

8 Implementation

This worksheet distils some of the key points that have come out of other reports on collaborative bidding, blending them with some of the insights from the Collaborate project. There is, it should be noted, limited information from the latter as at June 2008, and further learning is likely to emerge from the partnerships in the future.

AT A GLANCE

- If you were successful, you need to settle the contract, resolve management information systems, agree start-up times and manage staffing, cultural and communications issues
- You will also need to be aware of TUPE and service user transfer issues
- If you were unsuccessful, you need to manage the transfer – and manage the consequences for your organisation

The nature of the implementation task will depend on whether you are:

- developing an entirely new service;
- taking on an existing one from one or more other providers;
- doing a bit of both. The Collaborate SNAP partnership in Suffolk, for example, is taking on services from twelve other current providers, reconfiguring the existing services of consortium members, and setting up an entirely new single access and referral service for the county;
- preparing to hand over an existing service to another provider after failing to win the contract.

If your bid has been unsuccessful

If you've been unsuccessful, and you are losing an existing service, the task you are faced with falls under two headings: managing the transfer, and managing the consequences for your organisation.

Managing the transfer is probably the easier of the two tasks. You should:

- agree a plan for the transfer of the service with the successful tenderer;
- ensure service users are informed, but also reassured. Agree with the successful tenderer what messages you need to communicate to them;
- follow the same principle with staff who are being transferred, and pass on TUPE information as quickly as possible. Some unsuccessful tenderers take a course of minimum cooperation with their successful rival. This, however, only increases the stress for staff, damages the organisation's reputation and is likely to impact negatively on service users;
- notifying partner and referral agencies as early as possible. Again, it is sensible to talk to the successful tenderer first;
- ensuring any related leases and equipment hire contracts are either ended or moved to the new provider. Again, the earlier you can inform landlords and suppliers, the less financial risk to your organisation.

In terms of managing the consequences, hopefully you will have at least considered this scenario as part of your business planning at a much earlier stage, and will therefore not be coming at the subject completely unprepared.

Clearly the impact will depend on different circumstances and how central the contract was to each organisation's core business. This can range from the marginal to the fatal. If your organisation does intend to remain in business, tendering and procurement are almost certainly going to be part of your

future. There may, therefore, be much you can learn from having been through the process once, and from feedback you receive from commissioners. It would be sensible, once the wounds have had a chance to heal a bit, to undertake a debriefing session. Reflect on what the experience tells you about how you need to act in the future, and whether any value created from the process of working with your partners could be developed for new joint ventures.

Common issues for successful tenderers

Settling the contract with the commissioner

- Where collaborative bids have won, it is often the case that the commissioner – and in particular the SP lead – has encouraged a collaborative approach. They are likely, therefore, to be aware of, and prepared to make allowances for, the complexity involved in setting up a collaborative service, which can be reflected in a flexible and facilitative approach to decision-making. It is important to get as many of the broad outlines agreed as early as possible, since some SP staff may not feel they have as much latitude in interpreting their brief;
- Ensure the contract terms properly reflect what is required to make the service work as intended, however facilitative and supportive the approach. For more information, see chapter 9 of Sitra's publication, *A Provider's Guide To Procurement*.

Start-up times and costs

- Negotiate enough time to get the service up and running. You need to consider whether any specialist aspects of the service might need a slightly longer lead-in time to reach full capacity. Also consider whether it would be sensible to keep a small percentage of the support hours unallocated in the early months. These can then be used to deal with any changes in demand as a result of a common access system or better publicising of the service (this was done by the DISC-led partnership in Lancashire).

Management information systems

- Both the Lancashire and Wiltshire consortia mentioned this as a key issue. Ideally you will have sketched out an overview of the system you need in the service-planning phase. The reality is there will still be a lot of work to be done. A common database system is a critical tool for monitoring and quality management. The Wiltshire consortium reflected that, in retrospect, a project manager to oversee the development and implementation of their system would have been a good investment. Lancashire SP took the view it was important to allow time for the consortium to get this aspect right.

Managing change

- When an entirely new service is being created, partner organisations will need to learn new ways of working, and to adjust to a reduction in the levels of autonomy they previously enjoyed. Uniting behind a single vision, developing uniformity of practice and standard working systems, and adjusting to receiving referrals from a central source rather than directly from referral agencies will inevitably be challenging. This will particularly be the case for small organisations with strong, distinctive cultures and niches. The greater the degree of service configuration, the more of an issue this becomes. Developing a common culture will not happen overnight, even where no staff are being TUPE'd in.

