

# Commissioning Framework



achieving  
for children

## Contents

<b>1. Introduction and context .....</b>	<b>1</b>
<b>2. Principles of commissioning.....</b>	<b>3</b>
<b>3. How we commission.....</b>	<b>3</b>
<b>4. Commissioning in Achieving for Children .....</b>	<b>6</b>
<b>5. Glossary of terms .....</b>	<b>17</b>
<b>6. Equality assessment.....</b>	<b>19</b>
<b>7. Links and further information examples .....</b>	<b>21</b>

## 1. Introduction and context

This framework brings together the underlying set of legislative requirements, governance principles and management processes to create a commissioning framework for Achieving for Children (AFC). It provides an introduction to commissioning in Achieving for Children, explains the commissioning structure in the organisation and sets out the key steps commissioners should take in the commissioning cycle. It is important to note that other, more specific frameworks, may sit beneath this document providing specialist advice for particular services.

It also provides advice to commissioners to help develop and promote effective engagement practice within the commissioning process across Achieving for Children. It offers assistance and good practice suggestions to members of staff who involve, or would like to involve, service users in the commissioning of services.

It will assist those who are involved in commissioning to make the best decisions regarding the services we provide to children and young people in Kingston and Richmond, and will also ensure that these guidelines are followed as best practice throughout the organisation.

Achieving for Children has a delegated commissioning model, as opposed to a single commissioning team. Commissioners are employees at a variety of different levels across the organisation, depending on what type of service is being commissioned. The commissioning lead for a project is also responsible for contract management once the procurement process has finished.

### 1.1 What is commissioning?

Commissioning is defined as 'achieving an agreed outcome by deciding what service is needed, how it should be delivered, and who should deliver it (a public, private or third sector organisation)'.

Commissioning is important as it enables Achieving for Children to spend public money in the best possible way, ensuring that services deliver excellent outcomes for the resources available, now and in the future. It opens up services to a wider range of providers, encourages competition and delivers best value.

Commissioning refers to the whole cycle of establishing need, deciding on the approach, defining the outcomes, and finding the resources needed to achieve these outcomes. This is often confused with procurement which focuses on a specific element of the commissioning cycle, notably the process of advertising, selecting and awarding a contract to a supplier. Procurement represents the buying part of the process. Please note that there are other forms of procurement, such as grants and spot purchasing. For further advice on how to procure, please read Achieving for Children's Procurement Code of Practice.

### 1.2 Why is commissioning important?

There are a number of reasons why commissioning is important for Achieving for Children, these include:

- providing more effective service improvement in line with needs;
- generating better value for money;
- ensuring quality services;
- delivering services that Achieving for Children are unable to provide themselves;

- ensuring better engagement with citizens;
- helping to engage the voluntary and community sector;
- encouraging good communication between stakeholders, helping to prevent duplication of services within the organisation;
- enabling more creative thinking in the way the organisation delivers outcomes; and
- providing economies of scale and a greater ‘purchasing power’.

### 1.3 Delivery of children’s services within Achieving for Children

In most circumstances, commissioners and providers are separate to one another, however Achieving for Children’s unique position as a community interest company means we are able to provide services directly (for example to the commissioning councils and schools) and commission others to deliver services on our behalf (for example from the voluntary and community sector). Figure 1 shows Achieving for Children’s role as both provider and commissioner.

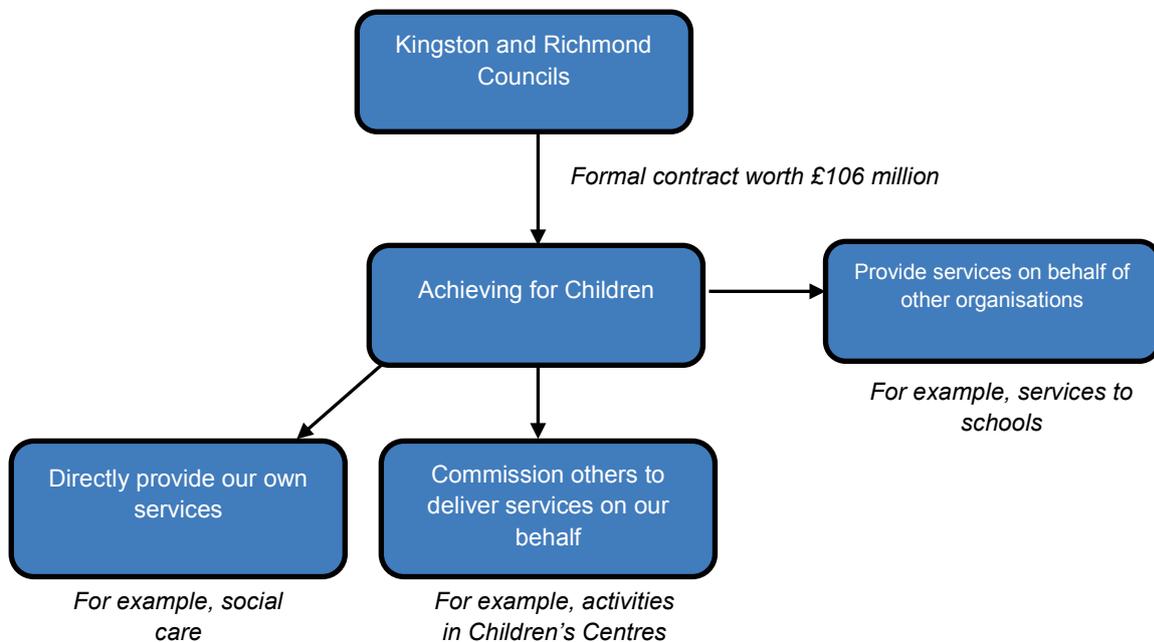


Figure 1: How the delivery of children’s services works within Achieving for Children

## 2. Principles of commissioning

The following commissioning principles adhere to the values set out in the Richmond Compact and Kingston Voluntary Sector Compact and are used by all commissioners within Achieving for Children. These principles provide the foundation for the services we provide to children, young people and parents in Kingston and Richmond.

