

Scottish Housing and Support Conference 2009

TUPE and the service user voice when services transfer: *Wendy Spencer, Senior Operations Manager, Turning Point Scotland*

The Transfer of Undertakings and the Protection of Employment Act protects the rights of workers when services transfer in or out of organisations. But are we also listening, protecting and supporting service users during this process?

In this session delegates shared the Turning Point Scotland experience of the tendering process followed by group discussions about procurement and the lack of service user involvement. The resulting feedback is listed below and will be forwarded to the current Scottish Government consultation on this topic.

Feedback from group discussions

- Have focus groups/tenant's groups – take note of input
- Service users should be asked
 - if they want their service to be retendered
 - what quality means to them
- Standard approach to consultation and set quality of consultation
- Framework Agreements preferable to Contract Tendering
- SROI should be a mandatory factor for consideration in awarding contracts
- Local Authorities are saying that they want:
 - Fewer providers
 - Want/need to make savings
- Has nothing to do with service users views
- Service user consultation pre-contract formation and during contract awarding stages should be mandatory for commissioning bodies
- Will SROI be considered by the Scottish Government as a valid and integral part of contract assessment?
- Service users' views and tendering of services are incompatible
- Who is evaluating service users post-tender and asking service users?
- Local Authorities procuring services should be held to deadlines regarding notice periods and run in for new contracts, allowing time for service users and staff to prepare and adjust
- People who use services could petition Scottish Parliament
- Clarity from Scottish Government about how personalisation fits in with tendering
- Existing HSS services are already involving service users in their services

- Can service users understand how quality is assessed? They should!
- Local Authorities should take Care Commission grades into account in Tender process
- Clarity about weighting that service user voice has in process
- People who use services should be consulted on the design of Tender submissions
- Recognition of need to involve residents in process
- Provide advocacy for tenants to share views before tendering
- Need a strategic direction for services before tendering
- If the process is truly about saving money on the services please say so upfront rather than participate in a process which is itself costly and painful and not about Quality
- If the current service works well, why change it?