

Stronger partnerships for better outcomes:

A protocol for market relations

Author: Dr Sam Bennett, Groundswell Partnership on behalf of Think Local Act Personal

JULY 2012



Acknowledgements

The protocol was developed with the support of two Task and Finish Groups working at national and regional levels. Firstly, the “Developing personalised services” Task and Finish Group that formed part of this year’s Think Local Act Personal, National Market Development Forum (NMDF). Secondly, a group of commissioners, providers and people with care and support needs in the North West that formed part of the regional personalisation programme delivered by In Control for the North West Transition Alliance. Both groups were facilitated by Sam Bennett from Groundswell Partnership. We are indebted to both groups and to the wider NMDF for their views and support in developing the ideas in this protocol.

NMDF Task and Finish Group:

Sharon Allen, Skills for Care (Chair)
Frank Ursell, Registered Nursing Homes Association
Brenda Copnall, IAS
Rob Henstock, Independent Options
John Evans, TLAP Co-production Group
Janet Brandish, TLAP Co-production Group
Ian Hubbard, Supporter/TLAP Co-production Group
Rhidian Hughes, Centre for Workforce Intelligence
Sean McLaughlin, Director of Adult Social Services, Islington
Suzanne Joyner, Walsall Council
Phillipa Russell, TLAP Co-production Group
Simon Taylor, Shared Lives Plus
Andrew Chigley, Alzheimer’s Society
Veronika Jackson, National Homecare Association
Don Brand, Social Care Institute for Excellence
Jeff Jerome, Think Local Act Personal
Linda Doherty, Think Local Act Personal
Sam Bennett, Groundswell Partnership.

NW Task and Finish Group:

Pam Rose, POTENS
Mark Dyer, United Response
Jude Wells, Stockport MBC
Susie Wright, Stockport MBC
Gill Wragg, Macintyre
Joanne Chiltern, Rochdale MBC
Angela Boyle, Alternative Futures Group
Carey Bamber, Carey Bamber Associates
The Right to Control Design Group
Sam Bennett, Groundswell Partnership.

This document has been produced in association with:



Forewords



As chair of the National Market Development Forum task and finish group on developing innovative services, I am very pleased to introduce this protocol for market facilitation.

It recommends a co-production approach to local commissioning of care and support which fully complements Making it Real: marking progress towards personalisation and community-based support. The task and finish group, made up of people with care and support needs, carers, service providers and commissioners, identified this as the key way to unlock potential for creative, person-centred approaches to meeting people's needs.

Recognising that all of these partners have skills, experience and knowledge to bring to the table, this protocol provides a framework for local partners to maximise the combined impact of all. It also recognises the need for ongoing skills development for all partners as by its very nature developing personalised services is an evolving picture.

Sharon Allen Chief Executive, Skills for Care



As chair of Think Local Act Personal's National Market Development Forum, I am very grateful to all those who have contributed to developing this protocol and commend it to all involved in care and support provision.

I believe it is an excellent example of how the Think Local, Act Personal partnership is supporting sector reform and as such the protocol is a positive contribution to Making it Real. It is recognised that given their strategic commissioning role, primary responsibility for ensuring adoption of the protocol sits with Local Authorities whom we urge to proactively adopt the protocol. This should be linked to the existing partnership work between the Association of Directors of Adult Social Services and Skills for Care on local workforce commissioning.

Bill Mumford Chair, Voluntary Organisations Disability Group (VODG)

Introduction

This paper promotes a set of principles and behaviours that will enhance the environment in which good adult social care and support is developed and sustained. It outlines a protocol we would like to see adopted by all key parties to enable more productive local market relations. The protocol is designed to assist commissioners and providers alongside people using social care with the local delivery of Making it Real: markers of progress towards personalised community based support www.thinklocalactpersonal.org.uk/Browse/mir

A common thread in policy and previous National Market Development Forum (NMDF) reports has been the need for stronger and more effective partnerships between commissioners, providers and people with support needs, their carers and families. This is not a new idea, but there is an increasingly strong consensus around the importance of coproduction in commissioning and market development to shape a sustainable care and support system for the future. Delivering cost effective, personalised and community based support in the current financial environment requires a willingness and commitment from everyone involved to think and act differently. But there remains a gap between the rhetoric and the situation on the ground in many local areas, where the response to current challenges can mean new barricades are erected as readily as new doors opened.

