

Slough Compact Protocols

Commissioning, Procurement and Contracts

This protocol is based on the shared understanding that the Voluntary and Community Sector provide services to the community and may be able to contract with the public sector:

- either to deliver a current service in an efficient and high quality way following a procurement process
- or to develop a partnership response to a recognised need and to deliver this through a contractual arrangement with public sector funding.

It is recognised that some voluntary organisations feel excluded and do not know how to contact statutory services.

In order to achieve this there is common agreement that changes in approach are required, including:

- developing a culture of exploring new ways to achieve results and to communicate effectively in order that service needs are met by provision
- involvement of the VCS in mapping and brokerage about service needs and responses
- providing access to information about the range of services currently delivered both in the statutory and the voluntary and community sectors.
- considering alternatives to in-house provision and a testing assumptions about established methods of delivering services
- a strategy to support the engagement of the VCS in commissioning and procurement should be developed.

There is shared agreement that:

- commissioning bodies should focus on best value
- ideally there should be consultation with and support to the VCS during the development of specification for service contracts
- one of the priorities for capacity building in the VCS should be to increase the ability to enter into a procurement process
- a “level playing field” should be created so that the VCS is able to compete equally for contracts
- the strength of the infrastructure of the VCS is critical, in such areas as governance, finance and management to ensure quality of provision but that this has cost implications
- the independence of organisations must not be compromised by contracts for services with the public sector
- tensions can arise where an organisation has an advocacy role on behalf of its users with the delivery of services through contracts which it may have to challenge; this tension should be managed in a context of mutual understanding in

order to meet mutual interests. VCS groups should not be penalised contractually for following up grievances

- there may be potential conflicts of interest between an organisation's remit and service commissioning and that these conflicts should be handled sensitively and with understanding on both sides

The Voluntary and Community Sector

- accepts that confidence and trust in the delivery of service(s) by them needs to be developed by the statutory authorities
- recognises the need to be flexible
- recognises that there may be limitations in the ability of the statutory sector to provide support beyond the specification phase
- recognises that planning for grants and services has to be carried out by the public sector and that there is a risk of non-renewable contingency planning
- some government funding is short term and comes with time and financial restraints which may limit the ability of the public sector to give complete clarity on all occasions

The Public Sector will

- clarify terminology and provide a clear definition of the difference between grants, commissioning and procurement
- provide clear guidelines for procurement, where possible providing information targeted at the VCS
- set up invoicing and administrative procedures that take into account the way in which the VCS operates, within the limitation of legislative and audit processes
- where possible, undertake prior consultation on evaluation criteria and monitoring which would include community benefits, quality frameworks and the cost and quality of outcomes
- endeavour as far as is possible to provide access to the VCS to allow it to tender and to make information about to key contacts, departments, information points and opportunities for commissioning available
- engage the VCS in commissioning strategies and process wherever possible
- agree to explore alternatives to in-house provision and to test assumptions in this area
- undertake that, as far as is possible, and subject to constraints upon government funding, to put budget setting, awards and renewals in a timeframe that does not disadvantage VCS organisations
- assist, facilitate and clarify the form filling process for tenders as far as is possible and practical
- provide information about what may be included in Full Cost Recovery
- the public sector undertakes to give a reasonable notice of the extension or termination of contracts, within the constraints of timeframes that may be set by government funding, in order to allow VCS groups to adjust accordingly
- provide a clear and transparent process of review and consultation so that all parties are aware, and agree on what is being reviewed and why