.



Adapted from the Institute for Public Care (Oxford Brookes University)

2.1 Why follow a Commissioning Approach?

Most importantly, taking a commissioning approach will assist us to have confidence that we are making the greatest possible difference to supporting health and well-being outcomes and reducing inequalities for the residents of Nottingham. We need to develop the culture and mind-set of the organisation as part of our transformation journey, to ensure that we are commissioning all services to consistently high standards, making best use of the tools and resources available. This means that we will:

- Use our resources collectively with those of our partners in a more joined-up way, better connecting these resources to the needs of Nottingham and ensuring that we are driving Best Value and Social Value
- Work less in isolation in some areas than we have in the past, by listening more to our residents, providers and partners, including the voluntary and community sector, to benefit from the expertise, capacity and resources that each bring
- Follow a best practice approach, using evidence and benchmarking information
- Increase our focus on prevention and early intervention
- Take tough decisions that are informed by evidence when invested resources are not working well enough to make a difference for our residents
- Ensure compliance with relevant legislation including the Best Value statutory Guidance 2012, the Care Act 2014, the Public Services (Social Value) Act 2012 and the Equality Act 2010, and that we are in line with best national commissioning standards in specific areas

It is worth being clear **that commissioning is not:**

- all about money
- all about outsourcing
- all about just procurement
- just about us (i.e., it involves a whole raft of stakeholders including people who use services and other agencies).

2.2 Levels of Commissioning ('System, Place, Service, Contract, Micro')

Commissioning approaches will take place at a number of different levels and our commissioning activities will need to be relevant and well-designed to meet strategic or operational outcomes, or a national priority:

System – looking at those wider systems within which we operate across different footprints (e.g. east Midlands region, D2N2 sub-region, City and County health and care system, and with a range of partners. Often focussing upon a specific set of needs and responses.

Place – looking at the City of Nottingham as whole, taking into account the needs and inequalities and all those agencies and services operating within it.

Service – Relates to a particular area of services being designed to meet identified needs.

Contract – relates to the arrangements made with a specific provider.

Micro-level – relates to an individual person and meeting their needs.

3 The Commissioning Cycle – A Quick Summary

This section sets out the components and standards that we are looking to achieve in each of the four quadrants of the commissioning cycle. Deeper information, tools and approaches are detailed in further sections that follow after this.

Ahead of beginning commissioning work, we must ensure that it is signalled on a commissioning pipeline for the directorate. Any contracts coming to an end and anticipated procurements must be scheduled on the long-term procurement pipeline within your category (People, Products, Place). Commissioning and Procurement Pipelines will have oversight from the newly established corporate Commercial Oversight Board. This is a place to take high level commissioning work, delivery model assessments, areas of risk and opportunity, and to get further support to develop strategic commissioning plans with a best value lens where appropriate.

The Four Quadrants – Analyse, Plan, Do, Review.

Analyse

For all the activities that underpin our understanding of demand and supply, needs and outcomes, we must:

1. Be clear on the challenges we are seeking to address and the outcomes we intend to support – what will success look like?
2. Ensure that we have an excellent and up-to-date understanding of what current policy and legislation requires us to commission, and that we understand what ‘good’ support or services look like – locally, nationally, and internationally. This includes evidence-based practice and external evaluation, but we also need to be confident in our ability to explore new or innovative ways to meet outcomes.
3. Ensure that we have good quality information about the needs of our citizens, their current outcomes and how they might change, and what they think, or how they experience the support and services they access and use. This should include robust exploration about inequalities in outcomes between different groups.
4. Draw upon a wide range of sources for reliable and accurate data and intelligence – qualitative and quantitative to ensure that we have a good understanding of current and future supply of support and services.
5. Ensure that there is a consensus from all stakeholders, including citizens, of the analysis and conclusions being drawn from our data and intelligence. For example, is there sufficient focus on early intervention?
6. Define how effective current services are and the current costs involved in delivering them. Are our markets likely to change?
7. Define what collective resources are available, any links with resources that are being used to tackle similar issues and outcomes, and benchmark the level and types of resource used in other places to tackle similar issues.
8. Is NCC currently delivering services in this context and what have best value reviews reflected?

