

Social Care Procurement – Reference Group
Wednesday 1st April 2009
Ramada Edinburgh Mount Royal, 53 Princes Street, Edinburgh

Note of Meeting

(Work Programme Outline -- Annex 2 -- Action Plan and Timetable -- Annex 3)

1. Attendees – (Annex 1)

2. Role of Reference Group and Membership

Mike Martin opened the meeting by advising the Group that the Joint Improvement Team has committed to taking a lead role in preparing guidance and support materials on social care procurement which is intended to be useful to the sector. This is in response to a number of issues which have remained unresolved around procurement, particularly tendering, and a request that the work of the CCPS convened group on procurement be progressed by a ‘non’ service provider led organisation. This work also links with ongoing work by the JIT on planning and commissioning.

Mike advised that Andrew Reid, Julie Haslett and Stan Smith have been identified as JIT leads on this work.

Mike presented Paper 1 on the role and remits of the group and invited comments.

Comments

Joint Endorsement/ Signatories - Annie Gunner-Logan of CCPS requested material produced by the Group is jointly endorsed by ADSW, Cosla, CCPS, SCAH etc.

Action

Mike agreed that this would be a positive way forward. However, clarification will be needed on the status of some aspects of the guidance and whether this requires to be formal Scottish Government Guidance.

3. Good Practice in Social Care Procurement – JIT Outline Programme Paper 2

Andrew Reid presented a brief outline of the paper and requested comments from the Group.

Comments

- Management of Change - Marcia Ramsey requested that the impact of the tendering process be acknowledged in the work programme, including the impact of the process on staff, service users and carers -- prior, during and after the process -- and how change is managed;
- Links to wider scrutiny activity – MR also requested that acknowledgement be made to links between procurement activity and the Regulation of Care Act;

- Separation of tendering and contracting - A G-L requested that a distinction is made between tendering and contracting - widening this further to the separation of planning, tendering, contracting and compliance;
- Wider commissioning agenda – Kathy Somers requested that any guidance produced should make it explicit that social care procurement should be considered within the whole system of commissioning;
- Best Value – references to value be replaced by ‘best value’. And the best value review process be referred to prior to tendering;
- Competition – Sue Brace, ADSW, raised issues about approaches to competition. There was a discussion about competitive tendering and whether this should be acknowledged in the workplan. It was agreed that this has a place and any information on tendering should detail good practice on competitive tendering along with examples of alternatives to the process;
- References to existing legislation – guidance produced should make reference to existing legislation and needs to address the issues from a legal standpoint.

Action

Initial workplan to be revised to incorporate comments above.

4) Procurement Workshops including Surveys

Julie Haslett and Andrew Reid presented Paper 3 and draft surveys for service users/carers and purchasers/providers, and invited comments.

Events

Comments

- Purpose – there was much discussion on the purpose of each event with concern that they may not be productive but may focus solely on the problems rather on potential solutions. The Group decided that it may be more useful to have a series of smaller focus groups which could take place in a selection of local authority areas including representatives from LA legal sections, general procurement section and providers, along with other specific focus groups including providers, legal officers, service users and carers;
- Inclusion of service interest groups – it was noted that there were some omissions in the proposals of important interest groups, particularly dementia and physical disability. Revision of attendees and how to capture opinion is therefore necessary.

Action

A series of smaller events will be scoped to include the suggestions noted above.

Surveys

It was noted that the surveys produced were initial drafts and all comments are welcome.

Comments

- Purpose – questions were raised as to the purpose of the surveys – this doesn't seem clear from the survey material produced;
- User friendly – opinion was offered that the user and carer surveys were not particularly user friendly and very long;
- Scoring system/matrix – those experienced in survey production advised that an appropriate system is required within the survey to ensure it can be analysed effectively;
- Scottish Government Survey – Geoff Pope advised that a survey has recently been sent to local authorities on attitudes to the third sector. There may be some overlap in questions but it shouldn't be detrimental to any surveys produced by this Group. Geoff also offered assistance from SG's ASD support. Support in developing survey material was also offered by SWIA.

Action

Survey material will be redeveloped using assistance offered from Scottish Government and SWIA. The purpose of the surveys will be made more explicit.

5) Outline Plan and Outputs

Andrew Reid outlined paper 4 on outputs and invited comments from the Group.

Comments

- Good Practice –it was requested that a rigorous framework be developed to capture good practice;
- Tendering practice - that it is acknowledged that in some circumstances tendering is both necessary and appropriate and that good practice in this process be detailed;
- Workforce – reference be made to the impact of the tendering process has on staff and this is linked to work on the management of change;
- Service User Experience –request that this is well represented within any material produced and examples of practice such as that in East Lothian detailed during the meeting should be included;
- Wider procurement agenda - request that activity around general procurement reform be acknowledged and the relevance of this to social care is explored;
- Links with Scotland Excel – it was acknowledged that closer relationships are established with Scotland Excel – Dorothy Cowie has offered to discuss this with Mike Martin in more detail;
- Reference to challenges – a request was made that any material produced should make an explicit reference to the challenges faced by purchasers, providers, service users and their carers in the procurement system.

Action

Outline Plan and outputs to be revised in light of comments received.

It would be useful to detail links with other ongoing activity elsewhere on particular issues e.g. procurement and sustainability - Scottish Government, workforce – occupational standards - SSSC etc.

Reference group members are asked to note the details of relevant materials and previous/current/planned activity in the final column of Annex 3 and return this to Mike Martin at the Joint Improvement Team.