Think Local Act Personal (TLAP) believes that strong and decisive action is needed to prevent further retrenchment and lasting damage to the sector. This protocol is intended as a starting point for local discussions about how different parties can build mutual trust and understanding and work together more effectively to shape and facilitate local markets. It outlines principles of engagement and behaviours we want to see adopted by commissioners, providers and consumers. While we appreciate that these are not fixed roles, and that the designations of commissioners and providers in particular are changing all the time as more people take control of purchasing and delivering support, this protocol is for the “here and now” and we believe these roles will retain relevance throughout the transition to fully personalised care and support.

While the detail of stronger relationships and better partnerships and the mechanisms that support them should rightly be decided locally, TLAP intend this national protocol to provide an enabling framework for your discussions and engagement. It should be used to stimulate different conversations at provider and user forums and to inform market development and commissioning strategies. The process of agreeing a local version of this document that everyone signs up to will help set a new context for sustainable, personalised and community based support for the future and to demonstrate the commitment of local partnerships to delivering Making it Real. TLAP will be testing the protocol with a number of pilot areas over the coming months and would welcome your feedback. In addition, the North West Personalisation Programme will be building on the work undertaken so far to develop local exemplars of how the protocol can work in practice. This learning will feed into a revised version of the protocol for publication in late 2012.

Principles of engagement

Three core perspectives must be brought together to create a partnership approach to market facilitation in social care. These are those of the individuals who use or will use care and support services ('people, carers and families'); those of people and organisations who provide them (providers); and those of people and organisations who seek to influence/secure them on behalf of others (commissioners). It will be important for each of these parties to have involvement, built around a clear and unambiguous understanding of what they and others bring to the table and what they take away from it in terms of tasks and responsibilities.

Stronger relationships and better partnerships need to be founded on mutual trust in each other's intentions and abilities. Constant work and attention is required to develop and maintain trusting partnerships, and an approach that recognises and builds on what each party does well will help to rebalance relationships that have too often centred on conflicts and deficits. Commissioners, providers and people, carers and families should be real partners in shaping local markets of care and support. This is not about always having equal involvement – it means each parties' contribution being recognised and valued and establishing a clear, shared understanding of how decisions will be made.

There are power dynamics in any set of relationships where there is a purchaser and provider, and there will inevitably be many different pressures and demands that are particular to each party or do not act upon them equally. It is essential to take the time to understand each other's context and to acknowledge the different (and sometimes contradictory) drivers involved if we are to steer a course where all parties are treated fairly. There are some key areas that need attention if a partnership approach to commissioning and market development is to succeed.

Sharing risks:

Pushing boundaries and taking risks is not straightforward in social care for commissioners or providers. It can be equally difficult for people using services to feel confident about doing things differently. Mechanisms and support need to be in place to enable new thinking and to reduce the paralysis that comes with fear of failure. Likewise, stimulating innovation and developing new models of care and support needs all parties to be open to new ideas, able to share information about likely demand and prepared to spread the financial burden, particularly for new market entrants and small businesses without the reserves for research and development.

Reducing Bureaucracy:

Improved market relations that involve significant additional calls on people's time and the establishment of brand new arrangements will not be sustainable. As far as possible, existing structures should be used and partners should identify early on which current activities might be stopped and replaced to avoid waste and duplication. All parties should give due consideration to the accessibility of the processes involved in developing local markets, including tendering and procurement, so that these are proportionate and fit for purpose and do not exclude people and organisations that might otherwise engage in them.

