

**NHS Standard Contract engagement questionnaire:
A submission from Together for Short Lives**

September 2016

5. Do you support the development and use of the NHS shorter-form contract?

Yes

6. Should we leave the shorter-form Contract largely unchanged for 2017/18?

No

Please provide any comments or examples:

While we largely support the contract as it is, we believe that commissioners should have an option not to use the sections of the contract which are not relevant to voluntary sector children's palliative care providers.

We suggest that a standardised short form service specification, a guide on completing it and some examples would be useful annexes to the contract.

7. Does the shorter form Contract provide sufficiently robust contract levers / processes?

Yes

8. Are the Contract provisions too onerous?

About right

9. Is there scope to slim down the shorter-form Contract further?

Yes

We believe that commissioners should have an option not to use the sections of the contract which are not relevant to voluntary sector children's palliative care providers.

10. We removed or reduced some policy requirements from the full-length Contract to develop the shorter-form Contract. Would it be appropriate to add in some policy requirements back in, such as Prevent (SC32.9 in the full-length Contract) or Sustainable Development (SC18) etc?

No

11. We removed the provisions around National Pricing from the full-length Contract to develop the shorter-form Contract. Should we add these back in, to enable the shorter-form Contract to be used for services for which National Prices apply? This would potentially add length to the shorter-form Contract, but commissioners could exclude this from a contract by use of the eContract system.

No

National prices do not currently apply to voluntary sector children's palliative care providers
We therefore feel that adding provisions back in will mean that voluntary sector providers

could become subject to a much more onerous version of the short form contract resulting from the need to comply with competitive tendering and public accountability rules. We are concerned that contract managers could be less comfortable using the short form contract if national pricing provisions are applied.

12. Thank you for completing the questionnaire. Please provide any further comments and feedback.

Together for Short Lives and Hospice UK survey voluntary sector (VCS) children's palliative care providers (including children's hospices) annually to ask them about the way in which they are commissioned and funded by clinical commissioning groups and local authorities. VCS children's palliative care providers tell us that they have to manage relationships and funding agreements with a number of different CCGs and local authorities.

Despite the short form contract now being available for commissioners to use, the full standard contract is still being used by CCGs to commission VCS children's palliative care providers. VCS providers tell us that they expect to have more standard contract agreements with their local CCGs compared to short form contracts.

One VCS provider has told us that they have found that contract officers who are less confident in their technical understanding of the standard contracts, or those who view a contract as large enough to warrant using the full standard version, are reluctant to use either grant agreements or short form contracts. We ask NHS England to monitor and hold CCGs to account to make sure that they are using the standard contract fairly and proportionally when contracting VCS children's palliative care providers. We also ask NHS England to provide support to commissioners and contract managers to make sure they know when and how to apply the right type of funding agreement. Together for Short Lives would be happy to support and assist such work.