

Technical Guidance Annex G

Joint Contract Tracker

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1 Objectives

Realistic, locally owned and aligned contracts between commissioners and providers are a key component of a robust plan. To ensure that this can be achieved by the national contract deadline of 23 December 2016 it is important that progress on contracts is made in a timely manner.

The joint contract tracker submissions are a key part of the contracting process and allow NHS Improvement and NHS England to be clear on the status and progress of contract negotiations; the value of differences as negotiations develop and the likelihood of mediation and arbitration being required to help settle contract disputes. It is essential that all commissioners and providers are engaged in this process and are completing the weekly contract tracker submissions accurately.

To help ensure that the contractual relationships are clear and agreed in advance of the contract tracker process a contractual relationship template will be issued for completion by commissioners and validated by respective providers. Engagement and accuracy from both commissioners and providers is very important and as noted within the joint Dispute Resolution Process guidance, failure to properly engage may be part of the consideration for any fines levied should organisations be required to enter into arbitration.

For the 2017/18 to 2018/19 planning round, NHS Improvement and NHS England have designed a revised contract tracker to be completed by all providers and commissioners using the UNIFY2 system.

This contract tracker will be used to support the contracting round by creating visibility of provider and commissioner contract data thereby supporting:

- Individual providers and commissioners to engage directly with each other to resolve outstanding contracting differences and sign all contracts within the contracting timetable.
- NHS Improvement and NHS England to understand misalignment and contract risk early on, and more comprehensively, thereby allowing us (in line with the joint assurance process) to:
 - provide meaningful support to commissioners and providers.
 - help ensure that contracts are agreed and signed by the national contract deadline.

2 Scope

Organisations will be required to submit information relating to all of their contracts as follows:

- All contracts **over** a materiality threshold of **£5 million**:
 - In instances where only the provider or the commissioner indicate the contract value is over £5 million, but the related party does not, both parties will be required to submit data.

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The contract type to be included in weekly submissions will be defined and agreed by commissioners and providers through the establishing contractual relationships template that will be completed in advance of the first contract tracker submission (see section 4 below).

Wherever possible, overall contractual totals should be used, whilst applying the following principles:

- values should only relate to patient care activity; and
- there must be consistency of approach, as established through the relationship tracker;
- sustainability and transformation funding should be excluded from the baseline and future year contract values;
- contract values relating to other services (for example the hosting of financial services) should be excluded;
- consultant distinction awards should be included;
- excluded drugs and devices (pass through payments) should be included;
- CQUIN payments should be included; and
- patient care contracts outside of main service level agreements should be included. Examples of this could include community contracts that are provided in addition to a main Payment by Result acute service (with reference to the types of contracts defined in the establishing contractual relationship template).

All contract data should be entered on an **individual provider and commissioner basis**, please do not complete the returns on a lead commissioner basis. This year the regional follow-up process will take account of lead and associate relationships as these will be detailed through the completion of the relationship template.

As part of the submission, providers and commissioners should:

- show details for the contracts to be agreed and signed on an individual provider/commissioner basis; and
- where an individual provider and commissioner have a number of contracts together, please sum the value of those contracts and include data for contracts that when aggregated exceed the £5 million threshold.

3 Data collection

3.1 Data to be submitted on a weekly basis for contracts over £5 million

- 2016/17 Forecast outturn (FOT)/Baseline value (in £'000). The FOT is defined on the same basis as the contract value to be negotiated in 2017/18 to 2018/19 (see section above) with the removal of non-recurrent items that will not form part of the contract/negotiation for 2017/18;
- 2017/18 total contract value (in £'000);
- 2018/19 total contract value (in £'000);
- contract status (see drop down selection below);

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- Has the contract been signed? (Yes/No);
- Actual/expected contract signature date (dd-mm-yyyy);
- Likely to require mediation? (Yes/No);
- Likely to require arbitration? (Yes/No);
- Description of primary outstanding contract issue (see drop down selection below); and
- Commentary (not mandatory).

