



Out-of-home care Service Contract content consultation Guidelines

Classification C

Summary

Out-of-home care services provided by Non-Government Organisations (NGOs) are delivered under a Goods and Services (G&S) Agreement or a Not-for-Profit (NFP) Funded Services Agreement. In addition to Standard Terms and Conditions and Special Conditions, that apply across Government, the Agreements also specify Service Specifications and Service Provision Requirements that the parties must comply with to meet the terms of the Agreement.

Service Specifications set out the program requirements as to how services must be delivered by out-of-home care service providers. These are the requirements necessary to ensure quality safe care is provided to children and young people under the guardianship or custody of the Department for Child Protection (DCP) Chief Executive or other order or authority.

Service Provision Requirements provide sources of reference as to how an element of a service could be delivered to ensure quality safe care is provided to the child or young person. These may describe legislative or statutory requirements, best practice standards or points of reference that provide guidance for service delivery.

The Service Specifications and Service Provision Requirements that are publically available on the Service Provider area of DCP's website and hyperlinked within the Agreements, ensure:

- Consistency between same or similar service types
- Expectations are clearly defined, accurate, centrally located, up to date and readily available
- Collaboration or improvement efforts can happen on a sector wide level as requirements are universally known and shared

1. Purpose

- 1.1 This guideline provides information to Department for Child Protection (DCP) staff and external agencies about the consultation process for changes to Service Provision Requirements and Service Specifications content published on DCP's website and referenced in service agreements.

2. Scope

This guideline applies to any changes to Service Specification and/or Service Provision Requirements published on DCP's website.

This guideline provides guidance regarding:

- drivers for content change
- stakeholder engagement processes and mechanisms
- contractual implications and mechanisms

This guideline does not apply to changes to content included within the Agreement.

3. Drivers for content change

There are three types of change that may drive the need to review, amend or retire service specification or service provision requirements published on DCP's website.

3.1 Mandated changes

- 3.1.1 Mandated changes are those that if not complied with, will cause a compliance breach in either Legislation, Standards, Statutory Requirements or Regulations
- 3.1.2 Mandated changes generally have specific requirements that may be outside of the control or influence of DCP, this may include:
 - implementation or compliance timeframes
 - the manner in which services are provided
 - Machinery of Government changes
- 3.1.3 In the event of mandated changes, DCP will notify service providers as soon as practicable in accordance with section 4.1 Notification and consultation

3.2 Opportunity to improve service outcomes

- 3.2.1 Service Provision Requirements and/or Service Specifications should be reviewed and updated periodically to ensure services are best placed to meet the needs of children and young people in care
- 3.2.2 Opportunities for improvement may be identified as part of commissioning related activities, such as but not limited to:
 - review and analysis of client experience, current and future needs, demographics
 - review and analysis of market capability and capacity to meet the current and future needs of children and young people in care
 - review and evaluation of services to best meet needs of children and young people in care
 - service development including service specifications and service provision requirements
- 3.2.3 Opportunities for improvement may be identified as part of contract management activities, such as but not limited to:
 - performance reviews and discussions
 - issue, risk and incident management
 - contract and service reviews

At a contract level this information is used to ensure the right agreement and funding is in place. At a sector level, this information can be used to inform service development as per 3.2.2.

- 3.2.4 In the event of changes that may arise as an opportunity for improvement, DCP will notify and engage service providers in accordance with the processes and mechanisms in section 4.1 Notification and consultation.

3.3 Formatting change

- 3.3.1 Content published on the Service Provider area of the website may require an update resulting in a cosmetic change only, due to instances that may include:
- Corporate branding, style or web platform changes
 - Spelling or grammar correction
 - Contact name or information change (e.g. DCP business unit name, email or phone number)
 - Correction of broken or out of date hyperlinks
- 3.3.2 In the event of formatting changes, DCP will notify service providers in accordance with 4.1 Notification and consultation processes and mechanisms

4. Stakeholder engagement processes and mechanisms

4.1 Notification and consultation

4.1.1 DCP engagement with contracted service providers will be dependent on the type of change as described in section 3. Drivers for content change. The level of engagement and available mechanisms to be utilised are illustrated in table 1.

