



The
**Strategic
Investment
Board**



**Managing contracts
with Buy Social/
Social Considerations**



Background

Buy Social is a tool to maximise the benefits from public procurement in terms of personal well-being, social cohesion and inclusion, equal opportunities and sustainable development.

PGN 01/13 Integrating Social Considerations, as approved by the Procurement Board, mandates the use of the Buy Social Approach on contracts above certain thresholds.

To date, one of the primary ways social benefit has been achieved through public procurement is Targeted Recruitment and Training (TR&T). TR&T clauses require contractors to provide a proportion of the total weeks of employment on the contract to New Entrant Trainees (NETs). NETs are people who have no substantial work experience (such as school or college leavers) or people who are long-term unemployed.

More recently, the Buy Social Unit have been developing wider social considerations to achieve additional social benefits.

These initiatives can include: **work placements, business in education activities, digital inclusion projects and support for the Voluntary, Community, Social Enterprise sector.**



Contract Management

Social considerations are part of the contract and should be adequately managed to ensure that they deliver in line with contract commitments and that value for money, which is a main driver behind the inclusion of social considerations, is achieved.

PGN 01/13 states that **'when social considerations have been identified in the contract, then those requirements must be delivered in full. The Project Manager/Contract Manager must ensure that the Contractor's performance is carefully monitored. Poor performance by the Contractor on the delivery of requirements relating to social considerations must be addressed in accordance with the recommendations on poor contractor performance set out in Procurement Guidance Note 01/12'**.

The reputation of a Department and Contractor can be damaged by a poorly managed contract that does not deliver the expected outcomes.

It is the responsibility of the Client Project Manager to monitor and review the contract including:

- Reviewing regular reports on how the Buy Social obligations are being delivered, and;
- Addressing under-achievement.



Managing Poor Performance

Continued poor performance cannot be ignored and Departments should work with the Contractor in order to ensure they meet contract requirements.

Annex D of PGN 01/12 contains a Protocol for Managing Supplier Poor Performance. It sets out the steps that Contract Managers should take in monitoring a Contractor's performance.

The Buy Social Unit is available to support Client Project Managers in reviewing the reports, discussing remedial action and attending contract meetings, if required.



Monitoring & Reporting

Once a contract with social considerations has been awarded you must ensure the Buy Social Unit at SIB is aware of this. This will allow the Unit to set up the contract in the Buy Social Monitoring Portal and issue the Contractor with login details and information on how to add information relating to the delivery of their targets. You will also need to inform the Unit if the contract is delayed and when the contract has completed.

The social considerations which have been included in the Invitation to Tender and supporting contract papers should be reviewed by the Contractor and Contract Manager at the Contract Initiation Meeting. The Buy Social Unit at SIB is available to attend these meetings and give advice to Contractors on how to deliver against their targets.

Contractors can log in to the monitoring portal at any time of the month. The Targeted Recruitment and Training targets and other social consideration targets included on the contract will be prepopulated in the system. Contractors can use the monitoring system to record their progress to date against each target. There is also a notes section in the system which Contractors should be encouraged to use to record any issues or efforts that they have made to fulfil their targets.

A report will be sent from the system on the 20th of the month to both the Contractor and Client Project Managers. This report should be regularly reviewed during progress meetings to determine if the Contractor is on track to deliver their targets. In Construction projects, the Client Project Manager should also use the report to ensure that the correct mix of NETs is being delivered across the contract (more details are available in Annex A – Buy Social in Construction Contracts). The Buy Social Unit are available to attend these meetings if and when required.

Note:

Where a Targeted Recruitment and Training Plan has been requested, this should be completed on the Buy Social Monitoring Portal by the Contractor within 4 weeks of contract award.

Summary

- Contracts with social considerations must be notified to SIB Buy Social Unit (info@buysocialni.org)
- SIB will set up the contract in the Monitoring Portal which will be used to generate the progress reports.
- Progress reports will be sent out monthly and should be reviewed regularly at progress meetings.
- SIB Buy Social Unit are available to offer support and attend contract initiation and progress meetings.
- Information relating to the definition and construction specific mix of NETs can be found at our website
- It is the Contract Project Manager's responsibility to ensure the Contractor's performance is monitored and poor performance is addressed.
- Under performance must be addressed - the protocol for doing so can be found at Annex D of PGN 01/12: Contract Management Principles and Procedures.

The Buy Social Unit is available to offer help and advice on managing social considerations on IT, Construction and Services contracts.

For further information

Contact: info@buysocialni.org or visit our website www.buysocialni.org



Annex A

Buy Social in Construction Contracts.

Who is a New Entrant Trainee?

Contracts that include Buy Social clauses require contractors to provide a proportion of the total weeks of employment created for “New Entrant Trainees” (NETs). NETs are people who have no substantial work experience (such as school or college leavers) or long-term unemployed people. To be eligible for employment as a NET the candidate must be:

- Over 25 and unemployed for 52 weeks or more;
- Under 25 and unemployed for 26 weeks or more; or
- Leaving/left education in the past 12 months.