Product – Diagnostic Report summarising the findings of the Analyse Phase, as a basis to inform planning and proposals.



Plan

In our activities to articulate our strategic commissioning plans and priorities to our stakeholders and citizens, we must:

9. Have an understanding of why and where the gaps in our services and support are, which is based on the data identified in our Analyse process, and the engagement and co-production with our stakeholders and citizens.
10. Outline what options are available to us for how we could improve or achieve these outcomes.
11. Explore what the advantages and disadvantages of each option are and which approach will give us the greatest likelihood of success / risk / pace of improvement. We must also consider which option will help us best manage demand.
12. Consider what commissioning 'level' is most appropriate e.g. D2N2 system to increase market grip or share a service for complex outcomes, or individual packages which allow choice and control.
13. Understand what the financial impact will be and what strategies can help us to reach best value and / or reduce cost?
14. Should we re-imagine a current pathway / redesign or decommission an existing service?
15. Clearly describe what we are going to do next, how we will commission for outcomes and quality for the services and support required, that meet the needs of our citizens ensuring Best Value and strategies to reduce inequalities.
16. Undertake a delivery model assessment – an options appraisal on whether this service is something that we should:
 - deliver ourselves (make)
 - procure from external suppliers (buy)
 - enable
 - partner with other organisations to make or buy
 - reduce
 - consideration of best value, cost, citizen feedback, risk, complexity and flexibility are all important aspects to think through.

Product – Commissioning Plan demonstrating the strategy, and market development activity, to meet the identified needs.

If a specific service is going to be commissioned (internally or externally) then a Specification should be developed, involving the relevant procurement lead, and should answer:

17. What are the outcomes that we need to see achieved/improved through this contract?
18. What are the constraints that the provider needs to take into account? E.g. statutory requirements, legislation, established processes etc.
19. What particular activities, services, processes or outputs specifically have to be delivered, and what can be determined by the provider?
20. Who is the service for / not for?
21. How will the performance of the contract be measured?
22. What short, medium and long term indicators will we use to track impact?
23. What information will providers need to share with us during the life of the contract and who will own this data during and at the end of the contract, including data on risks and issues?
24. How is the contract expected to be staffed? Any TUPE implications?
25. What economic, social and environmental aspects are important?
26. Any expectations regarding use of sub-contractors?
27. How will the relative merits of each bidder be evaluated?
28. How will the provider be rewarded?

29. What will the commissioner commit to doing / providing?
30. How long will the contract last and can it be extended?
31. What is our exit strategy should it be required?
32. What will happen at the end of the contract and how will this need to be managed?



Do

In our activities that enable us to 'do' our commissioning, i.e., ensuring that we are able to secure the services and support from our providers (regardless of their size, independent or community-based sectors), through effective relationships with providers and procurement activities, we must:

33. Have and implement a project plan for implementing the commissioning strategy or approach, and/or, have an agreed procurement route and timetable. See Procurement Guidance here. (Add click through when uploaded). These plans will have been developed and agreed in the Plan phase.
34. Have a good understanding of the market and key providers, working collaboratively and in partnership with them to ensure that we have a good understanding of their ability to supply the high-quality, good value services and support we require for our citizens. We must ensure that any information shared with the market ahead of a procurement is fair, open and transparent and does not advantage a specific provider. Market development activities to increase sufficiency and fit for purpose models may be required here.
35. Ensure that our procurement and contracting activities promote and encourage providers to work in partnership with the Council to ensure that both our respective resources, are used efficiently and effectively to meet the needs of our citizens, deliver outcomes and provide good value for money.
36. Ensure that commissioning and de-commissioning activities are carried out in a legal, timely and effective manner.
37. Agree a risk register and mitigating action.
38. Ensure that contract management is strong and in line with corporate guidance. (Add click through when uploaded).
39. Communicate well throughout the implementation phase, being proportionate and fair in the time we are asking citizens, providers and partners to undertake activities with us.