- All decisions should be based on improving outcomes for children, young people and their families and consider how best to remove barriers to equality of access and opportunity.
- Commissioned services will align to the values and priorities identified in the Achieving for Children Business Plan and other key strategic documents, for example the Early Help Strategy.
- Children, young people and their families should have their views taken into account when designing new services and be involved in the review and decision making processes for existing services. It should be easy for children, young people and parents to be involved in the commissioning process and for them to have a good experience.
- Achieving for Children will reward and recognise the contribution of children, young people and parents who engage in the commissioning process and will work in partnership to improve our services.
- Achieving for Children is committed to early intervention to prevent escalation and improve outcomes for children and young people. Commissioning of services reflects this.
- Commissioning and procurement processes should be open, transparent, impartial and timely. This includes being clear with children, young people and their parents in what the purpose of their contribution is, at what stage they will be involved and what the limits are.
- Achieving for Children will ensure that all staff responsible for commissioning are adequately trained to carry out this role.
- Achieving for Children will aim to deliver value for money and meet the requirement of its medium term financial strategy. This will be achieved within the context of measuring social, environmental and economic outcomes within the service and for the wider community. Where possible we will ensure that social value is considered.
- Information and intelligence about children, young people and the local community will be regularly shared across the organisation to understand the interaction with other services and to inform effective commissioning. Wherever possible we seek to co-produce services with children, young people, their families and our partners. Our partners are recognised as essential contributors to co-production. We aim to determine need with the voluntary sector as part of the commissioning process.
- All legal and regulation issues, including finance and governance, will be properly adhered to, ensuring that accountability lines are clearly drawn.
- Robust performance management of contracts will focus on the delivery of outcomes for the client, and feedback will be collected in order to review the effectiveness of the commissioning process in meeting local needs and outcomes. These feedback mechanisms will be clear so that children, young people and parents are clear on the contribution and impact they have made.
- Services that are no longer required, ineffective, inequitable or unsustainable will be decommissioned, subject to appropriate consultation with children, young people and parents, and an impact assessment. Sufficient notice will be given to the provider, and exit strategies adhered to in order not to destabilise local provision.

## 3. How we commission

### 3.1 Putting children and young people first

We recognise that children, young people and parents play a vital role in contributing to the commissioning process and determining what the most appropriate services are. One of the key values of Achieving for Children is that we put children and young people first. We aim to engage, and where possible co-produce services, with users in the commissioning process, not only to provide us with insight about the relevance and effectiveness of services, but also to give users the opportunity to act as partners in the planning, monitoring, development and delivery of services.

Definitions of co-production vary. However, generally it can be described as:

‘Delivering public services in an equal and reciprocal relationship between professionals, people using services, their families and their neighbours, where activities are co-produced in this way, both services and neighbourhoods become far more effective agents of change.’<sup>1</sup>

The table below outlines the differences between the conventional commissioning approaches that have been chosen in many circumstances in the past, and contrasts this with the co-produced commissioning approach that Achieving for Children aims to achieve.

Conventional commissioning	Co-produced commissioning
Focus: buying very tightly defined, specific services and activities.	Focus: commissioning for social, environmental and economic outcomes, both within the service and for the wider community.
Focus: on unit costs and short-term efficiencies which encourages a race to the bottom and often represents a false economy. Social or environmental value often not considered.	Promotes: long-term value creation across social, environmental and economic costs and benefits. It emphasises importance of prevention and awareness of false economies.
A poor level of insight into what works and what does not. Data requirements are led by needs and deficits, asking only what is wrong with an area or group.	Explores needs and assets to build a picture of what works and current strengths as well as what support is needed. This uses a range of methods to develop insight and apply this during the commissioning process.
Hierarchical and paternalistic: people who use services are not part of commissioning or delivery, and power is held by professionals.	Co-production at centre: commissioning process is co-produced, and it is expected that providers will co-produce their services. Capacity-building is encouraged so that children, young people and their parents can become commissioning specialists.
Closes down space for innovation, because commissioning is highly prescriptive and specifies which activities and outputs should be delivered and what the service should look like.	Promotes innovation by moving away from over-specified services and asking providers and people using services to come up with ideas and activities to meet the outcomes.
Rigid and inflexible: bids for services form the basis of contracts with set targets and outputs. Deviation of these is often considered breach of contract. Very little flexibility exists to adapt to changing local circumstances or ideas.	Iterative and adaptive: requires continuous reflection and evaluation, and flexibility for services to adapt to the interests, needs and assets of local people.
Competitive and in silos: providers are in competition with each other and have little incentive to cooperate or work in partnership.	Collaborative: promotes strong relationships across and between local authorities, other statutory agencies, providers, user led organisations, the voluntary and community sector, civic groups and local people.

**Table 1: conventional and co-produced commissioning<sup>2</sup>**

Although commissioners should aim to deliver public services in an equal and reciprocal relationship with children, young people and their parents, it is important to state that this model may not always be the most suitable due to the complex nature of the commissioning project (see section 3.3.1)for

<sup>1</sup> Definition taken from charity Nesta: [http://www.nesta.org.uk/sites/default/files/the\\_challenge\\_of\\_co-production.pdf](http://www.nesta.org.uk/sites/default/files/the_challenge_of_co-production.pdf)

<sup>2</sup>Adapted from [http://b.3cdn.net/nefoundation/974bfd0fd635a9ffcd\\_i2m6b04bs.pdf](http://b.3cdn.net/nefoundation/974bfd0fd635a9ffcd_i2m6b04bs.pdf)

general tips and guidance on involving children, young people and parents). For example, a project might be very small, or coming to an end, and so it may at first seem that people cannot usefully contribute to the process. It is still important to consider how to involve people, even if their contribution might be smaller at this stage.

### **3.2 Working in partnership**

We are also committed to commissioning jointly with partners; this intention is enshrined in another of the key values of the organisation 'we work in partnership to improve our services'. Excellent children's services cannot be delivered in isolation and we regularly work with health services, the police and schools to identify ways of commissioning services together so duplication is reduced, resources are pooled and better value for money is found.

