

Action with Communities in Rural Kent Evidence Paper 3 to Kent County Council Procurement & Commissioning Select Committee, January 2014

This paper seeks to provide insight on one set of related questions set out in Kent County Council's *Commissioning TOR Summary for Witnesses* paper, and received by Action with Communities in Rural Kent on 16th January 2014. Action with Communities in Rural Kent (ACRK) is a rural development charity that has worked with Kent County Council on numerous agendas since 1923.

Why is re-commissioning / de-commissioning important? Are the processes clear?

ACRK considers re-commissioning and de-commissioning to be very important for a range of reasons. Processes for each are usually clear, but there can be difficulties when working in a multi-agency partnership arena; this is something that ACRK wishes to bring to the attention of KCC.

Re-commissioning is important as a management tool. Any organisation using public funds will wish to ensure that best use of investment is being made. A re-commission can be beneficial for a contracted organisation as it demonstrates continued faith in its ability to deliver, and this can be used to attract additional investment from other sources (or for other work.) Again, this demonstrates that commissioning from the VCSE cannot be conducted in isolation; an understanding of the wider VCSE operational context is required.

In certain fields of work re-commissioning, provided that appropriate timescales are in place, also enables the retention of particular skills, knowledge and other resources. Such retention can ensure continued – or even improved – service delivery.

De-commissioning is also an important management tool, and can be used to try and secure better use of public funds for KCC. It may be that a particular service is no longer needed, or that performance issues are perceived to be impacting negatively on delivery.

ACRK's experiences of commissioned work through KCC is generally positive. Commissioning process for sub-contracting have usually been very straightforward and transparent.

Commissioning and de-commissioning can become difficult in a multi-agency partnership scenario. ACRK is involved in a process at the time of writing where a partnership it called together (and initially attracted the funding to operate) is reviewing whether or not ACRK should continue as the managing body. Various contract law, property and employment issues are connected to this process and so the situation is somewhat complex. At the core of the issue is a multi-agency partnership operating to an implied contract; hence little is clear.

The partnership in question has overseen some great success – including several national awards and greater revenue for one of the funders – but questions have arisen over the quality of management since late 2013 and KCC has, on behalf of the partnership, spoken with potential alternative providers. Much time and effort is being invested by ACRK to try and keep this particular workstream, with the potential that it could be lost by April 2014 (n.b. this would be to the financial detriment of ACRK and, as indicated in other evidence papers, this is a matter that would have knock-on effects for other areas of ACRK work.)

A solution to this situation is to ensure that all multi-agency partnerships, or other joint-commissioning structures, are bound by formal agreements setting out clear roles and responsibilities.

Suggestion

1. Ensure that any joint-commissioning or multi-agency partnerships are governed by clear formal agreements, setting out precise roles and responsibilities of all parties.

Further information:

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