3.2 2017/18 and 2018/19 contract values

The 2017/18 and 2018/19 contract values should reflect the latest contract position dependent on the contract status:

- **Awaiting initial offer:** Before the start of the formal contracting process, the point at which the commissioner is yet to issue a first contract offer. At this stage a zero may be entered in the contract value cells.
- **Initial offer made:** Commissioner has issued provider with a contract offer. At this point the detail of contract and offer has yet to be discussed at a contract meeting.
- **Reviewing initial offer:** Providers and commissioners have met to consider and discuss the detail of the first contract offer. This stage indicates that an offer has been made and that the dialog process has formally started.
- **Awaiting response to initial offer:** The point at which a commissioner is waiting a formal response based on consideration of the initial offer made.
- **Revised offer made:** Commissioner has considered the response from the provider to the initial offer made, responded to technical and disputed areas, provided example additional evidence of efficiency savings schemes and issued a revised offer.
- **Awaiting revised offer:** The point at which a provider is waiting for a formal response based on consideration of the revised offer.
- **Reviewing revised offer:** Provider and commissioners have met to consider and discuss the detail of the contract offer made. This stage indicates that a revised offer has been made and that the dialog process is progressing.
- **Awaiting response to revised offer:** The point at which a commissioner is awaiting a formal response based on considerations of the revised offer made.
- **Agreed heads of terms:** The detail of the contract is agreed, broad agreement on all issues of substance (finance and activity), only minor issues to be agreed none of which should delay the overall process.
- **Finalising contract paperwork:** The agreement of contracts is at an advanced stage, final contract is being drafted in advance of signature.

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- **Complete:** The contracting process is complete. There is agreement of heads of terms, local prices, contract value and activity, and governing bodies/boards have signed off the contracts. All paperwork has been finalised and contract signature has happened by both providers and commissioners.

3.3 Primary outstanding contract issue – drop down options

Please enter the primary outstanding contract issue and ensure that this is updated for each submission:

- 2016/17 FOT/contract baseline.
- 2016/17 activity baseline.
- Activity/volumes.
- Readmissions.
- Change in commissioner responsibility.
- Baselines for marginal rate activity.
- Better care fund.
- CQUIN.
- Local pricing.
- Efficiency savings.
- Specific service issues.
- Local quality requirements.
- Resilience funding.
- Other.

3.4 Data input validations

All fields must be completed for every contractual relationship identified.

The template will reject:

- Contract values less than £5 million, unless the contract status is 'Awaiting initial offer' (in which case a zero value may be entered).
- Contract values over £1 billion.
- Contract values with decimal place entries (figures must be rounded to the nearest £'000).

Date entries must fall within a valid date range for the 2017/18 and 2018/19 contracting round.

4 Establishing contractual relationships

This is a new collection that will take place before the start of the contract tracker submissions in order to establish contractual relationships between providers and commissioners.

The inclusion of this template is a result of feedback on last year's process where it was noted that some erroneous relationships were established on UNIFY and in some instances there was an inconsistency in the contractual basis that the template

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was completed on. This template will give both providers and commissioners clear sight on agreed contractual relationships and the scope of values included.

The template will be provided to commissioners to complete first and they will enter the following information:

- Commissioner details (organisation code and name).
- Provider details with whom they have a contractual relationship with that is over the £5million threshold (provider code and name).
- Confirmation that the contract is over £5million.
- Nature of the commissioning relationship (associate or lead commissioner).
- Contract type.
- Commentary.

Once commissioners have completed the template it will then be sent to providers to be agreed or amended.

Any updates will be reviewed and confirmed as part of a regional follow up process.

4.1 Timetable for establishing contractual relationships collection

4 October 2016	Templates issued to commissioners for completion
11 October 2016	Templates received from commissioners
14 October 2016	Templates issued to providers for agreement
21 October 2016	Templates received from providers
26 October 2016	Regional follow up for changes

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- To minimise the gap between provider data entry and commissioner data entry (to ensure data is entered on a consistent basis), and in order to maximise the use of this data to aid the contracting process we have scheduled short submission windows for each of the provider submissions and each of the commissioner submissions.
- Please note that – once the submission window ends and the central team close each collection, there will be no further opportunity to submit data for that week, the next opportunity to submit will be in a subsequent week.

5.2 Submission timetable

We have made the decision to start the collection on 21 November 2016 to ensure that we capture the progress made during contract negotiations. The collection process is scheduled to end on 1 February 2017 and we have extended the collection period past the 23 December 2016 signature deadline so that if necessary, we can follow those contracts that enter the arbitration process.

Weekly schedule commencing 21 November 2016 and ending on 1 February 2017:

Monday	Opens 9am – Closes 2pm	Provider submission window
Tuesday	Opens 9am – Closes 2pm	Commissioner submission window
Wednesday	9am	Output reports available for download

We would expect commissioners to have made a reasonable offer by 4 November 2016 at the latest and we would expect providers to have responded to the offer by 11 November 2017 at the latest.