Table 1: Level of engagement by type of change

Level of Engagement	Available mechanisms <i>(The engagement process may use one or more of the available mechanisms, dependent on the complexity and type of change, and impacted stakeholders)</i>	Type of change			Desired outcome
		Mandated change	Opportunity to improve service outcome	Formatting change	
Inform	Publishing of information: <ul style="list-style-type: none"> - On website - In sector communications (i.e. newsletter, targeted email, letter) - Social or print media 				Notify stakeholders
Inform, consult and involve	Communication of change via: <ul style="list-style-type: none"> - Formal letter - Sector briefing - Direct stakeholder meeting 				Present information & provide opportunity to seek clarification
Inform, consult, involve and collaborate	Opportunity to provide feedback on the intended or proposed change available by: <ul style="list-style-type: none"> - Facilitated workshop or roundtable discussions - Feedback tools / surveys 				Feedback / input into design and/or implementation

4.1.2 The levels of engagement referenced in table 1. Level of engagement by type of change, are based on the IAP2's Public Participation spectrum developed by the International Association for public participation and the SA Government's Better Together Principles of Engagement. The levels of engagement, desired outcomes and stakeholder roles are defined in table 2.

Table 2: DCP Levels of Engagement

Level of engagement	Participation goal	DCP promise to stakeholder	Role of stakeholder
Collaborate	To partner with the stakeholder in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	Partner <i>(Co-design how it will work and endorse the decision)</i>
Involve	To work directly with the stakeholder throughout the process to ensure that stakeholder concerns and aspirations are consistently understood and considered.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how stakeholder input influenced the decision.	Participate <i>(Have input into how it works and endorse the decision)</i>
Consult	To obtain stakeholder feedback on analysis, alternatives and/or decisions.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how stakeholder input influenced the decision.	Contribute <i>(Provide ideas for consideration)</i>
Inform	To provide stakeholder with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	We will keep you informed.	Listen / learn <i>(One way communication on a finalised decision)</i>

4.1.3 Reasonable notice will be the time-period in which DCP will provide notification of the intended change, and/or provide opportunity for feedback if applicable to the type of change.

4.1.4 Reasonable notice is dependent on the complexity and type of change, as illustrated in table 3.

Table 3: Reasonable type and complexity matrix

Type of change	Indicative Timeframe			
Mandated change	As soon as practical and authorised to do so (e.g. when relevant Governing Authority has approved release of announcement)			
Opportunity for improvement	7-14 days Low impact / complexity	15-30 days Medium Impact / complexity	4 – 6 weeks High impact / complexity	> 6 weeks Extreme impact / complexity
Formatting change	As per existing communication schedule (e.g. include in next newsletter, latest news or email update)			

4.1.5 Table 4 prescribes the impact and complexity ratings, determining timeframes for Opportunity for improvement intended or proposed changes.

Table 4: Impact and complexity matrix

		Complexity			
		Low (Easy to implement)	Medium (Implementation effort will be moderate, may require tools/reference material to support)	High (Hard to implement, will require tools, reference material, resources and/or coaching to support)	Critical (Difficult to implement must have tools, reference material, resources (\$ or people) and/or coaching to support)
Impact	Critical (Change in scope of service and/or resources required to deliver almost certain)	MEDIUM (15-30 days notice period)	HIGH (4-6 weeks notice period)	EXTREME (>6 weeks notice period)	EXTREME (>6 weeks notice period)
	High (Change in scope of service and/or resources required to deliver likely)	MEDIUM (15-30 days notice period)	HIGH (4-6 weeks notice period)	HIGH (4-6 weeks notice period)	EXTREME (>6 weeks notice period)
	Medium (Change in scope of service and/or resources required to deliver unlikely - possible)	MEDIUM (15-30 days notice period)	MEDIUM (15-30 days notice period)	HIGH (4-6 weeks notice period)	HIGH (4-6 weeks notice period)
	Low (No change in scope of service and/or resources expected)	LOW (7-14 days notice period)	LOW (7-14 days notice period)	MEDIUM (15-30 days notice period)	MEDIUM (15-30 days notice period)

4.2 Acceptance and approvals

- 4.2.1 When notifying and consulting contracted service providers, DCP will ensure mechanisms to capture service provider acceptance and/or approval of changes where applicable. This process would include:
- DCP provide details of change as per section 4.1 Notification and consultation
 - Service providers advise acceptance of change as directed by notification and consultation mechanism; or seek further clarification or discuss any issues of non-acceptance with contract manager.
 - Should the change result in a need to modify the agreement this will be managed as per section 5.1. Modification or variation
- 4.2.2 Individual Service Specification and Service Provision Requirement content may have individual content owners within DCP, aligned to business unit functions. Content owners are responsible for:
- Monitoring the currency and relevance of content
 - Providing subject matter or technical expertise into proposed amendments
 - Consult overarching content owner to understand potential impact, notification and consultation activities required
- 4.2.3 DCP's Manager Service Contracts and Licensing is the overarching content owner of all Service Specification and Service Provision Requirements. The overarching content owner is responsible for:
- Ensuring relevant notification and consultation activities, dependent on type of change as described in 4.1 Notification and Consultation
 - Oversight of currency and relevance of content and how it pertains to Out-of-home care service agreements
 - Coordinate necessary approvals before change can be effected