Review

It is vital to review our data and intelligence on a regular basis to ensure that we are delivering our commissioning priorities well and continue to inform our future analysis needs. To ensure that we are undertaking our Review activities to a consistent and a high standard, our activities must:

40. Ensure that high quality data and intelligence (as described in Analyse) are reviewed in a proportionate and timely manner and are shared and discussed regularly with a range of stakeholders (including citizens where appropriate). What does this information mean for future commissioning activities? What should we do differently?
41. Activities undertaken to review or evaluate performance should always conclude with 'what do we need to do next?' and be clear on who has responsibility for actions, including feeding back to relevant stakeholders.
42. See corporate contract management guidance.

3.1 Summarising the Analyse, Plan, Do, Review approach



4 Delivering on the Four Quadrants – Further Information, Approaches and Tools.

This section includes further information, tools and approaches to help you think through each stage of the commissioning cycle.

4.1 Analyse

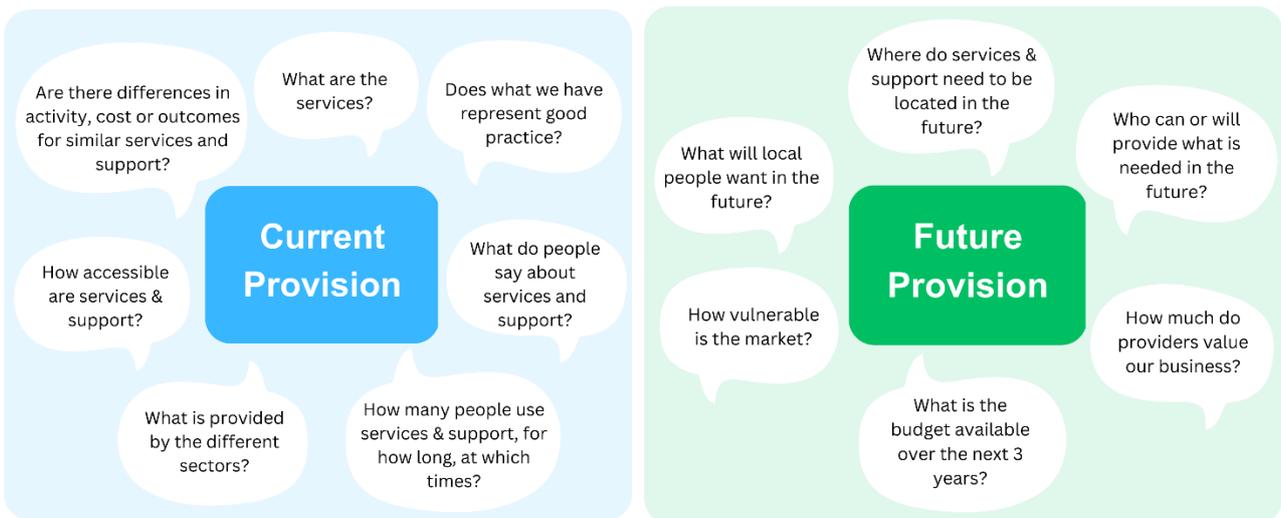
In the context of a particular focus where commissioning will support or contribute to achieving a local strategic or operational objective or national priority, the needs analysis is a way of estimating the nature and extent of the needs of a population so that services can be planned accordingly. The purpose is to help focus effort and resources where they are needed most.