Building capacity:

Commitment to building the skills, competencies and capacity of all key stakeholders to work together effectively is an important feature of stronger relationships and better partnerships. A willingness to "learn by doing," to be self-reflective and to honestly review progress will help ensure that improving market relations is a shared responsibility. However, it should be incumbent on the statutory organisations involved to set the example for the behaviour expected from all parties through their communication and interaction and to be ultimately held accountable by others for ensuring the protocol informs best practice in all market relations.

Understanding success:

The starting point for change in the market place is a higher level of knowledge for all stakeholders about the factors that influence supply and demand. It is equally important to understand the perspective and experience of people using support in ways that are practical and possible so this can shape and drive the process. All parties need to commit to identifying, measuring and articulating what works in delivering and commissioning fully personalised care and support. The success of this protocol will depend on a shared willingness and ability to do this well.

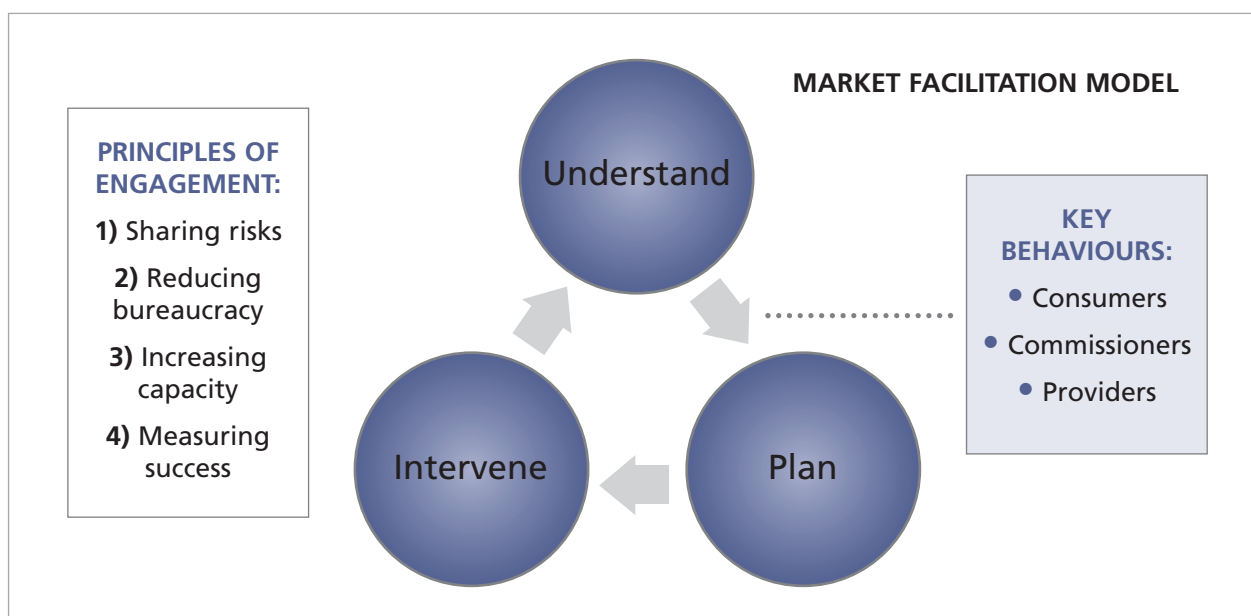


Key behaviours: things to think about

This protocol builds on the market facilitation model developed and adopted through the NMDF in 2010-11. This is a three stage model beginning with the activities associated with seeking to understand the market (market intelligence), moving through the tasks required to plan how the market needs to change (market structuring) and concluding with any actions taken to intervene (market intervention).¹

The remainder of the document sets out a number of things to think about for people with support needs, carers and families, commissioners and providers at each stage of the model. These are key behaviours, described as specifically as possible, that if adopted by all parties will lead to stronger partnerships and better outcomes. These behaviours lie at the heart of local delivery of Making it Real

The Appendix to the protocol consists of a number of “success statements” developed by the North West Task and Finish Group that describe the sorts of things each party would be saying if every aspect of market relations were working well. These incorporate and build on the Making it Real markers of progress and represent a vision for success and benchmarks for assessing the impact of the protocol across a partnership area. A series of scenario-based learning tools have also been developed as part of the work of the NMDF that will be published shortly. These are designed to support the adoption of the working principles and behaviours advocated in this protocol.