4.3 Publication and version control

- 4.3.1 All Service Specification and Service Provision Requirements content published on the service provider area of DCP's website, will include version control information such as last date updated.
- 4.3.2 On an annual basis, DCP will publish a report illustrating version currency and change history of Service Specification and Service Provision Requirements published on the DCP website and referenced in the Agreement.
- 4.3.3 Publication of new or amended Service Specification and Service Provision Requirements will only occur once the overarching Content Owner, or delegate, has confirmed all necessary approval, notification and consultation activities have occurred.

5. Contract implications and mechanisms

5.1 Modification or variation

5.1.1 Where a change in content results in a service provider wishing to raise or discuss a modification or variation to an Agreement, this will be facilitated by direct stakeholder meetings i.e. between the service provider and contract manager

5.1.2 In the event any agreed change requires a formal variation to the funded services, provisions within:

- Not-for-Profit (NFP) Funded Services Agreement, Attachment 2 Standard Terms and Conditions, Clause 5 Service Variation and/or Clause 33 Modifications of the Agreement
- Goods and Services Agreement, Attachment 2 Standard Terms and Conditions, Clause 8 Service Variation and/or Clause 27 Modifications of the Agreement

may be enacted.

6. Roles and responsibilities

Role	Authority/responsibility for
Content owner	Administer, manage and approve any changes to Service Specification and Service Provision Requirements.
Contract manager	Administer and manage contracts.
Service provider / Contracted supplier	Provide contracted services. Understand the impact of proposed, intended or actual content changes. Raise and discuss implications of change with Contract Manager.
Content publisher	Publish approved content on service provider area of DCP's website.
Commissioning relationships	Service provider (design partner) and DCP (design partner) work together to formulate solutions and incorporate advice and recommendations into the decisions about service models as much as possible.
Contract management relationships	Service provider (supplier delivering contracted services) and DCP (customer – manager of contracted services) monitor and manage the delivery of service purchased as per the contracted agreement performance indicators, terms and conditions.
Procurement relationships	Service provider (supplier of services) and DCP (customer – buyer of services) consider input and ideas of how best to procure the required service models available in the market and in line with State Procurement Act 2004 requirements.

7. Compliance, monitoring and evaluation

Service Contracts & Licensing unit will review these Guidelines as needed.

8. Definitions and abbreviations

Term	Meaning
Contracted service provider	A Non-Government Organisation (NGO) supplying services to the Department for Child Protection under a Goods and Services Agreement or Not-for-Profit (NFP) Funded Agreement.
Goods and Services Agreement	Contractual instrument used for Fee for service arrangements (in arrears), whereby invoices are: <ul style="list-style-type: none"> - Created and produced by the service provider - Assessed and approved once the service has been provided, no financial acquittals required
Not-for-Profit (NFP) Funded Agreement	Contract instrument used for block funded arrangements (in advance), whereby: <ul style="list-style-type: none"> - The service provider is provided with funding quarterly in advance to establish and maintain adequate funding to cover the cost of service provision - Requires more quarterly reporting in order to ensure reconciliation of public money provided, against money spent and services provided - Quarterly payments are scheduled as per the contract (on or before the 1st of the quarter) - Recipient Created Tax Invoice (RCTI) produced by DCP to trigger payments
Service Provision Requirements	Provide sources of reference as to how an element of a service could be delivered to ensure quality safe care is provided to the child or young person. These may describe legislative or statutory requirements, best practice standards or points of reference that provide guidance for service delivery.
Service Specifications	Set out the program requirements as to how services must be delivered by out-of-home care service providers. These are the requirements necessary to ensure quality safe care is provided to children and young people under the guardianship or custody of the Department for Child Protection (DCP) Chief Executive or other order or authority.
The Agreement	The contractual instrument the service provider holds with the Department for Child Protection, which will be: <ul style="list-style-type: none"> - Goods and Services Agreement - Not-for-Profit (NFP) Funded Agreement

9. Related documents

Related forms and templates
Service Specifications
Service Provision Requirements

10. Document control

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Accountable Director (name and position)	Jennifer Browne, Chief Financial Officer, Department for Child Protection
Accountable Director (phone)	(08) 8226 1102
Lead Writer (name)	Deborah Odgers, Manager Service Contracts and Licensing
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