

BASW response to the consultation on the Contracting, Commissioning and Procurement National Occupational Standards - August 2013

This is a summary of BASW's overarching issues and recommendations rather than detailed comments about the standards:

1. We strongly recommend the current principles and values statement should be strengthened to ensure that commissioning is underpinned by ethically based practice (see BASW's Code of Ethicsⁱ). The human rights of service users should be paramount, based on respect for the inherent worth and dignity of all people and their well-being. Organisations should be expected to demonstrate they treat people with compassion, empathy and care. They should also be expected to fully involve and enable people to participate in all aspects of decision making and actions affecting their lives.
2. Human rights should be fully incorporated into commissioning and all health and social care NOS. Human Rights should be clearly articulated and understood in the systems for commissioning, service improvement and regulation. For example, the Scottish Human Rights Commission is working with other organisations to embed human rights in careⁱⁱ. The Commission sees human rights as central to both the underpinning values and implementation of changes, in particular in the transformation of older people's service, through the increased integration of health and social care services with a focus on personalisation. It has stated it would like see human rights fully incorporated into health and social care National Occupational Standards.ⁱⁱⁱ
3. Commissioners should expect providers to demonstrate that they are learning organisations as described in the Berwick Review (2013)^{iv} and as such have a culture of openness and include in their evaluations learning from mistakes. This is not new concept and has been promoted as a positive model of leadership and management for many years. For example Skills for Care/CWDC promoted a whole system model of leadership and management based on developing a learning organisation in 2004 (reprinted in 2006 and revised in 2008)^v.
4. BASW's view is that commissioning skill development is becoming more and more important, particularly as the private sector runs over 80% of residential and domiciliary care and an increasing chunk of the fostering service (often 50% or more in many urban areas). Also social work services are beginning to be privatised/ mutualised and it is possible that social work itself will be in this ownership position soon.
5. We would like to stress the importance of having social work knowledge and skills in all levels of commissioning – strategic, joint commissioning, procurement and contracting (both macro commissioning and micro commissioning of individual cases) and would like this to be reflected throughout in the standards. Castlebeck is a good example of what can go wrong if this does not happen and exposed poor commissioning.

6. We would like the standards to reflect that all commissioning for adult and children's services needs input from qualified experienced social workers. This is particularly crucial for services supporting vulnerable children and adults, and should apply even where other organisations are taking the lead – for example health. We also think that social workers should have commissioning skills and knowledge to be able to work in the best interest of service users.

Currently there are differences amongst local authorities as to whether social workers are involved in commissioning at all. Some local authorities see social work qualification as essential to both making the right strategic and operational decisions about placements (or alternatives to placements) for children or vulnerable adults. Other local authorities have no professional social workers operating in commissioning teams and this frequently means no professionally qualified workers are involved in the monitoring for example at the homes level. Other local authorities have a mix of skills reflecting both the social work/ care knowledge and contracting knowledge. This reflects a lack of standardisation and understanding about the level of skills and knowledge required, which is why we feel the involvement of social workers needs to be integrated more clearly in the standards.

7. The standards need to reflect the realities of the different motivations of organisations particularly as many are funded by venture capital companies, quite often based outside of the UK who do not share the same principles or Code of Ethics. Co-production and working together are good objectives but more thought needs to be given to how these can be achieved through the commissioning process in the current environment. Those involved in commissioning need to understand this so they can look to the future. Ofsted, who monitor children's social care, are beginning to pick up ownership issues but only inspect fostering organisations every 3 years.
8. The standards need to emphasise that quality assurance and evaluation mechanisms which demonstrate tangible outcome for service users are of primary importance in the commissioning and monitoring process, particularly in relation to safeguarding and risk assessments. For example, the importance of the processes relating to children who go missing or young people in exploitative environments. We cannot rely either on providers or CQC to be sole monitors of quality and therefore commissioners must ensure that their role in quality assurance is embedded.
9. We would also strongly recommend that reflective, professional supervision, which contributes to CPD, should be integrated into the standards with an expectation that providers use this model of supervision. Supervision should be included in monitoring and evaluation processes.

ⁱ BASW Code of Ethics 2012

ⁱⁱ Scottish Human Rights Commission Embedding human rights in care
<http://www.scottishhumanrights.com/careaboutrights/welcome-embedding>

^{iv} Berwick Review A promise to learn– a commitment to act Improving the Safety of Patients in England National Advisory Group on the Safety of Patients in England August 2013

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/226703/Berwick_Report.pdf

^v Skills for Care Leadership and Management strategy (2004,2006)

http://www.skillsforcare.org.uk/developing_skills/leadership_and_management/leadership_and_management_strategy.aspx