¹ See NMDF Briefing Paper 5: Building constructive market relationships, 2010

Things to think about when seeking to understand the local market

KEY BEHAVIOURS	PEOPLE, CARERS AND FAMILIES	COMMISSIONERS	PROVIDERS
	Tell commissioners and providers what's working well, what isn't working well and about your aspirations for the future.	Communicate a long term, strategic vision for community based support for all consumers, whether state or self-funded.	Understand the legal framework for providing services and develop stronger links with local communities and other providers.
	Know what is out there and where you can get support.	Be clear where consumers and providers can go for accessible information about what is available locally.	Share information about your services through an accessible and transparent menu of services.
	Know how much money you have for your support and how much you have to contribute.	Understand financial pressures on provider organisations and facilitate open and honest conversations about costs and spend. Develop a shared view of what is a reasonable cost for services and know the relationship between cost and quality.	Understand the key pressures commissioners are under (e.g. squeezed resources, local politics) and be prepared to have open and honest conversations about costs.
	Share stories and ideas for doing things differently.	Understand the whole market for self and state funders and develop a Market Position Statement including: <ul style="list-style-type: none"> • Demographics, trends and population needs • What is available locally at what cost • Gaps and opportunities for growth • Workforce information • How resources are currently used and how this is likely to change • What choices people are making. 	Share information about what your customers want and what works in providing support with commissioners, other providers and consumers and be an active partner in developing a Market Position Statement.
	Participate in local co-production groups, forums and other engagement opportunities including use of Making it Real.	As part of the local delivery of Making it Real, ensure mechanisms are in place to embed co-production in, including: <ul style="list-style-type: none"> • Working Together for Change • Co-production Groups • Surveys. 	As part of your organisation's use of Making it Real ensure mechanisms are in place to embed co-production in service development, including: <ul style="list-style-type: none"> • Working Together for Change • Co-production Groups • Surveys.

Things to think about when planning how the market needs to change and develop

KEY BEHAVIOURS	PEOPLE, CARERS AND FAMILIES	COMMISSIONERS	PROVIDERS
	Be active and have your say about what is going on in your area.	Take a whole market/system approach to planning and priority setting with other commissioning agencies and involve consumers (state and self-funded) and providers in an open dialogue.	Engage in local planning and priority setting and respond to market needs and changes.
	Attend forums with providers, commissioners and people, carers and families to consider aspects of service delivery, contracting, quality etc.	Create the space and conditions for positive, courteous and respectful engagement with consumers and providers of all shapes and sizes, including through regular forums that are: <ul style="list-style-type: none"> • Accessible and well planned • Clearly state intended meeting outcomes • Co-chaired with providers and consumers • Attended by senior decision makers. 	Take opportunities for positive and productive engagement with commissioners, other providers and consumers and share responsibility for leading regular provider forums.
	Be active partners in defining what quality means and how it is measured and assured.	Ensure there is good, across the board ownership of what quality means and how it is measured and assured.	Understand what quality means and how it is measured and assured.
	Develop a shared understanding of outcomes with commissioners and providers and ensure people understand the importance of your own outcomes.	Develop a shared understanding of outcomes with consumers and providers and how this relates to commissioning and contracting.	Develop a shared understanding of outcomes with consumers and commissioners and how this relates to providing support.
	Provide feedback to commissioners and providers to help them do things better and more creatively and challenge where necessary.	Consider the full range of mechanisms to secure supply in the local market and choose the most appropriate and proportionate one for the job (no reverse auctions).	Challenge complacency, inertia and resistance to drive change and improve the delivery of flexible, personalised support.

