

## Procedure

### Contract Review

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#### 1. Scope

- 1.1 This procedure applies to all contract based activities within the scope of the Thanet Health CIC Management System.

#### 2. Purpose

- 2.1 The purpose of this procedure is to ensure that all tender and contract requirements, together with additional requirements that are not specified but are necessary for fitness for purpose as per applicable legislation, regulations and customer requirements, for availability, delivery and support are adequately defined and that the company can meet them.

#### 3. Responsibilities

- 3.1 The Quality Department is responsible for the communication, operation and maintenance of this procedure.
- 3.2 Process owners are responsible for the effective implementation of this procedure.
- 3.3 Any individual process user can take responsibility for raising change requests if they believe there are requirements for change.

## 4. Definitions

- 4.1 **Precedent Conditions:** A condition or event that must be satisfied before the organisation can be considered for participation in the contracted activities.
- 4.2 **Contract Scope:** The expected services or work as agreed in a contract.
- 4.3 **Service Levels:** The level of service expected by the customer, often defining the metrics by which the service will be measured.
- 4.4 **Commercially Viable:** The ability of the organisation to make a profit from the activities defined in the contract.
- 4.5 **Concession:** An agreement by the commissioner(s) allowing the tendering organisation to comply with requirements other than those stated in the original contract document. This would need to be formalised and may require a contract variation.
- 4.6 **Contract Variation:** Where parties agree to do something that is different to the original contract requirements.
- 4.7 **Objects:** The nature of the activities the organisation undertakes and the community it is intended to benefit.

## 5. Associated documents

- 5.1 All associated documents referred to in this procedure are highlighted in bold and underlined.

## 6. Contract Review

- 6.1 Any new product / service the organisation is proposing to provide against a set of contract requirements must be subjected to thorough review and formal approval prior to any proposal being submitted.
- 6.2 The outcome of the formal review process must be recorded on the Thanet Health CIC **Contract Review Form**.
- 6.3 The review process shall follow the process flow chart in Appendix A and must include consideration of the following:
  - 6.3.1 **Aims / Objectives:** The intended output(s) of the contract requirements must be clear and unambiguous. If not, the organisation shall seek clarification in accordance with any tender process requirements specified by the commissioner(s).
  - 6.3.2 **Precedent Conditions:** If there are any such conditions, the organisation must ensure they are fully compliant and can provide evidence of such compliance. If the organisation is not compliant, they must either seek formal concession from the commissioner(s) in accordance with any tender process requirements or withdraw from the process.

- 6.3.3 **Scope:** The full scope of the contract requirements must be clear and unambiguous. If not, the organisation shall seek clarification in accordance with any tender process requirements specified by the commissioner(s). Once the scope is clear, the organisation shall ensure it can comply with all requirements fully. If not, they must either seek formal concession from the commissioner(s) in accordance with any tender process requirements or withdraw from the process.
  - 6.3.4 **Service Levels:** The organisation must ensure that the service level requirements stated in the contract are achievable, either with by utilising current resources or by utilising resources the organisation is certain it can obtain. If not, they must either seek formal concession from the commissioner(s) in accordance with any tender process requirements or withdraw from the process.
  - 6.3.5 **Quality Requirements:** The organisation must ensure that the quality requirements stated in the contract are achievable either with by utilising current resources or by utilising resources the organisation is certain it can obtain. If not, they must either seek formal concession from the commissioner(s) in accordance with any tender process requirements or withdraw from the process.
- 6.4 Once all the contract requirements have been ascertained, they must be recorded in a **Logic Model** in the **Thanet Health CIC Project Workbook**.
  - 6.5 A declaration must be made that the organisation can meet all contractual obligations. If any concession(s) has been obtained from the commissioner(s), this declaration must refer to those concession(s).
  - 6.6 A declaration must be made that the contract matches the strategic direction of the organisation. This in turn shall ensure the stated objects of the organisation are adhered to.
  - 6.7 A declaration must be made that the organisation deems the contract to be commercially viable.
  - 6.8 Once the review has been completed, approval to proceed with the contract proposal must be given by a company Director.

## 7. New Product and Service Development.

- 7.1 Once approval to proceed has been granted, the **New Product and Service Development** procedure must be followed.

## Appendix A: Contract Review Process Flow



