

Whilst every effort has been made to ensure that the information contained herein is accurate, this guidance is not provided as 'legal advice.' Users should therefore seek such advice before using this material in any formal contracting process.

# Introduction

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This is a quick guide for Housing Association staff who commission and procure construction contracts. Housing Associations can use their procurement practices to support and contribute to their communities by including targeted social considerations on their contracts.

This guidance draws attention to the opportunities Housing Associations have to use the procurement process to deliver added social value through construction contracts, to benefit their tenants and the communities they live within.





Taking social considerations into account early in the commissioning process means the procurement can be designed in such a way as to maximise social value and deliver best value for money.

Social considerations can include targeted recruitment and training requirements, business in education initiatives, fair work practices, opportunities for SMEs and social enterprises and a range of other social considerations that can be included on a contract by contract basis.

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## **Benefits of Including Social Value in Procurement**

In addition to the legislative and policy requirements related to social considerations, considering social value in contracts can help Housing Associations:

- Achieve and report against their strategic objectives. For example, targeting social considerations to benefit people at with an offending background or at risk of criminality can help Housing Associations demonstrate their commitment to building shared, safe communities.
- Reduce the risk of organisational reputational damage.
   For example, organisations will suffer reputational damage and loss of tenant confidence if they are found to be sourcing from suppliers which use exploitative labour.
- Empower individuals and contribute to a fairer, more equal society by creating employability opportunities for those who are disadvantaged.
- · Deliver best value for money.
- · Lead by example.

The Buy Social Unit assists commissioning bodies to design, implement and monitor clauses in public contracts that are designed to improve well-being in Northern Ireland. Find out more at www.buysocialni.org





# Housing Associations' use of Buy Social to date

Many Housing Associations in Northern Ireland have incorporated the Buy Social Recruitment & Training approach to Construction contracts. The approach is detailed in Procurement Guidance Note (PGN) 01/13: Integrating Social Considerations into Contracts<sup>1</sup>.

The PGN advises that:

(Buy Social is) "the standard approach to be used in the procurement of construction projects [construction build] above £2m and infrastructure projects [construction civil] above £4m"

#### and that:

"the Buy Social model should be piloted in services contracts with a value exceeding £500,000 with a view to a standard approach being agreed"

PGN 01/13 also recognises that Commissioners may wish to include their own social considerations, irrespective of contract value.

"Departments can consider requirements on a contract by contract basis in as much as those requirements are linked to the subject matter of the contract and are identified at the business case stage of the project."



https://www.finance-ni.gov.uk/publications/procurementguidance-note-0113-integrating-social-considerationscontracts

### **Additional social considerations**

Including social considerations is a way for Housing Associations to gain increased social value from their contracts. The table below sets out some examples of how social considerations can be tailored to the specific strategic priorities of Housing Associations:

| Strategic priority                              | Example social consideration(s)  |
|---|--|
| Supporting and empowering communities           | Skilled advice and support to organisations within the Voluntary, Community and Social Enterprise sector, which are working with people who are at risk of social exclusion. |
| Building shared, safe and welcoming communities | Work placement opportunities for people who are at risk of criminality or who have an offending background.  |
| Promoting diversity and inclusion               | Business in Education support to aid the career development of people who have a disability.   |
| Supporting people to fulfil their potential     | Paid employment for people who are distanced from the labour market.   |

Each of these social considerations can be tailored further so that contractors are encouraged to deliver the initiative in partnership with local community groups/Housing Association initiatives.

Model clauses tailored for use by Housing Associations are available at www.buysocialni.org or Housing Association staff can contact the Buy Social Unit using info@buysocialni.org to receive individual advice.





### Tips for designing the procurement process to increase social value

- Social considerations should be considered from business case stage, before the procurement process has started.
- For small value contracts where it is a requirement to get three quotes, it is good practice to request at least one out of three quotes from a local business or a social enterprise.
- Make sure opportunities are open to Social Enterprises and micro business entities: keep the tender process and documentation clear, concise and jargon-free; and make sure the terms and conditions are proportionate to the contract so they do not inadvertently disadvantage a micro/small business enterprise or Social Enterprise.
- Include social considerations within contract Key Performance Indicators.
   If the KPIs put as much emphasis on the social considerations as on other performance measurements you are more likely to achieve the outcomes you specified.
- How the social considerations are communicated to the successful contractor will contribute to how well they are delivered.



## Capturing the impact of Social Value

Where the Buy Social model has been applied, it is mandatory to contact the Buy Social Unit at the Strategic Investment Board in order to get the contract registered on the Buy Social Monitoring Portal. Contracts with other social considerations can be added to the monitoring portal in order to capture and report on the outcomes delivered. Guidance on managing contracts with Buy Social targets can be found on the website www.buysocialni.org.

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Social considerations are part of the contract and should be managed to ensure that they deliver in line with contract commitments.

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