Any changes to the weekly schedule will be communicated via email during the process.

6 UNIFY template technical details

6.1 User setup

You will be able to log on to the UNIFY system at the following link:

<http://nww.unify2.dh.nhs.uk/unify/interface/homepage.aspx>

Please ensure that the correct leads within your organisation have a UNIFY user account before the start of the submission period. Please be advised that we will also use the contact details you provided for the 2016/17 contract tracker. Any changes to contact details should be notified as detailed below:

If you do not already have a log in for the UNIFY system please email the appropriate central team with the following details:

- Organisation name.
- User name.
- User NHS email address.

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- User contact details – telephone number.

If we require any additional information to set up the user accounts we will notify organisations.

Those that request a UNIFY login will be provided with a username and password in advance of the first collection on 21 November 2016.

Contacts for submission of your details are available below:

- Providers – contact NHS Improvement Planning team at NHSI.finplan@nhs.net;
- Commissioners – contact NHS England at NHSCB.financialperformance@nhs.net

6.1.1 Open the template in UNIFY:

- Download the contract tracker template by clicking on the Unify2 Upload templates link on the UNIFY homepage:

Figure 2: UNIFY Homepage

The screenshot shows the UNIFY homepage with the following elements:

- Header:** Department of Health logo, Unify2 logo, and navigation links: Contact Us, Help, Sign Out.
- Navigation Bar:** Knowledge & Intelligence, You are signed in as cpottage as DEPARTMENT OF HEALTH, and menu items: Data collection & management, Glossary, Report Library, Extraction Viewer, Extraction Admin, View Manage, Data & system maintenance.
- Main Content:**
 - Notifications: "There are 8 new user requests awaiting processing." and "There are 2 user requests at organisations without a User Manager."
 - Data Links:** Collections Timetable, Contact Us, NHS England Statistics Site, Omnibus System, Revisions Process, **Unify2 Upload Templates** (highlighted with a red box), System Links, All Data Collections, Forum, Request a Unify account, View links.
 - Welcome:** "Welcome to Unify2, the system for sharing and reporting NHS performance information."
 - CAN'T SIGN IN?:** "If you do not have a Unify2 account, please complete the online request form using the link on the left."
 - NEED HELP?:** "If you require help in using Unify2, please visit the help section by clicking the 'Help' link at the top right corner of the page."
 - News:**
 - Plan for Additional RTT Activity - Template v1.1 available [27/06/2014 09:02:12] [Click for details](#)
 - Changes to Diagnostics Census [19/06/2014 09:10:17] [Click here for details](#)
 - Staff FFT Upload Template released [11/06/2014 07:48:11] [Click here for more details](#)
 - Referral to Treatment PTL Unify collection for Foundation Trusts – upload template and guidance [09/06/2014 14:54:49] [Click here](#)
 - Safer Staffing collection – upload template and guidance [30/05/2014 15:51:16] [Click here](#)

The contract tracker template will be available to download in the list of documents and will be titled 'Planning 17-18 – Contract tracker COMMISSIONER/PROVIDER Template (functional).xls'

If you are a provider you should download the template titled PROVIDER and if you are a commissioner you should download the template titled COMMISSIONER.

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6.2 First submission

6.2.1 Input data into the file:

For your first submission:

- On the Control_Panel worksheet select your organisation using the 'Choose organisation' button.
- To create a new input tab for each contractual relationship over £5million you should click the 'Add Child Organisations' button and select the required name/code of the organisations you are contracting with and press the 'Add Org(s)' button.
- Input all of the required details – please do not leave any details blank.

Should the templates change, a 'news' item will be added to the Unify2 homepage. Please review Unify2 news items for the latest information on this collection.

For subsequent submissions:

- Open a previously saved template and update all details as required.
- Check your inputs and ensure there are no validation errors.

Once you have completed the workbook and saved it onto your hard drive, please upload your data into Unify2.

