



Integration Joint Board  
Finance, Performance and Quality Committee

13<sup>th</sup> April 2023

This Report relates to  
Item 7 on the Agenda

# Contract Monitoring

*Paper presented by Sharon Walker*

*For Approval*

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<b>List of Background Papers:</b>	Procurement of Care and Support Services Best Practice Guidance ( <a href="https://www.gov.scot/publications/procurement-care-support-services-best-practice-guidance/">https://www.gov.scot/publications/procurement-care-support-services-best-practice-guidance/</a> ) Procurement Reform (Scotland) Act 2014 ( <a href="https://www.gov.scot/publications/procurement-reform-scotland-act-2014-statutory-guidance/pages/13/">https://www.gov.scot/publications/procurement-reform-scotland-act-2014-statutory-guidance/pages/13/</a> )
<b>Appendices:</b>	<b>Appendix 1</b> - Sample contract monitoring self assessment questionnaire <b>Appendix 2a</b> - Contract Monitoring Report: Care Homes and Care and Support at Home (March 2022) <b>Appendix 2a</b> - Contract Monitoring Results: Care Homes and Care and Support at Home (March 2022) <b>Appendix 3</b> - Sample Joint Assurance Monitoring Visit template <b>Appendix 4</b> - Joint Assurance Process flowchart <b>Appendix 5</b> – List of Contracts of Commissioned Services

<p><b>1.</b></p> <p>1.1</p> <p>1.2</p>	<p><b>Introduction</b></p> <p>The Health and Social Care Partnership commissions 156 different services from 105 provider partners. The cost of these services totals over £70m per annum which is approximately a quarter of the annual Integration Joint Board (IJB) budget.</p> <p>This report provides a copy of the latest contract monitoring for Care Homes, this includes joint assurance of care homes with the Care Home Tactical Team. It also describes the contract monitoring arrangements in Dumfries and Galloway and sets out work underway to develop a new contract management framework and plans to provide regular contract monitoring reports to this committee and therefore the IJB in future.</p>								
<p><b>2.</b></p> <p>2.1</p>	<p><b>Recommendations</b></p> <p><b>The IJB Finance, Performance and Quality Committee is asked to:</b></p> <ul style="list-style-type: none"> <li>• <b>Note the current arrangements for contract monitoring of commissioned services</b></li> <li>• <b>Approve that contract monitoring reports are shared routinely with this committee</b></li> <li>• <b>Note the development of a contract management framework</b></li> </ul>								
<p><b>3.</b></p> <p>3.1</p> <p>3.2</p> <p>3.3</p> <p>3.1</p> <p>3.2</p>	<p><b>Background and Main Report</b></p> <p>Contract Monitoring is a responsibility under the Procurement of Care and Support Services Best Practice Guidance and the Procurement Reform (Scotland) Act 2014. It is the process of collecting and analysing information from partners and from across the Partnership to determine if contracted services meet contractual requirements and reflect best value in terms of both price and quality of service. It also ensures that the Partnership meets its contractual obligations.</p> <p>Contracting and contract monitoring are functions within commissioning that are concerned with</p> <ul style="list-style-type: none"> <li>• technical aspects of contracts</li> <li>• the monitoring of the quality of what is provided under the terms of those contracts</li> <li>• ensuring that people's personal outcomes are being achieved</li> </ul> <p>On behalf of the Health and Social Care Partnership (HSCP) the Commissioning Team monitor adult health and social care commissioned services that have contracts with Dumfries and Galloway Council and NHS Dumfries and Galloway. These are delivered by third sector and independent sector partners and include:</p> <table border="0" style="width: 100%;"> <tr> <td>• Day Care</td> <td>• Carers Support</td> </tr> <tr> <td>• Day Centres</td> <td>• Short Breaks</td> </tr> <tr> <td>• Care and Support at Home</td> <td>• Support services</td> </tr> <tr> <td>• Care Homes</td> <td></td> </tr> </table> <p><u>Contract Monitoring Reporting</u></p> <p>Contract monitoring reporting in Dumfries and Galloway centres on the following</p>	• Day Care	• Carers Support	• Day Centres	• Short Breaks	• Care and Support at Home	• Support services	• Care Homes	
• Day Care	• Carers Support								
• Day Centres	• Short Breaks								
• Care and Support at Home	• Support services								
• Care Homes									

three aims:

- To provide assurance to the Partnership that commissioned services are delivered in line with contractual obligations; that they provide best value; and that the Partnership is also meeting its contractual obligations (**compliance**)
- To support the management of risks that may impact on provider partners' ability to deliver the service and to deliver it to the required quality standards (**risk management**)
- To provide intelligence that supports the development of commissioning strategies, performance reporting and service improvement (**intelligence**)

3.3 In order to inform this provider partners are required to complete a self assessment questionnaire that reflects the terms of their contracts. These are analysed, scored and collated into contract monitoring reports.

3.4 The Commissioning Team also visit provider partners to ensure the self assessment questionnaires reflect day to day practice and check records and files relating to contractual requirements. The Team also pull together available information from other sources, such as Care Inspectorate and other areas of the HSCP to develop a full picture of the provider partners' compliance, assess the level of risk and collate intelligence.

3.5 Appendix 1 provides a sample self assessment questionnaire and Appendix 2 provides a recent contract monitoring report relating to care homes and care and support at home partners.

3.6 The resulting reports are shared with the Contract Management Group, chaired by the Director of Strategic Planning and Transformation, for approval before being reported to the Senior Leadership Group.

3.7 In light of the new IJB Committee structure it is proposed that these reports are shared routinely with the Finance, Performance and Quality Committee.

### 3.8 Recent Contract Monitoring

3.9 In order to support care and support provider partners during the Covid-19 pandemic the HSCP paused contract monitoring in April 2020. This was in line with guidance issued to Commissioners by the Convention of Scottish Local Authorities (COSLA). The pandemic also saw new care assurance responsibilities for the NHS Board and Chief Social Work Officer in relation to Care Homes. This has led to the establishment of the Care Home Oversight Group (CHOG) and a tactical support team.

3.10 'Light touch' monitoring of care home and care and support at home partners commenced in August 2021 for the period 1 August 2020 to 31 July 2021. Please see report at Appendix 2.

3.11 Joint Assurance Monitoring Visits to care homes have been conducted by Commissioning Officers in collaboration with the Care Home Tactical Team (CHTT). During the period March 2022 to January 2023 a total of 29 care homes have been visited, plus additional follow-up visits. Joint Assurance Monitoring visits have been conducted and reports issued to the Care Home Oversight Group (CHOG). Follow-up visits to care homes are ongoing. Care home managers are very supportive of this joint approach and feedback has been positive.

- 3.12 A Joint Assurance Monitoring RAG has been jointly developed by the Contracts Team and CHTT and is used to help provide an early indication of issues affecting care homes, allowing the Partnership to engage earlier to offer support and proactively help avert crises. A sample joint assurance questionnaire is provided in Appendix 3 and Appendix 4 provides an illustration of the joint assurance process.
- 3.13 Full contract monitoring of third sector provider commissioned services recommenced in October 2022. Analysis of contract monitoring returns as well as monitoring meetings with each provider are nearing completion and a final report will be presented to Contract Management Group in March 2023. Thereafter it will be presented to this committee on 13 July 2023.
- 3.14 Full contract monitoring of care home and care at home provider commissioned services will recommence in April 2023 for the period 1 April 2022 to 31 March 2023. It is expected this will be presented to this committee in January 2024.
- 3.15 Contract Management Framework
- 3.16 Development work on a new Contract Management Framework has been ongoing over the last year. This has included the development of a risk matrix, escalation process and balanced scorecard report format that will bring together contractual, financial, operational and performance information which will be gathered from across the Partnership.
- 3.17 The Commissioning Team have engaged with a whole range of stakeholders to inform the new contract management framework including:
- Care Inspectorate
  - Social Work Locality Teams (DGC) – A&E, Nithsdale, Stewartry, Wigtownshire – 4 individual meetings held
  - Procurement – DGC and NHS
  - Performance and Intelligence Team
  - Scotland Excel
  - Scottish Care
  - Sustainability and Modernisation Programme Team (SAM)
  - Housing Support Contract Coordinators
  - Care Home Tactical Team (CHTT)
  - Care and Support at Home Tactical Team (CASHTT)
  - MASH Team
  - Finance Team
  - Provider Partners
- 3.18 In addition to the engagement sessions above, the Contracts Manager has attended meetings of the Health and Social Care Governance and Performance Group, Community Health and Social Care Leadership Group and Care Home Tactical Group in order to share information regarding contract monitoring development work and our collaborative approach.
- 3.19 As the development of the framework as this is a purely back office function engagement with people who access care and support has not been undertaken. The Contract Management Framework will however include processes that ensure the views of people accessing the service, their families and Carers are very much part of the contract monitoring process.