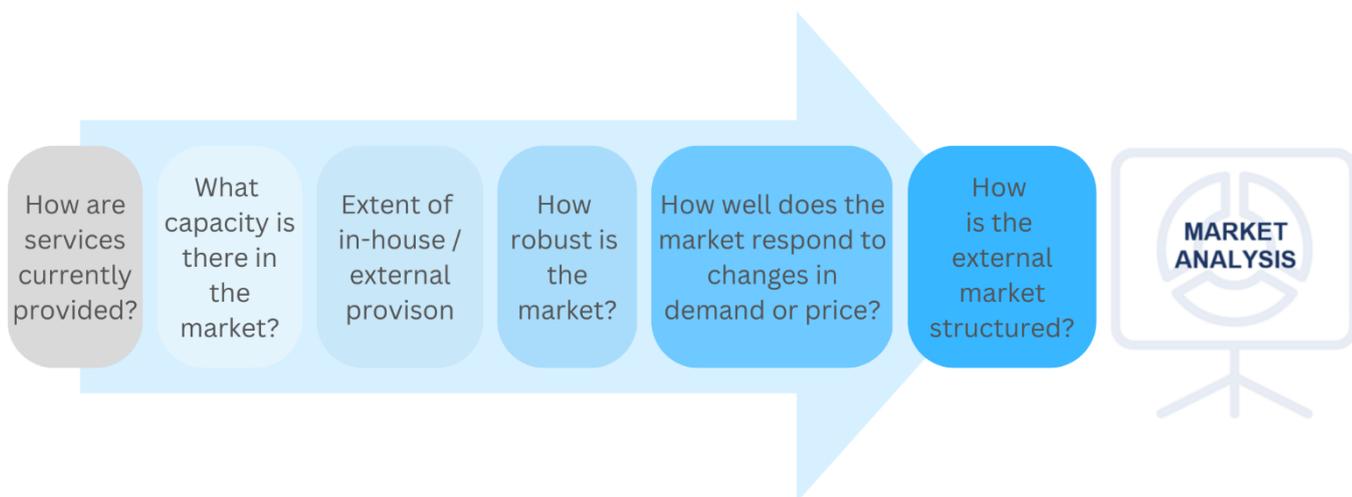
A robust needs analysis provides commissioning agencies with a range of information that can feed into and inform the planning stage of the commissioning cycle.

A summary of the Analyse activities is shown in the diagram. These should be planned and undertaken with reference to our Commissioning Standards.



Some key questions the analysis activities should look to address are:





4.2 Analyse – Frequently Asked Questions

Question	Answer
What do we mean by analysis?	Analysis means collating the available information and drawing from it conclusions to guide and direct our commissioning activity
At what level of commissioning activity do we need to do analysis?	Careful analysis is needed at all levels – strategic, place, community, service, or micro.
Do we need to know everything there is a need to know before we move to the planning stage?	No, there will often be gaps in our knowledge - we have to make a judgment about what is 'good enough;' to allow us to progress.
How far ahead do we need to look with our analysis?	That will depend upon the activity you are looking to carry out and the timescales for delivering it. You will also be limited by how accurately you can determine what will or might happen in the future.
Who needs to be involved in the analysis?	Commissioners need to take responsibility for the analysis but also need to involve all relevant stakeholders - some will bring a different perspective; others may have knowledge and skills we lack. Citizens and are service user views are critical.
Which elements of analysis are most important?	Generally, you need to have a handle on all of them, but at times some will be more important - new legislation, for example can make being clear about the context particularly important.

4.3 Plan

The purpose of planning is to be clear on what needs to happen to drive better outcomes e.g., filling a gap in a pathway/market, redesigning a service, re-imagining a system, developing a new model of support/alternative to traditional options.

It is about taking the information from the Analyse stage and using it to prepare to put into place evidence-based approaches where these exist (what works elsewhere) and also to test out new ideas, innovation and creativity. It is also where we incorporate what people with lived experience think could work better.

Gap Analysis is generally the first element in the 'Plan' Stage. When you're doing a Gap Analysis, try and think of it in terms of 'difference' - The difference between what we have for resources and what we need'.

Or it might simply be the difference between the services we have in place and what we need, regardless of available resources. [Clearpoint Strategy](#) provide an interesting overview of Gap Analysis.

A commissioning strategy, generally, is the approach that is going to be taken to ensuring that the needs are being met of a particular group of people and it may also refer to the document that sets out that approach. It will draw upon the information gathered in the analyse phase.

Commissioning strategies are quite high level and often relate to a particular definable area of activities.

A comprehensive commissioning strategy will often make reference to the information and analysis carried out earlier and the outcomes that are being sought. Commissioning strategies are used in a wide variety of contexts and there is no standard approach or template.

