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| **Overview** | This standard is about your role in supporting all parties involved in delivering outcomes are able to resolve any problems or disagreements. In involves establishing the basis of the issue or conflict, escalating concerns where necessary and facilitating discussion to reach agreement.This NOS is relevant to an individual undertakingcommissioning, procurement and contracting in relation to care services. |

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| Performance criteriaYou must be able to:You must be able to:You must be able to: | Establish the basis of the issue or conflict 1. use communication skills to establish an environment in which effective negotiation can take place
2. clarify the issue or disagreement with all parties
3. clarify the involvement of other agencies in addressing the issue or disagreement
4. **escalate concerns** where there may be issues relating to safeguarding or poor practice
5. select an **approach** to resolve the issue or conflict
6. negotiate agreement of all parties to the **ground rules** for any discussion

**Facilitate discussions of the issues** 1. ensure that all parties observe the agreed ground rules
2. encourage all parties to communicate effectively in sharing their views
3. periodically summarise the points made by each party and check understanding
4. establish any areas of common ground or potential agreement
5. encourage all parties to look for and offer **opportunities for resolution**
6. ensure that discussions meet the timescales agreed in the ground rules
7. summarise progress to all parties

Support parties to reach agreement1. encourage parties to consider options for resolution
2. suggest **compromises** from all parties in order to reach an agreement
3. acknowledge the difficulty of the compromises parties have made
4. agree how any agreements reached will be recorded
5. identify any **risks** associated with the agreement reached
6. make recommendations to manage risks
7. summarise clearly the learning that has emerged from the process
8. seek views from all parties on how the learning can be applied
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| Knowledge and understanding | **Specific to this NOS** |
|  You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand:You need to know and understand: | 1. the other agencies that might be involved in addressing issues or conflicts
2. how to escalate concerns
3. approaches and techniques of conflict resolution
4. methods for managing the dynamics of groups, including conflict resolution
5. how to use strategies for identifying potential resolutions
6. different methods to encourage compromises
7. how to select and operate within ground rules

**Rights**1. legal and work setting requirements for equality, diversity, discrimination and rights
2. legal and work setting requirements for complaints and whistle blowing
3. your role and the roles of others in promoting **co-productive** commissioning
4. the role of service providers and partner agencies in promoting the rights, choices, wellbeing and active participation of **individuals, key people** and communities
5. how to deal with and challenge discrimination
6. your duty to report any acts or omissions, poor or discriminatory practice, resources or operational difficulties that could infringe the rights of individuals and key people

**Safeguarding**1. legislation, national policy, frameworks, local systems and multi-disciplinary procedures relating to the safeguarding and protection of children, young people and adults
2. the responsibility that everyone has to raise concerns about possible harm or abuse, poor or discriminatory practices
3. factors that increase the risk of potential harm or abuse
4. the different types of harm or abuse, poor or discriminatory practice
5. indicators of potential harm or abuse
6. how and when to report any concerns about harm or abuse, including whistleblowing
7. what to do if you have reported concerns but no action is taken to address them

**Sustainability**1. why it is important to work in a **political, economic, sociological, technological, legal and environmentally sustainable** way
2. how you can develop sustainable new ideas in your work role

Partnership working1. the factors that can affect partnership working
2. techniques for working with individuals, key people and communities through co-productive commissioning, procurement and contracting
3. how to support the best interests of individuals, key people and communities
4. how to engage with social care and procurement professionals during commissioning, procurement and contracting activities
5. the **priorities, interests** and contributions of **stakeholders**
6. the **operational realities** of service providers
7. policies, procedures, guidance and protocols with others involved in partnerships
8. how to assess the effectiveness of partnership working

**Risk management**1. the types of risk involved in commissioning, procurement and contracting
2. methods of identifying, assessing and managing risk
3. your role in identifying, managing and reporting risk
4. principles of positive risk-taking

**Your practice**1. European, UK and country specific legislation, statutory codes, standards, regulations, frameworks and guidance relevant to your commissioning, procurement and contracting role
2. European, UK and country specific legislation, statutory codes, standards, frameworks and guidance relevant to service providers and partner agencies
3. how to access and work to procedures and agreed ways of working
4. lessons learned from government reports, research and inquiries into serious failures of health or social care practice and from successful interventions
5. how your role fits within your organisation and where you can go to for support
6. how to assess the impact of commissioning, procurement and contracting activities on individuals, key people and other stakeholders
7. how to measure the achievement of **outcomes**
8. the nature and importance of preventative and community based provision
9. factors that can cause conflicting demands
10. techniques for problem solving and innovative thinking
11. how to fulfil your role in managing resources, including your own time
12. how to cost and work with budgets
13. how and when to seek support with ethical conflicts and dilemmas in your work
14. your own background, experiences and beliefs that may have an impact on your practice
15. how to use **evidence-based practice** to justify your actions and decisions
16. how to contribute to the development of systems, practices, policies and procedures
17. how to challenge poor practice in your own and other organisations

 **Theory for practice**1. how the **social, medical and business** models impact on the achievement of outcomes
2. how commissioning, procurement and contracting can contribute to improved outcomes for individuals, key people and communities

**Personal and professional development**1. principles of reflective, person centred, evidence based practice
2. your role in sharing and developing knowledge and practice with others, including , key people and communities
3. how to provide constructive feedback to others
4. how to identify and access opportunities for professional development
5. how to develop professional knowledge and practice through reflective supervision and appraisal

**Communication**1. how to use communication as a foundation for co-productive commissioning
2. methods to promote effective communication with **colleagues**, individuals and other stakeholders