Staffing issues

- It is quite likely that some staff will be working across boundaries (employed by one organisation, working in another). In the short term you will need to set up good liaison arrangements to ensure they are supported without spending half of their working week in meetings. In particular you will need to be clear about line management and supervision arrangements, as well as caseload management and on-the-job coaching responsibilities. In the longer term you need to work out how staff in such posts will retain a link to their employer organisation when practical contact may only be vestigial. This is particularly an issue when someone who has worked for the employer before being moved onto the new consortium scheme leaves, and is replaced by someone with no background in the organisation;
- New posts may be created (e.g. project manager) to work across the partnership. Where this happens, it is important to be clear who is the employer and which organisation's procedures, terms and conditions they are working to. There will be, however, an added layer of complexity if they are, in effect, answerable to a consortium management group. NCVO's leaflet *Staffing A Collaborative Project* has some helpful thoughts and examples on this subject.

Managing communication and relationships

- You need to have a plan for introducing the new service to stakeholders, and in particular referral agencies. Some new providers have set up a series of launch events to do this. You also need to think about how and where to publicise your services so as to ensure that there is genuine equality of access;
- There is also a danger that smaller partners in a consortium can become distanced from commissioners. You will need to think about this when negotiating the relationship with SP as to ways this can be avoided.

Issues for organisations taking on existing services

TUPE

- TUPE was identified by the partnerships in Wiltshire, Lancashire and Suffolk as one of the main issues facing new collaborative services. It is also one in which they have benefited by support from commissioners. There is no substitute for expert professional advice, but, generally, a humane, understanding approach that recognises the upheaval people and organisations are going through is also essential. Here, as in many cases, open, honest and frequent communication is the key;

TUPE CHECKLIST

- Get specialist legal advice;
- Get hold of information early. Take control of the situation if there is a lack of cooperation;
- Make contact with the affected staff – understand their position, encourage them to communicate, and answer their questions and concerns;
- Ensure that you have systems in place for managing multiple terms and conditions;
- Organise a thorough induction process for all staff – incomers and those from partner agencies.

- Chapter 10 of Sitra's publication sets out the technicalities of TUPE in more detail.

Transfer of service users

- Exactly the same need to keep people fully informed, involved and reassured applies to service users being transferred into the service as does for staff.

Other resources

A Producer's Guide To Procurement; Sitra. Chapters 9 (Post Tender Action) and 10 (TUPE and HR) are particularly useful here, as are the case examples in Chapter 7. See www.sitra.org.uk for more details.

Staffing A Collaborative Project; NCVO. See www.ncvo-vol.org.uk.

Also see www.ncvo-vol.org.uk for the two case studies of the Lancashire consortium: *Case Study: DISC – Developing Initiatives And Supporting Communities*; and *Case Study: Lancashire County Council – Supporting People*.

Finally, a useful piece of background reading on making partnerships work is Chapter 20: *Managing Partnerships* in *Just About Managing* by Sandy Adirondack, LVSC 2006. See www.sandy-a.co.uk for more details.

About Collaborate

Collaborate was a year-long project run by hact, funded by Communities and Local Government and delivered in partnership with Sitra and NHF, featuring six partnerships in Suffolk, Liverpool, Durham, Rotherham, Redbridge and Southend. The project aimed to demonstrate how diversity can be maintained and particularly how smaller SP providers could thrive within the emerging SP environment, by developing collaborative approaches to tendering and delivering services, between themselves and with larger organisations. Hact helped project partners in two ways:

- Through practical help and facilitation, working through some of the issues involved in developing collaborative models;
- Through financial support of the costs of building capacity of some of the smaller partnership members, as well as some of the legal and expert support costs.

In exchange, all the participating organisations contributed to an evaluation and facilitated learning process between the partnerships, so their insights could be shared with the wider sector.

About hact

Hact pioneers housing solutions to enable people on the margins to live independently in thriving communities. We use our expertise and resources

to identify emerging issues, test ideas, support multi-agency solutions and share learning that changes policy and practice.

About this resource kit

This resource kit has been produced as one of the ways of sharing the learning from the Collaborate project. It consists of eight worksheets, which provide information about strategic development, different collaborative approaches, how to influence procurement processes, developing collaborative bids and implementation issues (see list below).

Though focused on small providers, the learning has relevance for all in the SP sector. Hact doesn't intend to suggest that collaboration is the only option for small SP providers. Some may choose to leave the market. Others might persuade local commissioners to exempt them from the normal commissioning process.

For many providers, however, SP is a vital part of their income and leaving the market is not an option. Sooner or later, their service will be subject to reconfiguration and tendering, probably as part of a much larger contract. Some form of collaboration may represent their best chance of staying in the market – and possibly in existence. It may also, if the experience of some successful Collaborate partnerships is a guide, be a stimulus to developing better services and ensuring a diversity of provision for service users.

Funded by



www.hact.org.uk
registered charity no: 1096829
company no: 04560091

Resource kits sponsored by



Collaborate resource kit

Worksheets:

- 1 A strategy for change
- 2 Large/small partnerships
- 3 Consortia
- 4 Developing positive relationships
- 5 Influencing the process
- 6 Legal issues
- 7 Writing the bid
- 8 Implementation**