They can be joint with other agencies, especially at the system level. An example of this might be a strategy drawn up with NHS partners and others to ensure that there are effective pathways and services in place to facilitate avoidance of admission to hospital or rapid and effective discharge. Another example might be an inclusion strategy that sets out a collective ambition to reduce the number of children and young people being removed from mainstream education as a result of their behaviour.

Generally, **business cases** and options appraisals are more standardised than commissioning strategies. Business cases are used to determine that a commissioning activity is justified in terms of cost and impact and also to present that information to decision-makers.

The **analysis of risk** is also an important component of business cases, identifying the nature and size of potential threats to the activities proposed and measures need to mitigate them.

The UK Government has produced templates for both a [Full Business Case](#) and an [Outline Business Case](#).

[The LGA](#) identify that an **options appraisal** is a technique for reviewing options and analysing the costs and benefits of each one.

The **design of services** or activities involves:

- being clear about the desired outcomes from the service or activity
- utilising the evidence collected about best practice and 'what works'
- being clear about what kind of service or activity is needed to deliver those outcomes.
- considering the scope for innovation (and evaluation of innovative approaches)
- confirming a model of service or activities to be commissioned; or

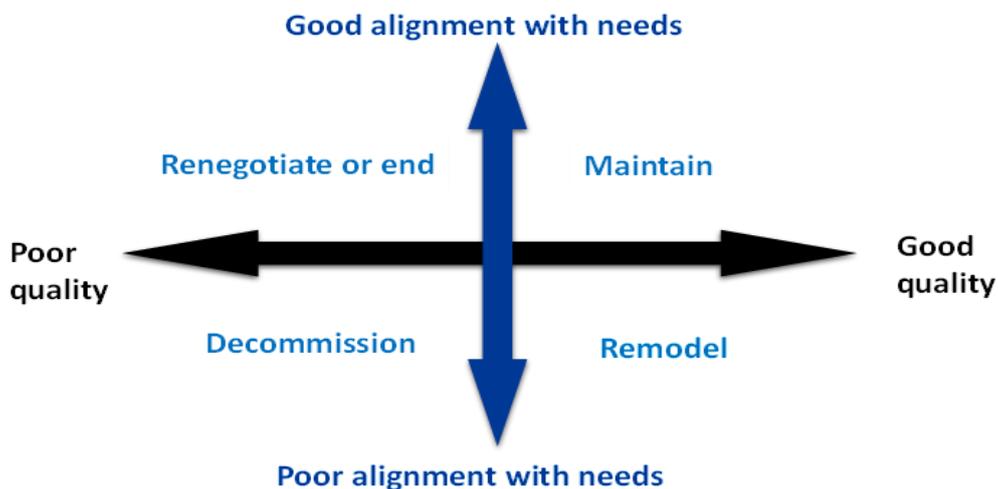
- setting outcomes and parameters, and inviting creativity
- developing a detailed specification

A clear specification for a service is essential if that service is to be effectively procured and monitored. Information on outcomes-based specifications can be found at <https://www.leancompliance.ca/post/outcome-based-specifications>

Whilst outcomes are the measure of success for any commissioned service or activity, achievement of those outcomes will be dependent upon the services delivered or the activities carried. These still need to be monitored to provide some assurance as to the likely achievement of the outcomes.

A **contracts register and procurement plan** are essential to good commissioning. When existing contracts or agreements come to an end they both require a decision to be made and provide an opportunity for change.

A helpful approach is to consider how well the service or activity is achieving the desired outcomes (assuming those outcomes remain desirable) using the matrix below.



Source: IPC, Oxford Brookes

The key to effective **de-commissioning** is to remember that it can be a positive activity and not just a negative one – de-commissioning is a prime way of freeing up resources to allow them to be used in a new and different way.

There are occasions where commissioning bodies make a choice between giving grants and letting contracts. A contractual route should be followed if the council is clearly seeking to secure services or activities to further its own aims and objectives.

A grant can be used when the council supports the general aims of an organisation -the provisions and requirements of a grant will be more general in nature. Do not use grants to avoid procurement requirements.