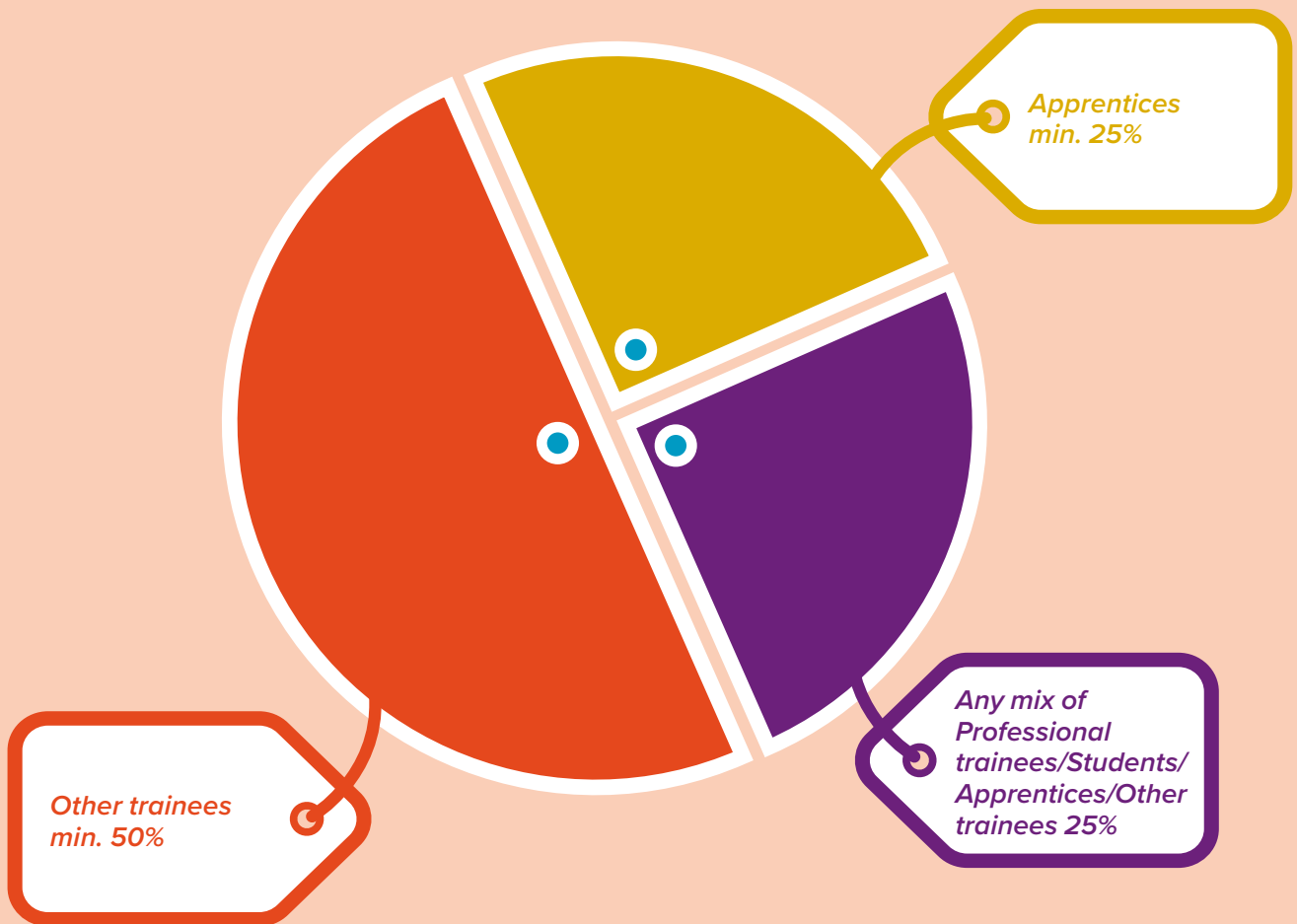
Some contracts also make special provision, for example, for people with disabilities, or for looked after children/care leavers or people with an offending background.

Mix of New Entrant Trainees

The Buy Social Construction approach has some restrictions on the balance of apprentices, students, professional and other trainees used to achieve the contract targets. In addition, there are restrictions upon the number of existing employees that can be used to satisfy the requirements.

The approach requires that:

- Each NET is given one of three types of contract –an apprentice contract, a student/professional trainee contract or an “other trainee” contract.
- A minimum of 25% of the target number of person weeks is allocated to apprentices; and
- A minimum of 50% of the target number of person weeks is allocated to ‘other trainees’



New Entrant Trainee Allocation

In construction contracts, the number of weeks worked by someone that counts towards the target is capped at:

- 104 weeks for Apprentices and Professional Trainees; and
- 52 weeks for all other New Entrant Trainees.

Following the completion of the NET period an end date must be entered in the monitoring portal for that NET and they will no longer count towards the NET person week target.

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