Value for money is sought within the context of also measuring social, environmental and economic outcomes within the service and for the wider community. We will also aim to develop new relationships with organisations such as the voluntary and community sector that would be of benefit to Achieving for Children and to children, young people and their families. This is particularly relevant where there is demand for services that are outside the expertise of Achieving for Children. We aim to improve communication to these groups and be clear about the commissioning opportunities available.

### **3.3 Quality and innovation**

We focus on quality and innovation and will be creative in our approach to commissioning to ensure that we focus on long term benefits for the children and young people of Kingston and Richmond. We will explore all of the alternatives available to us, procuring services from a range of providers making sure that we get good value for money. We will also ensure effective delivery of all services that we provide.

### **3.4 Diversity and inclusion**

We are committed to ensure that we value diversity and champion inclusion. We will commission in a responsible and ethical way, considering equalities in commissioning arrangements. We will work hard to stimulate and develop the market so that there is breadth of provision and a choice of service to decide between. One example of how this is achieved is by completing an equality impact needs assessment (EINA) as part of the needs analysis in the first stage of the commissioning process (for more information, please see Table 4).

### **3.5 Learning from experiences**

We are a listening and learning organisation and will reflect upon our experiences of providing services to children and young people in Kingston and Richmond, and evaluate the effectiveness of our projects through measuring outcomes. We will also work with the providers of our services to ensure that continual improvement is taking place. We will support staff to undertake effective commissioning.

### **3.6 Decommissioning of services**

Decommissioning can be defined as the process of planning and managing a reduction in service activity, or terminating a contract in line with commissioning objectives.

It is important to prioritise commissioning activity, adapting to the changing needs of our communities, identifying early on if services are not performing well in meeting their objectives.

There are two main types of decommissioning.

- Decommissioning when a contract is approaching, or has already come to an end, but is continuing on a three month notice basis.
- Decommissioning where the conditions of funding or service specification are not being met and so the commissioners seek to end the contract early

If an activity is at risk of being decommissioned, Achieving for Children will appoint a named officer to manage the process. This officer will be responsible for notifying the service provider that the activity is at risk of being decommissioned. In any instance where decommissioning is being considered, the officers involved must seek legal advice and must also carry out an equality assessment. It is also important to consider how children, young people and their parents might be involved in the decommissioning of a service.

## 4. Commissioning in Achieving for Children

The Royal Borough of Kingston upon Thames and the London Borough of Richmond upon Thames commission Achieving for Children to deliver children’s services on their behalf. Both councils are responsible for determining the level of grant available and for independently agreeing the budgets and commissioning intentions.

### 4.1 Who are the commissioners?

Achieving for Children has a delegated commissioning model, as opposed to a single commissioning team, which means that commissioning and contract management is undertaken by employees at different levels across the organisation depending on the type of service being commissioned.

The types of commissioning activity and different commissioners are illustrated in Table 2.

Type of commissioning	Definition	Who are the commissioners?	Examples
Strategic commissioning	Whole service commissioning for a local area or region. This might cross local authority boundaries.	Senior Leadership Team (SLT) who also act as the Commissioning Board	Delivery of mental health services by South West London Mental Health NHS Trust
Operational commissioning	A single unit operating as a commissioner for locality. This can be targeted to a group, locality, service or team	Senior Leadership Team (SLT), Directors or Heads of Service	A youth centre commissioning the Duke of Edinburgh’s Award, or an art club
Individual commissioning	Individual budgets and packages of support	Heads of service or team leaders	Residential care placement for a looked after child (LAC)

**Table 2: Types of commissioning**

Specialist procurement advice is provided jointly by Kingston and Richmond Councils via a Service Level Agreement. In the first instance, if requiring procurement advice and guidance, please contact the relevant Procurement Team as set out in Table 3.

Function	Main contact	Back up
All Procurement Services	Sally Smith Category Manager, LBR <a href="mailto:sally.smith@richmond.gov.uk">sally.smith@richmond.gov.uk</a> 020 8487 5040	Sarah Smithers Category Specialist, LBR <a href="mailto:sarah.smithers@richmond.gov.uk">sarah.smithers@richmond.gov.uk</a> 020 8831 6397
Relationship Manager	Nick Richmond-Smith Head of Procurement, LBR <a href="mailto:nick.richmond-smith@richmond.gov.uk">nick.richmond-smith@richmond.gov.uk</a> 020 8891 7175	Chris Morgan Head of Procurement, RBK <a href="mailto:chris.morgan@rbk.kingston.gov.uk">chris.morgan@rbk.kingston.gov.uk</a> 020 8547 5300

**Table 3: Procurement contacts**

Role	Responsibility
Achieving for Children Board	<ul style="list-style-type: none"> <li>• Provide strategic oversight and direction to Achieving for Children ensuring that the work of the organisation is focused on the right areas at the right time</li> <li>• Assessing and mitigating the level of risk in the organisation.</li> <li>• Ensuring that Achieving for Children meets its contractual and legal obligations</li> <li>• Receive budget set by two councils</li> <li>• To decide (along with SLT) how the budget is to be spent in line with commissioners' priorities. This is set out in the Achieving for Children Business Plan 2014/17</li> <li>• AfC Board authorises commissioning activity valued above £500,000<sup>3</sup></li> </ul>
Achieving for Children Senior Leadership Team	<ul style="list-style-type: none"> <li>• To decide (along with the AfC Board) how the budget is to be spent in line with commissioners' priorities. This is set out in the Achieving for Children Business Plan 2014/17</li> <li>• To act as the commissioning board and make decisions on any commissioning activity between £50,000 and £500,000</li> </ul>
Kingston and Richmond Councils' Procurement Team	<ul style="list-style-type: none"> <li>• Provide specialist advice and support to Achieving for Children</li> <li>• Involvement in all buying decisions in line with contract standing orders</li> <li>• Advertise contracts available for tender</li> </ul>
Achieving for Children Strategy and Programmes Team	<ul style="list-style-type: none"> <li>• In the first instance, please contact this team for advice on the commissioning and procurement process</li> <li>• Renew the commissioning framework after three years in line with the priorities of the organisation</li> <li>• Hold a contracts register and electronic copies of any contracts entered into (Legal Team keep original copy)</li> </ul>
Achieving for Children Partnerships and Business Development Team	<ul style="list-style-type: none"> <li>• Provide best practice guidance on consulting with children, young people and their families, and ensuring that their views are captured and included in the development of the commissioning process</li> <li>• Ensuring that partnership arrangements are secure so that cross organisational projects work effectively</li> </ul>
Achieving for Children Performance Management Team	<ul style="list-style-type: none"> <li>• Provide data (where held) to teams for them to complete their needs analysis</li> </ul>
Achieving for	<ul style="list-style-type: none"> <li>• Sign off purchases worth £500 - £49,000</li> </ul>