A short information bulletin will also be produced by the JIT which provides details on this programme of activity.

Annex 1.

Procurement Reference Group -- Meeting – 1 April 2009

List of Attendees:

Mike Martin, JIT
Noni Cobban, UKHCA
Rosie Lawrence, SWIA
Alex Davidson, JIT
Keith Quinn, SSSC
David Fairweather, HAG, Scottish Government
Kathy Somers, SWIA
Sue Brace, ADSW
Pamela Maciver, East Renfrewshire Council
Jessie Laurie, SPD, Scottish Government
Caroline Sturgeon, VSSSWU (in place of Judith Midgley)
Wendy Richardson, North Lanarkshire Council
Annie Gunner Logan, CCPS
Douglas Erdman, Renfrewshire Council Joint Commissioning Team
Dorothy Cowie, Scotland Excel
Ailsa McGregor, Scotland Excel
Gloria McLoughlin, SCAH
Marcia Ramsay, Care Commission
Geoff Pope, Third Sector Division, Scottish Government
Kevin Scullion, ILS/SCAH
Claire Sweeney, Audit Scotland
Julie Haslett, IRISS JIT
Andrew Reid, JIT Associate
Austen Smyth, the Richmond Fellowship Scotland
Yvette Burgess, HEU
Irene Coll, Audit Scotland
Phyllis Wilson, ELCCF/SCCF
Catherine Rainey, Scottish Government
Jan Raitt, Scottish Government
Florence Burke, Princes Royal Trust for Carers/NCO
Paula Evans, COSLA
Stan Smith, JIT Associate
Eric Johnstone, Midlothian Community Care Forum

Annex 2. Work Programme Outline

Social Care Procurement		
Project Area	Objective	Involvement
Project Management	Establish Project Management Group	Membership: JIT Jessie Laurie, SPD Dorothy Cowie, Scotland Excel Ailsa McGregor, Scotland Excel Kathy Somers, SWIA Geoff Pope, TSD
Local Partnership Practice and Experience	Explore potential of visits to: Falkirk, Perth and Kinross, North Lanarkshire, Renfrewshire, Edinburgh, Glasgow	Meetings with: Social Work Managers, Legal Services, Contracts staff (central or SW, Private and Voluntary Sector Providers
Service User and Carer Views	Consider consultation with organisations and arrange focus groups for service users and carers	Focus groups with service users and carers in different care groups
Statutory Agency Views and Experiences	National meeting with local authority commissioners, purchasers, and legal officers	Work through: CoSLA, ADSW, Legal Officers' Group, Scotland Excel
Service Provider Views and Experiences	National meeting with private and voluntary sector providers arranged with CCPS, SC, SCAH, UKHCA	Meeting with large and small providers of variety of services and care groups
Purchaser and Provider Survey	Establish Procurement Survey Working Group (single meeting)	Membership: JIT, ASD, SPD, SWIA, Scotland Excel, CoSLA, ADSW, CCPS, SCAH
	Carry out survey	Work through: CoSLA, ADSW, CCPS, SC, SCAH, UKHCA
Workforce, Capacity and Regulation Issues	Meeting on workforce, capacity and regulation issues with national agencies	Meeting with SG Workforce and Capacity, SSSC, Audit Scotland, SWIA, Care Commission, VSSSWU, SCAH, ADSW
Communications	Produced E-newsletter about the programme	JIT
Consultation	Consider the benefits of national consultation workshop events	Events involving statutory agencies and voluntary and private sector providers
Reference Group	Arrange Reference Group meetings to consider key issues and progress overall programme	JIT
Products	Produce: Written Guidance; Good Practice Information; Support Materials	

Annex 3.

**Joint Improvement Team - Good Practice in Social Care Procurement
Action Plan and Timetable**

Product	Detail to include	Timescale	Lead	Connections -- Reference Group Information Materials and Previous/Current/Planned Activity
1) Written Guidance on procurement	<p>Definitions –e.g. what is procurement? What is a service spec, contract etc</p> <p>Principles underpinning procurement e.g.</p> <ul style="list-style-type: none"> • Best value – quality v. cost • Fair funding • Transparency • Outcomes for individuals <p>Reference to previous guidance e.g. EU regulations</p> <p>Activities involved in procurement e.g.</p> <ul style="list-style-type: none"> • policy and procedures • tendering process • capacity/training • partnership working • involvement of service users and carers • contract monitoring/ compliance/links to wider scrutiny activity • accessibility of information 	<p>September 2009 – Draft Guidance</p> <p>September – October 2009 Consultation period</p> <p>November 2009 – Final Guidance</p>	<p>Mike Martin, Andrew Reid, Julie Haslett, Stan Smith</p>	

Product	Detail to include	Timescale	Lead	Connections -- Reference Group Information Materials and Previous/Current/Planned Activity
2) Good Practice Info.	<p>Detailed Examples of best practice from Scotland and UK in relation to:</p> <ul style="list-style-type: none"> • contracts • service specifications • tendering process • user and carer involvement • provider liaison • contract monitoring • partnership working 	<p>Incrementally by December 2009 (Material to be available on JIT website)</p>	MM, AR, JH, SS	
3) Support Materials	<p>A range of checklists, templates, models and training material on areas such as:</p> <ul style="list-style-type: none"> • contracts • service proposals • policies and procedures • advertising • tendering • user and carer involvement 	<p>Incrementally by December 2009 (Materials to available on JIT website)</p>	MM, AR, JH, SS	