Co-production

Co-production is a key concept in the development of public services and it has the potential to make an important contribution to all the big challenges that face social care and is part of the Care Act 2014. Definitions of what co-production means vary, but the term is used to describe partnership working with people who use or have a view on services to improve them. It is not a one off consultation, but an iterative and ongoing process to continually shape and form

improvement. We should involve people at all stages of the commissioning cycle, including during procurement and contract management. Useful links include:

www.scie.org.uk/co-production/what-how/

thinklocalactpersonal.org.uk/Latest/Co-production-the-ladder-of-co-production/

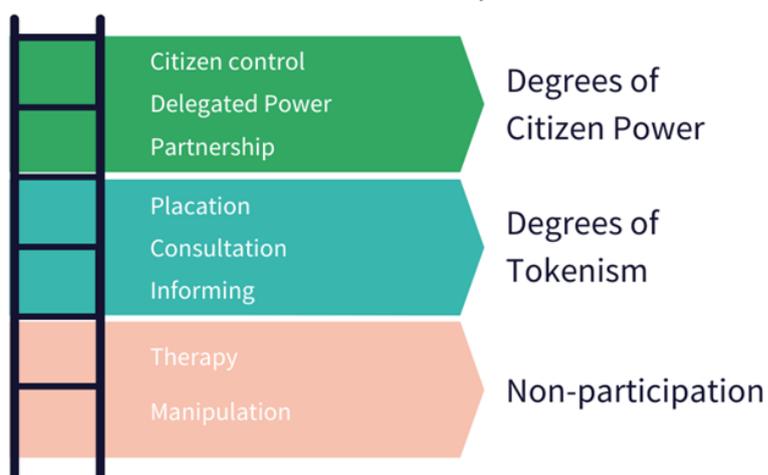
Co-production: an inconvenient truth? The King's Fund

Research in Practice – what is co-production?

Asset based community development Cormac Russell www.nurtureddevelopment.org

Stakeholder engagement is an essential task in commissioning, and it is one related to other important elements of commissioning such as co-design and co-production. Arnstein's ladder is a well-used model of engagement, and it presents different levels of public participation, with the 'most desirable' forms of participation found the higher you move up the ladder.

Arnstein's Ladder of Public Participation



<https://www.commonplace.is/blog/arnsteins-ladder-of-citizens-participation-explained>

Whilst we might hope to always be towards the top of the ladder there are times when constraints have to be taken into account and our activity is more towards the bottom of the ladder. We need to be clear when that is the open and transparent about the nature of the activity being carried out.

When undertaking stakeholder engagement, it is important to have a clear engagement plan covering aspects such as why, who, when and how. The Government's commissioning toolkit has a useful [Stakeholder Engagement Tool](#) to assist in planning engagement activity.

4.4 Plan – Frequently Asked Questions

Question	Answer
What should be the first stage in the planning process?	Understanding what it is we need.
What's the 'Gap' in 'Gap Analysis'?	Generally, the Gap in 'Gap Analysis' is the difference between what we have (or what is being done, and what is needed.
What is co-production?	Co-production is professionals and those who will benefit from commissioned services or activities working together to design, deliver and review those services or activities.

Question	Answer
Why do an Options Appraisal – Isn't it always obvious what to do?	If it's really obvious what to do, then an options appraisal is not needed. But that is seldom the case, and we need to check our assumptions.
Do we always need a full commissioning strategy when looking to make changes?	No, it depends upon the scale and the timescale of the changes planned. More immediate and limited changes should be permissible within existing arrangements
Is de-commissioning always a bad thing?	No, it's not. Decommissioning can be essential to improving services and making best use of resources
Why is stakeholder engagement so important?	We don't know everything, and we don't do everything - what we do needs to fit with the knowledge and the inputs provided by other people and organisations
When should we look to co-produce?	We should always look to co-produce.
What is the difference between an Outline Business Case and a Full Business case?	Generally, an Outline Business Case is more limited and often used to secure the resources needed to undertake a full Business Case

4.5 Do

We tend to think of delivery just in terms of providing the actual service but included in the Do Activities Stage are a variety of activities designed to ensure that we are able to deliver on the services or activities that are being commissioned and that they are delivered in the right way.