<sup>3</sup> For the decision to be passed, at least 60% of the board must be present and the lead SLT officer will need to make a presentation to put forward the case of the commissioned activity.

Children Heads of Service	
Achieving for Children Line Managers	<ul style="list-style-type: none"> <li>• Sign off purchases worth under £500</li> </ul>
Achieving for Children Director of Finance and Resources	<ul style="list-style-type: none"> <li>• Receive the original copy of the contract (in addition to the Legal Team) when the value of the contract is above £50,000, so that this can be shared and approved by the Senior Leadership Team</li> </ul>
Kingston and Richmond Shared Legal Service	<ul style="list-style-type: none"> <li>• Receive the original copy of the contracts entered into. Relevant signatures should already be recorded on this. This is done for all contracts above £50,000</li> </ul>
Commissioning Lead <i>(defined as the officer commissioning a service)</i>	<ul style="list-style-type: none"> <li>• The commissioning officer or lead is responsible for all of steps within the 'steps to commissioning' section unless otherwise stated</li> <li>• Shares contract details with procurement teams to ensure Strategy and Programmes Team are able to maintain the contracts register</li> </ul>

**Table 4: Roles and responsibilities of Achieving for Children commissioners**

#### 4.2 The Commissioning Cycle

Commissioning is a cyclical process consisting of four broad phases:

- **Analys** – initiate the commissioning activity and investigating why it is needed
- **Plan** – ensure collaborative work is undertaken and key documents are drafted
- **Do** – begin the procurement process and starting service provision
- **Review** – monitor the contract and evaluating its effectiveness

These stages do not take place in isolation and although they may be described sequentially, elements from each may operate at the same time. Children, young people and their parents should be involved throughout each stage of the commissioning process to help co-create the service. Earlier stages in the commissioning process help to inform and drive forward later phases. The diagram below provides an overview of the activities which take place in each of the stages and where the responsibility of such activities lie. Here the 'Hub' represents the procurement team:

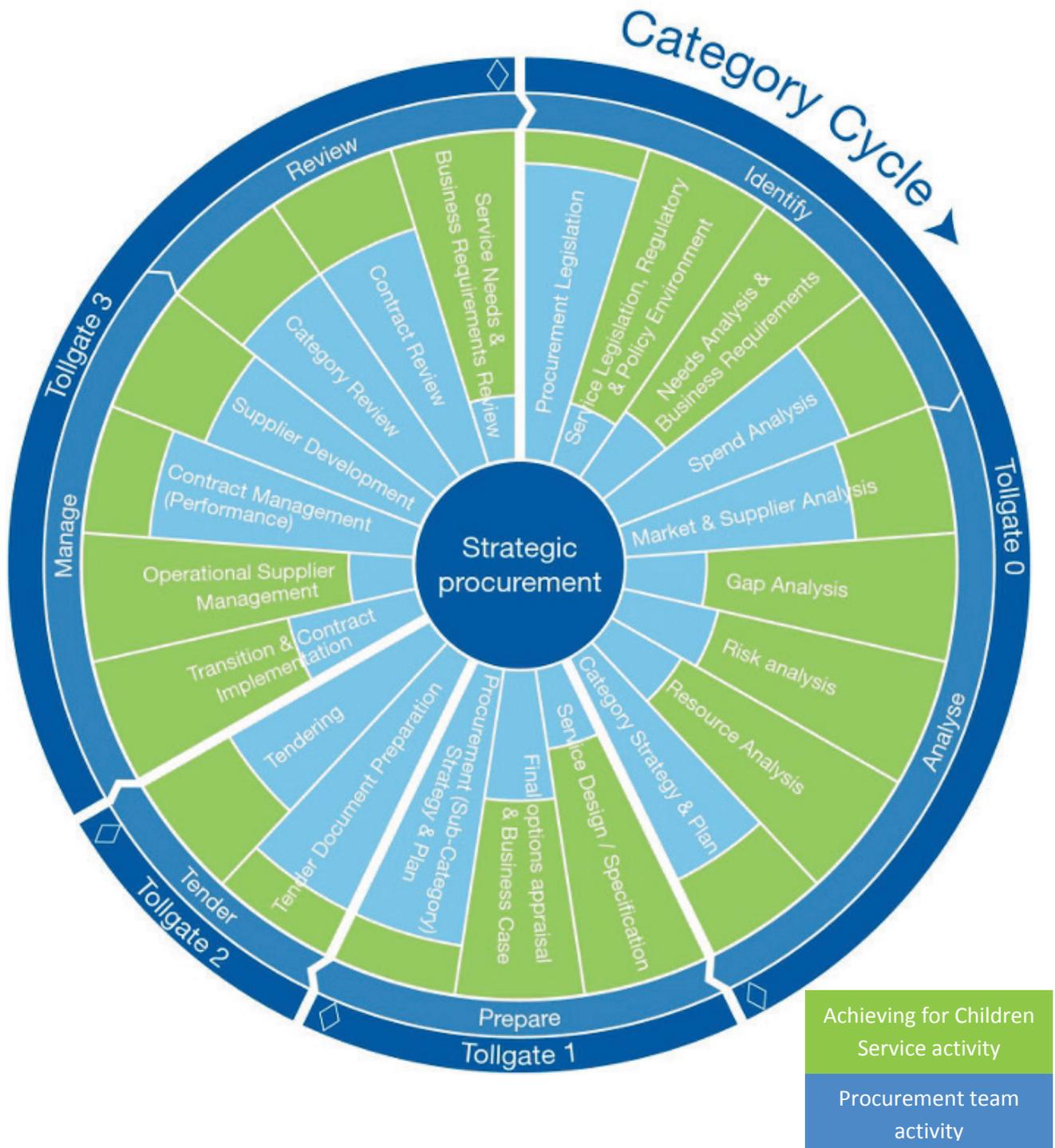


Figure 2: Analyse, Plan, Do, Review Diagram <sup>4</sup>

<sup>4</sup> [http://rio/home/resources/procurement/how\\_procurement\\_works.htm](http://rio/home/resources/procurement/how_procurement_works.htm)

### 4.3 Commissioning timescales

It is difficult to provide advice on the exact amount of time needed to apply the commissioning framework to a particular project due to the variations in size and complexity of projects. Generally, at least three to six months should be allowed for any commissioning project, more if it is a complex tender or amounts to over £100k.

### 4.4 Steps to commissioning

This framework provides support for all aspects of commissioning from the first stages of data collection and needs analysis, the stages of planning services and engaging with the market, right through to reviewing the impact of decisions taken upon service users.

The key elements to the commissioning cycle are analyse, plan, do, review. There are also eight further detailed steps. The table on the following page sets out the steps, explains the process and provides key questions for commissioners to consider at each stage.

Further general advice on how to commission services with young people can be found below:

### 4.5 General tips for commissioning services with young people

- Ensure that sufficient time is built into the commissioning process to engage with children, young people and parents.
- Create a clear way to explain the commissioning process, avoid technical terminology and jargon.
- Train and support children, young people and parents to participate.
- Train commissioners to effectively work in a participatory way.
- Recruit a senior officer within the service to act as the participation champion.
- Plan involvement around the timeframes and availability of children, young people and parents.
- Build on existing relationships and facilitate long-term involvement in commissioning services.
- Involve groups of children, young people and parents rather than individuals as it gives a stronger voice.
- Make it fun and use creative approaches, avoid lengthy bureaucratic meetings.
- Consider involving children, young people and parents in the governance arrangements for commissioning services eg, advisory groups, networks such as youth councils.
- Remember that children and young people access a range of services across the borough (such as sports, arts and uniformed groups).
- Ensure you work with partners to reach a diverse range of children and young people, including those who are hard to reach.

### 4.6 Minimum standards

- Use an evidence base which incorporates the views of children, young people and parents.
- Consult on the evidence base with key stakeholders prior to commissioning any new service.
- Organise stakeholder events to share information on the commissioning intentions and to gather intelligence and evidence based information to develop and co-produce proposals/models for service delivery.
- Publish what services are being commissioned, decommissioned and what the timescales for each stage are. This should include your 12 month plan for tenders, associated timeliness, and contact details for follow up.

- Publish all tenders so that stakeholders are able to see the services being bid for.
- Publish the winning bidder for the contract and publish performance measures and updates.
- Organise stakeholder events or exercises to evaluate the quality of service provision.

#### 4.7 Steps to commissioning at each stage

	Eight steps to commissioning	Description	Responsibility of:
<b>Analyse</b>	<b>1. Initiate</b>	<b>Consider setting up commissioning activity as a project</b>	<b>Commissioning Lead</b>
	<p>Consider what resources are potentially available, which partners may need to be involved, how and when this activity will be communicated to potential stakeholders and that there is a clear mandate. Importantly, commissioners should also be clear at what level they are commissioning at.</p> <p>Key questions to consider:</p> <ul style="list-style-type: none"> <li>• Is this service needed?</li> <li>• Why do we need this product or service?</li> <li>• Who uses it and will the requirement change in the future?</li> <li>• What are the legislative or regulatory requirements?</li> <li>• What resources are available to meet future needs?</li> </ul>		
	<b>2. Investigate</b>	<b>Clarify why the commissioning exercise is needed</b>	<b>Commissioning Lead</b>
	<p>Establish an evidence base, undertake gap analysis, review current linked provision, test the market, consult with stakeholders, assess the impact of current and future legislation or guidance, and complete an equality assessment.</p> <p>Key questions to consider:</p> <ul style="list-style-type: none"> <li>• Are other relevant services within Achieving for Children aware and fully informed about this possible commissioning activity? For example, the performance team might need to be informed if they will be asked to provide data.</li> <li>• What is happening to local need?</li> <li>• Have we ensured enough money is put aside for a needs assessment, facilitated engagement, involving other services and writing the tender?</li> <li>• What is currently being spent on services?</li> <li>• At what points in the process can we involve service users and their families, beginning early in the planning stages?</li> <li>• What can users tell us about current use, markets, satisfaction levels, quality and reliability?</li> <li>• What is the impact of the proposed commissioning on the nine protected characteristic equality groups?</li> <li>• Does the current service deliver the required outcomes and offer value for money?</li> <li>• How effective is current service provision and market?</li> <li>• Does the market offer choice and diversity?</li> <li>• Are we collaborating with others? If not, is there scope to join forces with others?</li> <li>• Have we built time into schedule to work with stakeholders?</li> <li>• Can greater efficiency gains be achieved through a partnership approach?</li> </ul>		

- Can we improve spending power and our relationship with suppliers through collaboration?