To do this, login to Unify2:

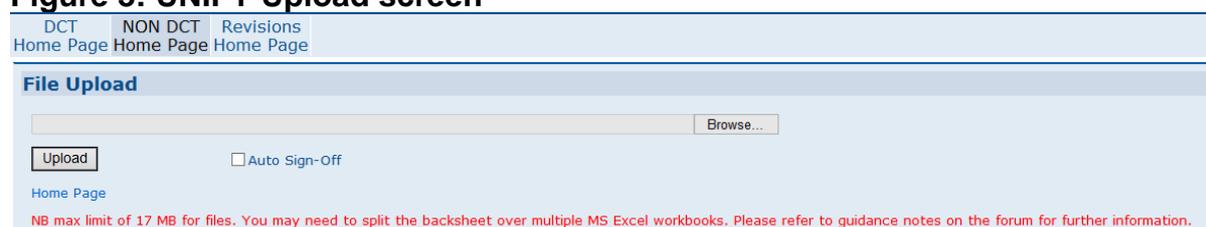
<http://nww.unify2.dh.nhs.uk/unify/interface/homepage.aspx>

If you are a Clinical Support Unit (CSU) acting on behalf of a Clinical Commissioning Group (CCG) and have logged in using a CSU account, you will need to follow an extra step before continuing - see end of this guidance.

If you are logged in as a provider or commissioner, continue to the step below:

- once logged in, click on 'Data collection & management';
- then click 'NON DCT Home Page';
- then select the Upload option for the return 'CTRACKV3';
- then click 'Browse' and select (or drill down to) the location of this workbook on your hard drive (the file path will be displayed below).
- click 'Open'.
- tick the 'Auto Sign-off box'.
- finally, click the 'Upload' button.

Figure 3: UNIFY Upload screen



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6.3 Clinical Support Unit guidance

If you are a CSU acting on behalf of a CCG and have logged in using a CSU account you will first need to 'impersonate' the CCG for whom you are uploading the template:

- In the top right corner of the screen, click where it reads: 'You are signed in as xxx as XXX COMMISSIONING SUPPORT UNIT';
- select the correct CCG from the organisation dropdown list; and
- click 'Impersonate' and follow the remaining steps above.

6.4 UNIFY submission template

This is an extract from a UNIFY template to be completed by a commissioner:

Figure 4: Control_Panel worksheet (Commissioner Contract Tracker template)

Unify2 Generic Upload Template
Planning 2017-18 to 2018-19 Contract Tracker Commissioner
Upload Template

Organisation: Please select organisation Choose Organisation

Period: Planning Collection

Add/Remove (Child) Organisations Add "Child" Organisations

Export CSV Remove "Child" Organisations

[Select All Child Orgs For Upload](#)
[De-Select All Child Orgs For Upload](#)

Child Organisation Name **Organisation Code** **Upload Organisation Data** **Validations**
(A tick denotes the sheet is to be uploaded)

Figure 5: Data input sheets (Commissioner Contract Tracker template)

BEFORE COMPLETING THIS TEMPLATE PLEASE READ:
 "Operational Planning and Contracting Guidance 2017/18 and 2018/19"
 and
 "Annex G to the Technical Guidance for NHS Planning 2017/18 and 2018/19"

Organisation: SHEET VALIDATIONS [See validation criteria](#)

"Parent" Organisation: See validation criteria

Period: Planning Collection

Sheet To be Uploaded? See validation criteria

Commissioner Contract Tracker

Return to Control_Panel Sheet

(M) = Mandatory; (M*) = Conditional Mandatory; (O) = Optional

2016/17 FOT Baseline value (M)	2017/18 Contract Value (M)	2018/19 Contract Value (M)	Contract Status (M)	Contract Signed? (M)	Actual /Expected contract signature date (M)	Likely to require mediation? (M)	Likely to require arbitration? (M)
£000	£000	£000	Select one option from the dropdown list	Yes/No	dd/mm/yyyy	Yes/No	Yes/No

Primary Selection of key outstanding contract issue (between provider and commissioner)

Dropdown options

Commentary

Freetext (no more than 400 characters)

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This is a screenshot of a UNIFY template to be completed by a provider:

Figure 6: Control_Panel worksheet (Provider Contract Tracker Template)

Unify2 Generic Upload Template
Planning 2017-18 to 2018-19 Contract Tracker Provider Upload Template

Organisation: Please select organisation Choose Organisation

Period: Planning Collection

Add/Remove (Child) Organisations Add "Child" Organisations

Export CSV Remove "Child" Organisations

[Select All Child Orgs For Upload](#)
[De-Select All Child Orgs For Upload](#)

Child Organisation Name **Organisation Code** **Upload Organisation Data** (A tick denotes the sheet is to be uploaded) Validations

Figure 7: Data input sheets (Provider Contract Tracker template)

BEFORE COMPLETING THIS TEMPLATE PLEASE READ:
 "Operational Planning and Contracting Guidance 2017/18 and 2018/19"
 and
 "Annex G to the Technical Guidance for NHS Planning 2017/18 and 2018/19"

Organisation: SHEET VALIDATIONS [See validation criteria](#)

"Child" Organisation: Planning Collection

Period: Sheet To be Uploaded?