Local authorities often find themselves operating within a market and may find that at certain points that market is failing or struggling to deliver the required goods and services at a reasonable cost. On occasions, therefore, the local authority may need to intervene in the **Market shaping** has a number of different elements:

We might be looking to commission a service or activity that does not currently exist or for which there are few or no providers. Actions are then needed to stimulate the market, for example by putting into place support for micro-providers or by offering providers in neighbouring authorities to expand their operation across boundaries.



There are a variety of ways in which a local authority can influence the market:



To build successful relationships between commissioners and providers and between providers, it is necessary to encourage active commitment to change from the earliest stages of the commissioning process. This can be done through regular communication and interactive stakeholder events, in which early findings are shared and the opportunity given for emerging ideas and proposals to be challenged. In addition, it is necessary to involve and support those likely to deliver change on the ground throughout the development and change processes.

Procurement continues to be a key element in the commissioning process, with many goods and services secured from within competitive markets. Perhaps more than any other aspect of commissioning, procurement is a technical process and subject to detailed legislation and regulations as well as the Council's own Financial Regulations. Procurement activity should always be carried in conjunction with the relevant procurement category lead.

See the Council's [Procurement Guidance](#) here.

The Government's site on [Public Procurement](#) is helpful and sites such as [advice-cloud](#) and [Pagabo](#) can also provide quick inputs.

There is also [Buying better outcomes: mainstreaming equality considerations in procurement - a guide for public authorities in England](#) - this focuses upon the Human rights implications of procurement activity.

The process of **managing contracts** with external providers can begin even before a tender is awarded when clarification is needed from a provider on certain points in their bid. There may also be a standstill phase after award depending upon the value of the contract. There may then be a variety of issues to be confirmed/negotiated with the successful bidder and any existing provider, including TUPE and other Issues. A useful guide around these topics can be found at [Supplier Journey](#).

Following the award stage, the contract manager should then continue to work with the provider to ensure that the new service is properly mobilised and delivered in accordance with the agreed terms of the contract.

Ongoing contract management will also be essential to deal with any emergent problems around the service or activities being commissioned and also any significant changes that impact upon the service/activity/provision of goods. Contracts can be varied by agreement between both parties,

subject to due process. Contract management is closely linked to the monitoring and review functions described in the Review quadrant.

Risk management is an essential part of the process. Whilst some aspects of risk-sharing might have been established at the outset new and unanticipated threats can arise.

There can be concerns about performance and whether or not satisfactory outcomes are being achieved. This may require the commissioner to take action in order to address the relevant issues. The approach taken in these circumstances can vary significantly and may be more focused on helping the provider or alternatively upon enforcing compliance with the contract. The alternative is a more punitive approach, with a range of sanctions taken against the provider.

In practice, of course, any dealings with a poorly performing provider are likely to include aspects of both approaches.

See the Council's [Contract Management Guidance](#) here.

4.6 Do - Frequently Asked Questions

Questions	Answers
What do we mean by 'Develop the Market'?	We mean taking action to ensure that there are sufficient competent and capable providers to meet the identified needs and deliver the required services.
How can we develop or influence the market?	We can talk with existing and potentially new providers. We can also provide incentives for existing providers to continue in the market or for new ones to enter it. We can offer a range of advice and support activities and we can also be very clear about what we expect to commission over the coming period.
When does the contract management process begin?	Contract management begins at the point at which a contract is awarded to a provider, even if there is an existing provider in place.
How do we deal with poor performance?	Through our contract management processes. We may look to work with the provider to rectify issues and help them develop and improve. In other circumstances we may have to take a more punitive approach, especially where problems persist and/or regularly re-occur.
Can't we just tell the provider to do better?	We can just tell providers to 'do better' but they may not be able to do so without our help and support, to the detriment of all involved
When do Procurement Regulations apply?	Procurement regulations apply when as a local authority we want to 'buy in' specified services and activities from outside the authority. Currently, there continue to be different thresholds at which specific procedures apply, but all procurement is covered by the general principles embodied