**How can I involve children, young people and parents in this stage?**

- Be clear with children, young people and parents what the timescales of each stages are and what their contribution should be
- Use existing as well as creating new opportunities to collect evidence and understand gaps in service provision from children, young people and parents eg, surveys, informal workshops
- Work with children, young people and parents to prioritise need and understand where resources are coming from

**Guideline timescales**

From three months and to a year

	Eight steps to commissioning	Description	Responsibility of:
<b>Plan</b>	<b>3. Collaborate</b>	<b>Ensure key partners are engaged and can shape future provision</b>	<b>Commissioning Lead</b>
	<p>Specifically engage people using and running the service to collate ideas for future provision and agree success criteria and expected outcomes. This stage also provides an opportunity to 'take stock' during a joint commissioning exercise to clarify governance arrangements, input from partners, available budget and whether these will be aligned or pooled.</p> <p>Key questions to consider:</p> <ul style="list-style-type: none"> <li>• Has the budget been agreed?</li> <li>• How can we involve stakeholders to help us determine future anticipated need, including looking at new models of service delivery?</li> <li>• Who can represent service users for the purpose of shaping these services - specific forums or the wider public?</li> <li>• What adjustments need to be made to involve difficult to engage groups or those with additional needs?</li> <li>• What is reasonable in terms of what we can ask service users and their families to contribute (for example, involvement in lengthy, technical contract evaluations)?</li> <li>• Have we put in place mechanisms to respect their contribution by informing volunteer users of decisions (based on their input) and thanking them?</li> <li>• Are our strategic objectives being met through the commissioning of the service?</li> </ul>		
	<b>4. Incubate</b>	<b>Draft key documents and consult</b>	<b>Commissioning Lead and Budget Holder</b>
<p>During this stage, the commissioner officer should develop service specifications, contracts, prospectus and/or purchasing plans. These documents can be co-produced with key stakeholders depending on relevance to eventual service provision. It is at this stage that consideration needs to be given to sustainable commissioning - ensuring we meet our needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis, in terms of generating benefits not only to the organisation but also to society and the economy while minimising damage to the environment.</p> <p>Key questions to consider:</p> <ul style="list-style-type: none"> <li>• How will the contract or provision be designed to meet future changes in need?</li> <li>• How can the specification be designed to enable Achieving for Children to secure service improvements and efficiencies?</li> <li>• How can outcomes be measured and contract performance managed?</li> <li>• How can investment in the local community be embedded in the commissioning process?</li> <li>• How has sustainability been built into the commissioning process?</li> </ul> <p><b>How can I involve children, young people and parents in this stage?</b></p> <ul style="list-style-type: none"> <li>• Involve children, young people and parents to consider service delivery models and service specifications</li> <li>• Consider the delivery of services in a new way, including co-creation and devolvement of resources directly to children, young people and parents</li> </ul> <p><b>Guideline timescales</b></p>			

	From three to six months	
	<b>Eight steps to commissioning</b>	<b>Description</b>
	<b>Responsibility of:</b>	
<b>Do</b>	<b>5. Negotiate</b>	<b>Begin procurement process</b>
	<p>Commissioning Lead and Procurement Specialist</p> <p>An opportunity to build relationships with potential providers, undertake specific market development activities, begin a fair and transparent procurement exercise and secure suitable providers.</p> <p>Key questions to consider:</p> <ul style="list-style-type: none"> <li>• Is the market currently providing the required service?</li> <li>• Has the market changed since the service was first set up?</li> <li>• Is there healthy competition in the market?</li> <li>• Can we develop the market further to provide greater value for money?</li> <li>• Is social value being considered as well as value for money?</li> <li>• What capacity is there to deliver locally?</li> <li>• Should the community play a role in providing the service?</li> <li>• Does the voluntary and third sector have equal access to the commissioning opportunity?</li> <li>• Do local voluntary and community organisations have the capacity and capability to compete?</li> <li>• Is the procurement process proportionate to the service being commissioned?</li> <li>• Does the commissioning process allow for innovation and creativity?</li> <li>• Have you referred to the procurement code of practice?</li> </ul>	
	<b>6. Activate</b>	<b>Start service provision</b>
	<p>Procurement Contract Manager</p> <p>This stage will begin the delivery of the new service and contain a mutually agreed early contract review to ensure the service is starting on the right footing. It would also provide opportunity to survey key stakeholders relatively early on to ascertain satisfaction with the service and iron out any initial issues.</p> <p>Key questions to consider:</p> <ul style="list-style-type: none"> <li>• Is there a clear transition plan to move from the old service to the new service?</li> <li>• What contract review date is appropriate for the service? It is important to ensure that future workload is managed carefully by planning ahead</li> <li>• Are there clear points of contact for us and for the provider of the commissioned service?</li> <li>• What evaluation processes are in place to capture the views of service users in the first three to four months of service delivery?</li> <li>• What processes are in place if service performance and quality are not being provided to the required standard?</li> </ul> <p><b>How can I involve children, young people and parents in this stage?</b></p> <ul style="list-style-type: none"> <li>• When tendering and procuring services, ensure that children, young people and parents understand the importance of competition and confidentiality, but seek their involvement through activities which enable them to rate each bid</li> <li>• Seek to involve children, young people and parents when suppliers present their bid and provide opportunities for them to ask questions</li> <li>• Pre-agree the weighting or section children, young people and parents will be responsible for. Make it clear that they are unable to make the actual decision as they cannot be held accountable in the same way that the council can be</li> <li>• Always make sure there are opportunities for children, young people and parents to speak with</li> </ul>	

