



contract management

Health and social care - 2009

Developing and managing NHS standard contracts successfully

Are you fully utilising the potential levers within your contracts to drive improvement and increase efficiency?

Do your contracts give you a sound basis upon which to make the strategic commissioning changes you need for the future?

We predict that the WCC assurance process next year will increasingly focus on quality and efficiency against a background of publicity of issues at Mid Staffordshire NHS FT, indications from DH that quality accounts will be as important as financial accounts and lower investment in public services as a result of the current economic climate. Your Board will be monitoring whether your health population is being treated to good effect, safely and cost effectively.

We have worked with the Department of Health for the last two years drafting all of the standard national NHS contracts for acute, community, mental health and learning disabilities and ambulance services. We have supported PCTs in the implementation of those contracts. We have presented at SHA organised workshops nationally and given detailed practical advice. We have been advising SHAs on legal aspects of system reform that affect contracting and we advise PCTs on the implementation of their contracts and the resolution of disputes with their providers.

In short, we know the contract inside out and back to front and we are uniquely placed to advise you on contract development and management in order to help you achieve your strategic commissioning objectives and drive quality improvements.

Our contract master-classes are tailored specifically to your requirements and can address:

- When and whether to go out to tender for existing and new services
- preparation for contracting and negotiation
- which contract to use and when
- service specification
- care pathway management
- managing over-performance
- the use of the incentive scheme provisions
- clinical performance management
- contract performance management
- dealing with PbR challenges
- applying the 18 weeks and C Diff sanctions
- implementing Service Variations
- decommissioning services within a market stimulation strategy
- mediation of disputes and adjudication.



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Key contacts



Gayle Curry
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Gayle is a commercial contracts lawyer who specialises in health sector projects. She was lead lawyer on the DH's Standard National NHS Contracts Team for acute, community, mental health and ambulance services and was one of the main speakers at the DH and SHA organised workshops in 2008 and 2009 on the national contracts.

Gayle currently acts as contracts expert to an SHA and delivers contract negotiation and management training to PCTs, and has assisted PCTs to resolve contracts disputes with FTs. She advises on the legal aspects of the TCS agenda. She has enjoyed secondments to the NHS, DH and until recently, was a non executive director of an NHS acute trust.



Bruce Potter
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Bruce has extensive and varied experience in public procurement projects and major private procurements. He has been seconded to the Department of Health since 2005, and works regularly on system reform issues, including TCS, procurement, competition etc.



Jason Richards
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Jason specialises in commercial contracts law and practice. In 2007 and 2008 he advised the Department of Health on the NHS Standard Contracts for Acute and Mental Health and Learning Disabilities services.

Jason was one of the main speakers at the contract workshops organised by DH and the SHAs for users of the contracts in January and February 2009 and has since advised PCTs on their negotiation and on policy and legal issues connected with the contracts.

Accura Consultancy Limited



Tracy Cannell
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Tracy Cannell is a management consultant with Accura Consultancy Limited. She spent 23 years in the NHS, including working at Executive Director level, leading the commissioning of acute and non-acute services and management of acute, primary, HIS and mental health services.

Tracy has worked with the Department of Health for 3 years and is the national project lead for the Standard National NHS Contract for Community Services, which is part of Department of Health's Transforming Community Services Programme. She also works with the DH Policy & Strategy Directorate on third sector commissioning issues, including assurance and accreditation.

Tracy is a non-executive director of the Social Enterprise Support Service, an Industrial & Provident Society based in Yorkshire.



Toby Tyler
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Toby specialises in commercial and competition law. In 2007 Toby was seconded to the DH where he advised on and drafted the 2008/9 Standard NHS Contract for Acute Services.

In 2008 Toby was part of the Morgan Cole team that developed the 2009/10 Standard NHS Contracts for Acute, Ambulance, Community and Mental Health Services, with specific responsibility for the 2009/10 Standard NHS Contract for Acute Services.