3.20	It is intended that this new framework will enable more robust reporting that supports continuous improvement and includes monitoring of service delivery against contracts, achievement of people's outcomes and the gathering of evidence from across the Partnership including from operations, finance and procurement to provide more comprehensive information for regular reporting upwards through CMG and relevant governance structures.
<b>4.</b>	<b>Conclusions</b>
4.1	Preliminary results from 'light touch' contract monitoring of care home and care and support at home provider partners has helped identify risks and challenges facing partners and the impact this has had on their ability to meet all contractual obligations.
4.2	Subsequent Joint Assurance Monitoring Visits to care homes have provided information and assurance to CHOG and identified areas for improvement to inform our Partnership support response.
4.3	Work is underway to establish a contract monitoring framework that will build on existing good practice and stakeholder engagement and will establish regular robust reporting and compliment work of the Partnership Oversight Groups and The Care Inspectorate. This new approach will ensure that contract monitoring meets the needs of the Partnership in terms of compliance, risk management and intelligence. It is proposed that the new contract management framework will be presented to the CMG in March 2023 for approval.
<b>5.</b>	<b>Resource Implications</b>
5.1	The work described in this paper will be delivered within existing resources.
<b>6.</b>	<b>Impact on Integration Joint Board Outcomes, Priorities and Policy</b>
6.1	Ensuring that robust procedures are in place for contract monitoring and reporting of commissioned services will provide assurance to the Partnership that services are being delivered against contracts. It will help ensure that people of Dumfries and Galloway have access to appropriate care and support is in line with the Partnership outcomes.
<b>7.</b>	<b>Legal and Risk Implications</b>
7.1	Contract Monitoring supports the management of risks that may impact on service provider partner's ability to deliver the service to the required quality standards.
<b>8.</b>	<b>Consultation</b>
8.1	Appendix 2a sets out the details of the consultation and engagement work undertaken in relation to this contract monitoring. The Contract Management Group has considered this report.
<b>9.</b>	<b>Equality Impact Assessment</b>
9.1	An Equality Impact Assessment (EQIA) is not required at this time but may be

undertaken if required as work progresses.

## 10. Glossary

10.1 All acronyms must be set out in full the first time they appear in a paper with the acronym following in brackets.

<b>EQIA</b>	<b>Equalities Impact Assessment</b>
<b>IJB</b>	<b>Integration Joint Board</b>
<b>CASH</b>	<b>Care Home Oversight Group</b>
<b>CASHOG</b>	<b>Care and Support at Home Oversight Group</b>
<b>CASHTT</b>	<b>Care and Support at Home Tactical Team</b>
<b>CHALD</b>	<b>National Care Homes for Adults with Learning Disabilities and Autism</b>
<b>CHTT</b>	<b>Care Home Tactical Team</b>
<b>CMG</b>	<b>Contract Management Group</b>
<b>CoSLA</b>	<b>Convention of Scottish Local Authorities</b>
<b>DGC</b>	<b>Dumfries and Galloway Council</b>
<b>HSCGPG</b>	<b>Health and Social Care Governance and Performance Group</b>