	the commissioning manager so that they can seek clarification on the process.		
	<b>Guideline timescales</b> From six to nine months		
	<b>Eight steps to commissioning</b>	<b>Description</b>	<b>Responsibility of:</b>
<b>Review</b>	<b>7. Consolidate</b>	<b>Contract monitoring</b>	<b>Commissioning Lead and Procurement Contract Manager</b>
	At this stage, it would be normal to undertake full contract monitoring (often after six months for a new service or a year for an existing one). The review will establish whether outcomes are being delivered, how stakeholders feel about the service and review general market performance to establish a comparable baseline.		
	Key questions to consider:		
	<ul style="list-style-type: none"> <li>• When will the views of service users be captured?</li> <li>• How will general market performance be reviewed to enable comparison to ensure we are receiving an effective and efficient service?</li> <li>• How regularly will you be in contact with the provider?</li> <li>• What processes are in place if service performance and quality are not being provided to the required standard and following actions, fails to improve?</li> </ul>		
	<b>8. Evaluate and improve</b>	<b>Demonstrate effectiveness and be accountable</b>	<b>Commissioning Lead</b>
	An analysis of both the service performance and the effectiveness of the preceding commissioning activity should be undertaken and published to show whether the service is achieving, what could be done better in future and to ensure that use of public money is transparent. This stage should also be used to refresh information to ensure the evidence base on local need is kept up to date and relevant. Key questions to consider:		
	<ul style="list-style-type: none"> <li>• Is the service still required?</li> </ul>		
	<b>Yes</b>	<b>No</b>	
	How effective is the current service provision?	What are processes are in place to end the contract if the service is no longer required?	
	Does the current delivery model provide value for money?	If decommissioned, what happens to the workforce? It is important to consider the implications of people losing their jobs	
Have alternative service delivery models been identified?			
When is the contract due to end?			
<b>How can I involve children, young people and parents in this stage?</b> <ul style="list-style-type: none"> <li>• Seek to involve children, young people and parents in the monitoring of services, through initiatives such as mystery shoppers, quality assurance exercises, inspections or collecting feedback from other service users.</li> <li>• Use the views of children, young people and parents, use storytelling and workshops to find out what their experience of the service was and publish that information as case studies.</li> </ul>			
<b>Guideline timescales</b> From one to three months			

**Table 4: Steps to commissioning at each stage**

## 4.8 Criteria for decommissioning

Where the needs of users have changed or the techniques, technology and approaches to meeting that need have changed, it may be appropriate to decommission services. This may mean stopping a service or a significant part of it. It can also include terminating or re-negotiating a contract or grant with an existing service provider, where this is driven by commissioning needs.

Decommissioning (and re-commissioning other services or providers where appropriate) is part of the continuous cycle of commissioning. Before a decommissioning decision is made there will be a full assessment of risk to the current service provision, the current provider organisation and its staff and the impact on customers.

To decommission a service at least one or more of the following criteria must be met.

- Other innovative services which better meet the needs and outcomes are available.
- The service no longer meets the needs or provides the outcomes required.
- The service no longer meets quality and statutory requirements (if appropriate including where statutory requirements have changed).
- The service has failed to meet its performance targets and/or minimum requirements of the contract.
- The service no longer meets other obligations eg, health and safety, child safeguarding, or equalities.
- The service no longer operates in accordance with Achieving for Children's policies (including where policies have changed). This will be stated in the contract and adequate notice and due process will be followed.
- The service is no longer considered to offer a level of risk appropriate to the organisation in the good management of public funding.
- The service no longer needed.
- The service cannot be adapted to changing circumstances.
- The service no longer offers value for money.
- The marketplace has demonstrated capability and sustainability to deliver alternative provision if required.

## 5. Glossary of terms

Term	Definition
<b>Commissioning</b>	Achieving the best outcomes by deciding what service is needed, how it should be delivered and who should deliver it (a public, private or third sector organisation)
<b>Contestability</b>	Ensuring there is a viable market of alternative providers by reducing barriers to market entry and encouraging contestability
<b>Contract</b>	A mutual agreement enforceable by law. Usually created for the delivery of goods and services
<b>Contracting</b>	Putting the purchasing of services in a legally binding agreement
<b>Contract management</b>	The management of contracts made with customers, vendors, partners and employees. It refers to the process of systematically and efficiently managing contract creation, execution and analysis for maximising operational and financial performance and minimising risk. It is sometimes called contract administration
<b>Decommissioning</b>	The process of planning and managing a reduction in service activity or terminating a contract in line with commissioning objectives
<b>eProcurement</b>	Conducting procurement by electronic means. For example, by using the internet, intranet or electronic data interchange (EDI)
<b>Equalities Assessment</b>	This is a process used to analyse a proposed or current service, strategy, policy or project. It is designed to make sure that disadvantaged or vulnerable people are not discriminated against
<b>EU</b>	Stands for European Union. It is an economic and political association between countries in Europe. Between its borders there is an agreement of internal free trade, but there are common external tariffs
<b>Form of tender</b>	This document is given by the purchasing agency. The service provider can then make its formal offer
<b>Joint Commissioning</b>	The process where partner organisations (usually two or more) come together to coordinate the commissioning of services. They take joint responsibility for turning policy into action
<b>Macro-commissioning</b>	The process of meeting needs at a strategic level for whole groups of service users and/or whole populations
<b>Micro-commissioning</b>	The process of meeting needs at an individual level
<b>Negotiation</b>	A discussion between two or more groups, to help reach a positive outcome for both sides
<b>OJEU</b>	Official Journal of the European Union. This is where all tenders are advertised if over EU thresholds. The OJEU contains details of current threshold levels.
<b>Procurement</b>	This is the whole process of obtaining works, goods and services. It includes acquisition from both third parties and in-house providers
<b>Provider</b>	This refers to any organisation, group of people or individual who supplies goods or services. Providers may be in the statutory or non-statutory sectors
<b>Purchasing</b>	The process of securing or buying service
<b>Re-commissioning</b>	When a commissioning cycle ends, sometimes it is useful to examine the service (for example, measure how successful it has been, redesign areas where needed). A service can be defined as re-commissioned if: <ul style="list-style-type: none"> <li>• it is the same service, but from a different provider; or</li> <li>• it can be redesigned to improve outcomes (for example, service needs might have changed since it was last commissioned)</li> </ul>

<b>Term</b>	<b>Definition</b>
<b>Service Level Agreement (SLA)</b>	A contract between service provider and those purchasing
<b>Service owner(s)</b>	A person(s) accountable for the delivery of services on behalf of Achieving for Children (AfC)
<b>Spot purchasing</b>	A way of purchasing services for individuals which aims to achieve the most flexible responses to their needs
<b>Social value</b>	A process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits to society and the economy, whilst minimising damage to the environment
<b>Tender</b>	A formal offer to provide services as a response to a specification, usually for a stated price or in accordance with a schedule of stated prices
<b>Tenderer</b>	A person or body that has, or been invited to, submit a tender
<b>Third sector</b>	This comprises all non-public and non-private organisations that are value-driven rather than profit driven. This includes charities, community groups, co-operatives, etc.
<b>Universal services</b>	Services provided for the whole community, including education and health, housing, leisure facilities and transport
<b>Value for money</b>	Description of something that is well worth the money spent on it

## 6. Equality assessment

**Date:** [insert date]

**Title:** [insert the name of the project]

**Service area:** [insert name of relevant service area]

**Project lead:** [insert name and role of the individual responsible for the project]

**Project team:** [insert the name and role of individuals contributing to the project]

Background
Briefly describe the project

Purpose
Why is the equality assessment being undertaken?