 **Handling information**1. legal requirements, policies and procedures for the security and confidentiality of information, taking account of commercial sensitivity and procurement practice
2. legal and work setting requirements for recording information and producing reports within timescales
3. how to identify, collect, measure and assess data and present it as information
4. how information software products can help you collect information
5. how to record written information with accuracy, clarity, relevance and an appropriate level of detail
6. methods of making data and information accessible for individuals, key people and other stakeholders
7. how and where electronic communications can and should be used

**Health and Safety**1. legal and work setting requirements for health, safety and security in the work environment
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| Additional information  |
| Scope / range related to performance criteria: | The details in this field are explanatory statements of scope and/or examples of possible contexts in which the NOS may apply; they are not to be regarded as range statements required for achievement of the NOS.Where an individual finds it difficult or impossible to express their own preferences and make decisions about their life, achievement of this standard may require the involvement of advocates or others who are able to represent the views and best interests of the individual. Where there are language differences within the work setting, achievement of this standard may require the involvement of interpreters or translation services.**Escalating concerns** is where issues or concerns have accumulated and key agencies such as commissioners, service providers, regulators, the police, individuals, key people or others need to work together to address those issues or concerns.The **approach** that you take should begin with negotiation and collaboration, but could also include more formal approaches such as the use ofdisciplinary action, grievance procedures, legal action, industrial dispute, external mediation, arbitration, appeals process,; complaints process or criminalProceedings.To support the effective functioning of a group, **ground rules** can be used to specify thetimescales, level of confidentiality, expected behaviour, people present and distribution of any report or feedback.There may be **opportunities for resolution** throughcompromise, admission of mistakes or being wrong, changing views or opting out.**Compromises** aim to meet most of the wishes of those involved, with an expectation that all parties are willing to negotiate and concede in order to gain a common agreement.**Risks** can be influenced by a wide range of factors and include a wide range of risks to people, property and organisations. |
| Scope / range related to knowledge and understanding:Values: | The details in this field are explanatory statements of scope and/or examples of possible contexts in which the NOS may apply; they are not to be regarded as range statement required for achievement of the NOS.**All knowledge statements must be applied in the context of this standard.**The process of **co-production** involves developing relationships with individuals, key people and communities, recognising the expertise that people have and the support that they offer to each other. It places individuals, key people and communities at the centre of decision making and control.The **individual** is the adult, child or young person receiving a service.**Key people** are those who are important to an individual and who can make a difference to his or her well-being. Key people may include family, friends, carers and others with whom the individual has a supportive relationship.The **political, economic, sociological, technological, legal and environmental** model (also known as the PESTLE model) is used to analyse the influences that an organisation has on its environment, both now and in the future. It is used to inform decisions and enable the organisation to respond to change.The **priorities and interests** of stakeholders encompass the outcomes sought and are influenced by different philosophies, principles, priorities and codes of practice and are affected by their differences in size, structure, governance and capacity. They may change over time in response to national and local factors.**Stakeholders** are individuals and other people who have an interest in or are in some way affected by your work. They include service providers from the statutory, third or business sectors; regulators; colleagues and other professionals whose work contributes to the individual’s well-being and who enable you to carry out your role; commissioning partners or those who commission services from the same provider, whether or not they are joint arrangements.The **operational realities** of service providers are the factors that impact on how they are able to run their other services, in particular where there is competition for funding and customers.An **organisation** is used to mean the organisation for which you work or volunteer, or which you own or run. For people funding their own services or using other self directed support, it means you and the people who may work for you.**Outcomes** are the desired result of the activity for individuals, key people and communities. They move the focus from the processes, transactions and performance management to the differences that provision can actually make to people’s lives. It underpins citizen centred commissioning by placing individuals in a central role in evaluating the effectiveness of commissioning.**Evidence based** **practice** uses systems, processes and ‘practice wisdom’ that has been proved to be effective in supporting the achievement of positive outcomes. Evidence may have been drawn from a variety of sources: research, both formal and informal, and the views and opinions of individuals, key people and other stakeholders involved in the delivery of care services.The **social model** describes disability as a series of barriers located in society and not an individual, for example attitudes towards people in need or physical barriers.The **medical model** described illness or disability as an inherent part of the individual, and as such would attempt to treat or cure the person. **Business models** refers to an organisation’s need to function as a business within financial constraints and in some cases to make profit, for example social enterprises and private businesses. **Colleagues** are people who you work with in your own or other organisations, including your team, managers, service providers, other teams, other departments and other organisations.Adherence to codes of practice or conduct where applicable to your role and the principles and values that underpin your work setting, including the rights of children, young people and adults. These include the rights:To be treated as an individualTo be treated equally and not be discriminated againstTo be respectedTo have privacyTo be treated in a dignified wayTo be protected from danger and harmTo be supported and cared for in a way that meets their needs, takes account of their choices and also protects themTo communicate using their preferred methods of communication and languageTo access information about themselvesAll aspects of commissioning, procurement and contracting should seek to build on these underpinning values and should:Respect the inherent worth and dignity of all peopleRespect the human rights of children, young people and adultsRespect people’s right to take positive risksBe transparentBe accountableBe proportionalBe consistentBe targetedBe impartialEnable providers |

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| Developed by | Skills for Care and Development |
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| **Status** | Original |
| Originating organisation | Skills for Care and Development |
| **Original URN** | CPC304 |
| Relevant occupations | Childcare and Related Personal Services; Health and Social Care; Planning Officer; Strategy Officer |
| **Suite** | Commissioning, Procurement and Contracting for Care Services |
| **Key words** | Facilitate; resolution; issues; conflicts; outcomes; agreement  |