

## Voluntary and Community Sector experiences of commissioning – issues, priorities and potential solutions

Voscur and Bristol Compact have been working on commissioning for several years, alongside Bristol City Council and other commissioners (Bristol Clinical Commissioning Group, Police Crime Commissioner, Local Enterprise Partnership). Our work is based on evidence gathered through our engagement with the Voluntary and Community Sector (VCS) in events, surveys and through supporting individual organisations<sup>1</sup>.

Good progress has been made and VCS organisations have succeeded in influencing commissioning and winning public service contracts/grants. There are, however, aspects of commissioning and procurement that present issues for some VCS organisations. Voscur and Bristol Compact believe that work is still needed so that VCS organisations can effectively contribute to the city's priorities and maximise their contribution of social value.

### 1) Issues and priorities

The following areas have been identified from a review of our commissioning work as needing further attention. They are the focus of our future work on commissioning and procurement on behalf of Bristol's VCS. We believe that many of these issues apply to Bristol's SMEs – and tackling them will result in more provider engagement, innovation and social value.

100 VCS representatives at a recent event (March 2015), ranked these issues in the following priority order.

**Priority #1 – Commissioning intentions** – advance notice of what is going to be commissioned so that VCS organisations can know what's coming up, make plans, get ready, work together, be involved and present good proposals.

**Priority #2 – Equalities and impact** – analysis of the impact of small, local, niche, equalities-led organisations being excluded from commissioning processes. Development of policy and practice to ensure these organisations are actively involved and included.

**Priority #3 – Informed design** – it is uncommon to see a market analysis that describes current service provision and potential for development. Without such understanding, commissioners may design 'in the dark' or rely on anecdotal information and expect the impossible from providers.

**Priority #4 – Consistent practice** – some elements of commissioning have been standardised. Others are done differently between council departments and differently by other commissioners. Examples include: consultation, monitoring and evaluation, contract management, market development, and decommissioning. When faced with such differences, VCS organisations have to decide if the opportunity is worth the time and energy required to understand and participate.

**Priority #5 – Learning and improvement** – VCS organisations have provided feedback about their experiences of commissioning processes. While individual bits of feedback are often

heard and acted upon, there is no clear process or high level ownership of the improvement of commissioning/procurement. There is no mechanism for the sharing of good or poor practice and learning from those experiences.

**Priority #6 – Fostering collaborations** – some good work has happened to define acceptable forms of collaboration in grants and in procurement processes. But, there is still inconsistent practice in communicating expectations/possibilities to the market and little active facilitation of collaborations. When included at all, collaborations can appear to be an afterthought and not designed around commissioners’ understanding of market possibilities.

**Priority #7 – Proportionality** – the Compact principle of proportionality applies in aspects of commissioning, such as time allowed for applications, number of questions, monitoring and evaluation, and contract management. However, there is no standard practice to ensure processes are proportionate and match the size/complexity of the contract/grant.

**Priority #8 – Efficiency in procurement** – VCS organisations must submit policies and procedures in every commissioning process. Those documents must be assessed every time by commissioners/procurement officers. Such repetition creates inefficient duplication in VCS organisations and the public sector.

## 2) Potential solutions

Based on our understanding of past proposals and the potential of regulatory changes, we propose the following solutions that would address the above issues.

<p><b>Priority #1</b> – Commissioning intentions</p>	<ul style="list-style-type: none"> <li>&gt; Publish intentions regularly.</li> <li>&gt; Consider impact of local vs national advertising.</li> </ul>
<p><b>Priority #2</b> – Equalities and impact</p>	<ul style="list-style-type: none"> <li>&gt; Develop theme in Scrutiny Day.</li> <li>&gt; Establish new policy of positive action to include small, local, niche, equalities-led organisations in commissioned services (for example, by setting small lots as default in all ‘health, social and other’ services).</li> </ul>
<p><b>Priority #3</b> – Informed design</p>	<ul style="list-style-type: none"> <li>&gt; Develop standard guidance on market analysis and engagement in designing processes and procurement options.</li> </ul>
<p><b>Priority #4</b> – Consistent practice</p>	<ul style="list-style-type: none"> <li>&gt; Develop and implement commissioner training programme.</li> <li>&gt; Link commissioning process success/failure to staff performance (for example, PMDS in BCC).</li> <li>&gt; Establish mechanisms for peer learning between commissioners.</li> </ul>

<p><b>Priority #5</b> – Learning and improvement</p>	<ul style="list-style-type: none"> <li>&gt; Establish an accountable body to examine practice and disseminate learning.</li> <li>&gt; Review a selection of failed commissioning process (for example, those that have required repetition or those that generated no market interest).</li> <li>&gt; Define elements of commissioning process that illustrate good practice.</li> </ul>
<p><b>Priority #6</b> – Fostering collaborations</p>	<ul style="list-style-type: none"> <li>&gt; Develop standard guidance for commissioners in facilitating the market throughout the commissioning cycle (and not just immediately before the tender).</li> <li>&gt; Develop commissioners’ understanding and practice in their work to actively include small, local, niche, equalities-led organisations in collaborations.</li> </ul>
<p><b>Priority #7</b> – Proportionality</p>	<ul style="list-style-type: none"> <li>&gt; Develop standard guidance on proportionality, including timescales and appropriate paperwork.</li> <li>&gt; Ensure VCS involvement in designing Bristol’s response to new EU procurement regulations. Notably, ensure that there is flexibility and that possibilities are defined for services below threshold and light touch (above threshold) procurement.</li> </ul>
<p><b>Priority #8</b> – Efficiency in procurement</p>	<ul style="list-style-type: none"> <li>&gt; Implement passporting in e-procurement.</li> </ul>

Voscur and Bristol Compact will continue to work with Bristol’s commissioners to help ensure processes include and encourage the involvement of small local, niche, and equalities-led organisations. By ensuring these organisations are including, Bristol will maximise their contribution to social value.

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<sup>i</sup> The Report of the Third Sector Commissioning Select Committee, May 2010; Report: Commissioning Support Analysis, August 2012; Commissioning and the VCS: action plan – from the event ‘Commissioning and the VCS’, February 2013; Commissioning and the VCS: One Year On, February 2014; Anecdotal feedback from Compact casework; Commissioning and the VCS: Two Years On, March 2015.