Research	
What sources of information have been used in the preparation of this equality assessment? Please provide the details in the table below:	
Information source	Description and outline of the information source

Analysis of impact
Assess the relevance of each protected characteristic group to the project and explain what the data, customer feedback, complaints or discussions with stakeholder groups tells you about the impact
Other questions to consider: <ul style="list-style-type: none"><li>• How well are diverse needs met?</li><li>• Have any differences in access to services or functions been identified for any group?</li><li>• Has the area identified any disadvantages experienced by groups that need to be addressed?</li><li>• Have there been any complaints about a failure to receive an appropriate and fair service?</li><li>• Is there any other evidence of differential impact or different outcomes which needs to be addressed?</li><li>• Is there any evidence that participation in areas of public life is disproportionately low for any particular relevant protected characteristic group?</li><li>• Have the needs of disabled people been identified and addressed where these are different from the needs of non-disabled people?</li><li>• Have you identified any need to tackle prejudice or promote understanding between different relevant protected characteristic groups?</li></ul> Remember that equality assessment is not simply about identifying and removing negative effects of discrimination, but it is also an opportunity to identify ways to advance equality of opportunity and to foster good relations

Protected group	Findings
Age	
Disability	
Gender (Sex)	
Gender reassignment	
Marriage and civil partnership	
Pregnancy and maternity	
Race or ethnicity	
Religion and belief including non-belief	
Sexual orientation	

Summary
Summarise the key findings of the equality assessments of impact. Have you identified any data gaps in relation to the relevant protected characteristics and relevant parts of the duty?
Other questions to consider: <ul style="list-style-type: none"> <li>• Are there findings of unlawful discrimination?</li> <li>• Can you address any identified adverse impact?</li> <li>• Can you mitigate any negative impact?</li> <li>• Please provide rationale if you are unable to address any adverse impact.</li> <li>• Have you identified any ways of advancing equality in this area, for example, meeting diverse needs?</li> <li>• Is there a need for any actions to promote understanding between different protected groups?</li> </ul>

Consultation
What consultation have you undertaken with stakeholders or critical friends about the key findings? What feedback did you receive as part of the consultation?

Action planning			
What issues have you identified that require action?			
Issue identified	Planned action	Lead officer	Completion date

Monitoring and review
How will the actions identified above be monitored and reviewed?

## 7. Links and further information examples

The documents listed below have been included to provide further information about Commissioning as well as data sources about children and young people in the Boroughs of Kingston and Richmond.

### Commissioning guidance

(Insert link here) Achieving for Children's Financial Regulations

[http://www.local.gov.uk/productivity/-/journal\\_content/56/10180/3511353/ARTICLE](http://www.local.gov.uk/productivity/-/journal_content/56/10180/3511353/ARTICLE) (here you can see that there are 52 shared service agreements for London)

[http://www.local.gov.uk/web/guest/productivity/-/journal\\_content/56/10180/3851608/ARTICLE](http://www.local.gov.uk/web/guest/productivity/-/journal_content/56/10180/3851608/ARTICLE) (can see all the shared services in London and view them by category. Achieving for Children is mentioned)

[http://www.local.gov.uk/c/document\\_library/get\\_file?uuid=e8d9ca1b-4ffc-47e3-9d9d-3d6ff7ed30f5&groupId=10180](http://www.local.gov.uk/c/document_library/get_file?uuid=e8d9ca1b-4ffc-47e3-9d9d-3d6ff7ed30f5&groupId=10180) (Commissioning for better public services – includes some case study examples of Oldham Council, East Sussex County Council, Brighton and Hove City Council, Suffolk County Council)

### Useful data sources

<http://www.datarich.info/resource/view?resourceId=76> (Achieving for Children Equality Needs Assessment 2013-14)

[http://www.richmond.gov.uk/cypp\\_needs\\_assessment\\_summary\\_2013.pdf](http://www.richmond.gov.uk/cypp_needs_assessment_summary_2013.pdf) (Richmond Children and Young People's Plan 2013-17, Needs Assessment Summary)

[http://data.kingston.gov.uk/Theme\\_Links?themeld=4](http://data.kingston.gov.uk/Theme_Links?themeld=4) (Kingston's Data Observatory on Children and Education data)

[Decommissioning](#) – National Audit Office Guidance

[Good Commissioning Principles and Practice](#) – Commissioning Support Programme

[Guide to commissioning for maximum value](#) – The Social Return on Investment Network and the Local Government Association

Achieving for Children Procurement Code of Practice (insert link here)

Richmond Council Contract Standing Orders: [http://rio/contract\\_standing\\_orders\\_aug13.pdf](http://rio/contract_standing_orders_aug13.pdf)

Kingston Council Contract Standing Orders: (insert link here)

Richmond Compact: [www.richmond.gov.uk/relations\\_with\\_voluntary\\_sector](http://www.richmond.gov.uk/relations_with_voluntary_sector)

Kingston Compact: [/www.kingston.gov.uk/downloads/file/22/voluntary\\_sector\\_compact](http://www.kingston.gov.uk/downloads/file/22/voluntary_sector_compact)

Kingston Council Social Value Toolkit (insert link here)

Achieving for Children Equality Assessment (please see next page)