Questions	Answers
	in UK law. See the Council's Procurement Guidance.
Once we have a contract can we change?	Yes, any contract can be changed by agreement between the two parties, within set parameters. It may also have provisions allowing the commissioners to terminate the contract early, usually with a period of notice. However, the need to substantively change a contract may mean that really the service should be re-commissioned. See the Council's Contract Management Guidance.
How do we manage risk when we are dealing with contracted providers?	Risk is managed through good contract management and a clear understanding as to where the burden of the risk should fall. However, commissioners have to be mindful that placing too much risk upon providers may lead to service failure or withdrawal.
What is TUPE and why is it an issue for commissioners?	TUPE enshrines the right for staff to continue with their employment when ownership or control of an undertaking transfers from one body to another. A new provider of an existing service will be obliged to employ staff previously working for that service.

4.7 Review

This stage of the commissioning cycle is concerned with two fundamental questions:

- Firstly, are citizens receiving the support and services they need? Specifically, to what extent are services across the public, private and third sectors configured in the ways intended in the commissioning plan and are further changes needed?
- Secondly, and perhaps more importantly, what impact are services having on meeting the outcome needs of the population, and what changes may be needed to achieve this?

Therefore, Review is the process whereby we determine how well a strategy, approach or provider is faring in terms of delivering outcomes and the services or activities required to deliver those outcomes. Ideally, we do this by identifying the outcomes achieved but it is generally also helpful to collect and analyse a wider range of information about the service and how it is delivered. We need to be clear about the performance measures being used.

Monitoring is the process whereby we collect data and information. Review is the process whereby we analyse that information and form judgments about how well the service is performing. It also includes putting in place any actions necessary to bring about improvement in the services or activities being commissioned. Monitoring without review is ineffective. Identified issues need to be explained rather than just described and actions need to be taken to address them.

As well as reviewing individual contacts and services we also need to review the market overall and our commissioning plans. Amongst the factors that may need to be monitored and evaluated on a regular basis are:

- Prices and costs
- Capacity
- Waiting times/delays
- Workforce
- Quality
- Competition
- Structure (including mergers and withdrawals)
- Specialisation/Fragmentation
- New entrants (Both new providers and new purchasers, e.g. neighbouring local authorities)

As with all aspects of monitoring and evaluation significant changes (or departures from what was expected) may need to be followed by actions on the part of the commissioners, leading back to market development and capacity building activities as discussed above.

4.8 Review – Frequently Asked Questions

Questions	Answers
Are providers obliged to give us the monitoring data we have specified in the contract?	Yes, but if they do not want to do so, we need to explore with them why that is. Is it more onerous than either we are they envisaged, for example, or does it not provide an accurate picture of the service.
How often should we review a service or activity?	It depends upon what you have agreed and also whether or not the service is performing effectively or not. A poor performing service may need more regular review than a high-performing one.
If we measure success by outcomes, why bother with other measures?	Outcomes are the measure of success, but we also need to have assurance that the provider is going about their business in a way that means that the desired outcomes will be met. Also, we don't want to wait until after the event and find out too late that things are going awry. It is what providers do that gives the outcomes, so we need to be checking on what they are doing.
Isn't it unfair to be more punitive with one provider and more developmental in our approach with a different provider?	It would be unfair if the circumstances were the same and we treated them differently. However, what determines our approach to poor performance and the extent of our actions with regard to it is exactly that – the circumstances. A provider who is not entirely responsible for what is going wrong and is striving to

Questions	Answers
	<p>make the necessary improvements, with positive intent should be supported. A provider who is wholly responsible for poor performance, showing no desire or intent to address the issues and improve should be dealt with more severely. Clearly also, the nature and extent of the poor performance has a bearing also.</p>
<p>Should people using services be involved in the review process?</p>	<p>Yes, as much as possible. Depending upon the nature of the service this may be through the analysis of complaints and compliments, completion of feedback forms, surveys etc. Where people are in services for longer periods of time, they may be on customer panels that report to the commissioners or be engaged in review meetings. Ideally, commissioners should not just rely on provider information about what people think.</p>