Provider Contract Tracker

[Return to Control_Panel Sheet](#)

(M) = Mandatory; (M*) = Conditional Mandatory; (O) = Optional

2016/17 FOT Baseline value (M)	2017/18 Contract Value (M)	2018/19 Contract Value (M)	Contract Status (M) <small>Select one option from the dropdown list</small>	Contract Signed? (M) <small>Yes/No</small>	Actual /Expected contract signature date (M) <small>dd/mm/yyyy</small>	Likely to require mediation? (M) <small>Yes/No</small>	Likely to require arbitration? (M) <small>Yes/No</small>
£'000	£'000	£'000		Yes/No	dd/mm/yyyy	Yes/No	Yes/No

Primary Selection of key outstanding contract issue (between provider and commissioner)

Dropdown options

Commentary

Freetext (no more than 400 characters)

7 Review of 'prov/comm' UNIFY outputs

There is a report available within UNIFY which will enable each organisation to view the contract tracker submissions for each of their unique provider/commissioner relationships.

This report will show both the provider and commissioner contract data for each organisation and calculate any variances between provider and commissioner data sets.

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The report is available to view within UNIFY and can be exported as an excel document.

The data in UNIFY will be overridden after each weekly submission. The data will be available to download from 9am the day after the submission windows have closed (as per the timetable in section 4) and you will be required to download the data at the earliest opportunity.

The report for any contract tracker data will be available through the 'Extraction Viewer' screen on Unify2.

Figure 8: Department of Health Unify2 Welcome Screen

The screenshot shows the Unify2 interface for the Department of Health. At the top, there is a navigation bar with the Department of Health logo and the Unify2 logo. Below this is a secondary navigation bar with several menu items: 'Data collection & management', 'Glossary', 'Report Library', 'Extraction Viewer' (highlighted with a red box), 'Extraction Admin', 'View Manage', and 'Data & system maintenance'. The main content area is divided into three columns: 'Data Links', 'Welcome', and 'News'. The 'Data Links' column contains links for 'Collections Timetable', 'Contact Us', 'NHS England Statistics Site', 'Omnibus System', 'Revisions Process', and 'Unify2 Upload Templates'. The 'Welcome' column contains a 'Welcome' message, a 'CAN'T SIGN IN?' section with instructions on how to create an account, and a 'NEED HELP?' section with instructions on how to find help. The 'News' column contains several news items with dates and 'Click here' links for more details.

To export data from 'Extraction Viewer' go into the query 'Planning round 2017-18 – Contract Tracker PROVIDER/COMMISSIONER VIEW', Once the data has loaded, on the left hand side in the 'Actions' pane there will be a link called 'Export'. This will then take you to a screen where you can select the data format you want to export. Finally, click the 'Export' button on the right hand side of the screen.

Once the export is ready, click on the 'Click to view or save' button. This will then download the data to your computer.

We received feedback that the output report on Unify was not very user friendly and we will therefore issue an excel based reviewed tool to assist with this. As well as highlighting the key outputs in a more user friendly manner we will also highlight key areas of concern and differences.

It is recognised that in the first submissions there are likely to be some gaps but as negotiations progress organisation executive teams should be able to use the excel review tool as a highlight report to assure for contracts that are progressing well and provide helpful analysis for contracts that may still require additional work.

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The UNIFY data download can be copied into the review tool each week (by first deleting any existing data from the previous week) and the tool will automatically update a review summary highlighting material variances between contracts and present the data in an easy to read format.

The excel review tool will also be available to download from the UNIFY forum.

8 Support

Support will be available to organisations as follows:

- Contact your local regional teams for advice regarding contract negotiations.
- For technical advice to complete the templates and submit data:
 - Providers – contract NHS Improvement at NHSI.finplan@nhs.net;
 - Commissioners – contract NHS England at NHSCB.financialperformance@nhs.net