Things to think about when intervening in the market

KEY BEHAVIOURS	PEOPLE, CARERS AND FAMILIES	COMMISSIONERS	PROVIDERS
	Make the choices and have the control that is right for you and recognise that risk is a part of everyday life.	Incentivise innovation and support market diversity, including small local businesses, social enterprise and user led organisations.	Work with consumers and commissioners to shape and model creative and responsive services, including new ways of supporting people other than paid support.
	Share the responsibility to use public money appropriately.	Create a fair and competitive environment and support providers to manage the transition to new funding models – facilitate three way discussions around cost reduction to address budgetary pressures.	Demonstrate value for money and added social value in services – engage in three way discussions around cost reduction to address budgetary pressures.
	Get involved in local tendering processes and support others to do so.	Establish mechanisms where people can commission their own services and Involve people fully throughout tendering processes, including: <ul style="list-style-type: none"> • Developing specifications • Interviewing and selection • Service reviews. 	Engage in local tendering processes, take opportunities to collaborate with other providers and use small, local providers in the supply chain.
	Be active partners in designing and delivering training for commissioners, social workers and provider staff.	Develop the workforce and enable all stakeholders to understand each other's roles, responsibilities, drivers and risks.	Develop the workforce and market social care as a vibrant and diverse sector to work in.
	Understand how to raise concerns and how they can be resolved.	Work together with providers and consumers when problems are identified to find positive solutions.	Work together with consumers and commissioners when problems are identified to find positive solutions.

Appendix 1: A vision of success for the protocol developed with the North West Task and Finish Group

UNDERSTAND			
SUCCESS STATEMENTS	PEOPLE, CARERS AND FAMILIES	COMMISSIONERS	PROVIDERS
	I know what is available locally and how much it costs.	We understand the needs and aspirations of local people and the range and diversity of our current and potential local market.	We are well informed about the local market, share information about our services and are engaged in gathering information and identifying opportunities.
	I know where to begin and who to speak to and understand the process to follow.	We have produced a Market Position Statement and are engaged in an open dialogue about the market with consumers and current and potential suppliers.	We understand our role in the local market and have open and transparent relationships with everyone who buys our services.

PLAN			
SUCCESS STATEMENTS	PEOPLE, CARERS AND FAMILIES	COMMISSIONERS	PROVIDERS
	I have a say in local planning and priority setting and my opinions matter.	We involve people in planning, shaping and influencing the market place and are clear and upfront about our own role.	We are involved in the process of local planning and priority setting to ensure local needs are met.
	I know my ideas are valued and I am supported to take part.	We have active partnerships with consumers and providers to shape the local market that are underpinned by trust and respect.	We engage with local consumers and commissioners to understand what they want and to develop support that works for people.

INTERVENE			
SUCCESS STATEMENTS	PEOPLE, CARERS AND FAMILIES	COMMISSIONERS	PROVIDERS
	I have access to a range of support that helps me to live the life I want and remain a contributing member of my community.	We have a range of personalised and creative support solutions available that are good value for money and embedded in the local community.	We work with commissioners and consumers to create new support opportunities and demonstrate local value.
	I feel safe, I can live the life I want and I am supported to manage any risks.	We enable change and innovation in services and work in partnership with consumers and providers to deliver positive support solutions.	We collaborate locally to deliver innovative and creative ways for people to live the lives they choose with the support that's right for them.

Think Local, Act Personal is a sector-wide commitment to moving forward with personalisation and community-based support, endorsed by organisations comprising representatives from across the social care sector including local government, health, private, independent and community organisations. For a full list of partners visit www.thinklocalactpersonal.org.uk