

Community Benefits Toolkit For Construction

Collaborative, efficient,
sustainable and outcomes focused
procurement in construction

Contents

This toolkit has been produced in response to the **Review of Public Sector Procurement in Construction 2013**.

This document is not Statutory Guidance but offers a best practice approach to including community benefits within public sector procurement within construction.

1.0 COMMUNITY BENEFITS AT PRE-PROCUREMENT	1.1	Introduction	2
	1.2	Adopting This Toolkit	3
	1.3	Obligations of the Procuring Authority	4
	1.4	Legal Requirements	8
	1.5	Organisational Systems & Cultures	9
	1.6	Outcome Focused Community Benefits	10
	1.7	Market Engagement	11
	<hr/>		
2.0 PROCUREMENT OF COMMUNITY BENEFITS	2.1	Developing a Community Benefit Project Plan	12
	2.2	Community Benefit Definitions & Measurements	19
	2.3	Specifying Community Benefits within Procurement Documents	26
	2.4	Evaluation of Community Benefits within Submissions	29
	2.5	Funding & Support Initiatives	34
<hr/>			
3.0 MONITORING & LESSONS LEARNED	3.1	Monitoring & Reporting	35
	3.2	Contractual Compliance	37
	3.3	Capturing Lessons Learned	38
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4.0 COMMUNITY BENEFITS CASE STUDIES	4.1	Community Benefits Policy & Objectives	39
	4.2	Effective Procurement	41
	4.3	Monitoring & Reporting	46
	4.4	Partnership & Community Engagement	52
		Appendix: Template Community Benefit Project Plan	54

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Scottish Futures Trust
11-15 Thistle Street
Edinburgh
EH2 1DF

Executive Summary

The Public Sector in Scotland spends £4 billion in construction each year. Such spending in the construction sector not only improves the infrastructure within Scotland but, harnessed correctly, can deliver significant social, economic and environmental benefits within the wider economy. This is outlined within the Scottish Government Economic Strategy¹:

“Only by working in partnership with the wider public sector in Scotland, the third sector, trade unions, businesses and communities, will we be able to create a society where the benefits of economic growth are shared more equally and where future economic growth is stronger and more sustainable.”

**SCOTTISH GOVERNMENT
ECONOMIC STRATEGY
MARCH 2015⁽¹⁾**

Community benefits are a key component in maximising social, economic, and environmental benefits within construction. The Review of Public Sector Procurement in Construction², recommended the need to improve how community benefits were included within construction contracts. This toolkit addresses these recommendations and offers a best practice methodology in defining, procuring, measuring and reporting on community benefits within construction contracts.

This toolkit relates to construction only and supplements all Scottish Government statutory guidance. The toolkit can be adopted for the procurement of both Contractors and Consultants. The toolkit also supports suppliers in responding to community benefit requirements within public sector procurement. The key principles of including community benefits within contracts are to ensure they are proportionate, deliverable and relevant to that contract.

This toolkit is **not** statutory guidance as referred to within the Procurement Reform Act 2014. Procuring Authorities should fully understand their obligations and follow any statutory guidance when adopting this Community Benefit Toolkit for construction.

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1 - <http://www.gov.scot/Publications/2015/03/5984>
2 - <http://www.gov.scot/Publications/2013/10/2688>

01 Community Benefits in Pre-Procurement

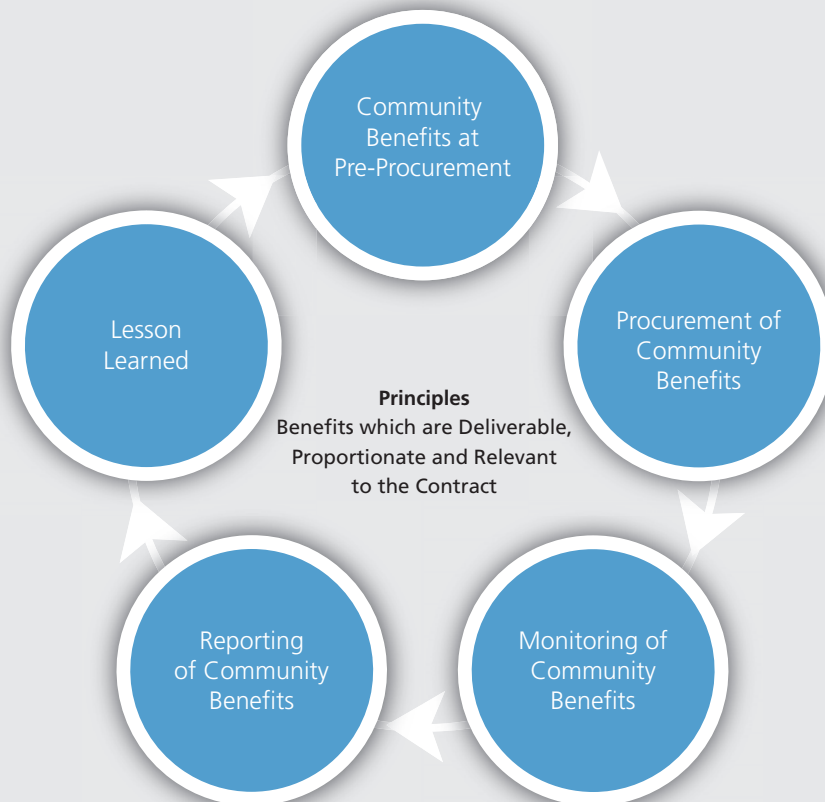
This section sets out when to adopt this toolkit and the key considerations during the pre-procurement stage of a project. Considerations to be made during the pre-procurement stage include:-

- > Are community benefits required for the project?
- > What are the legal and legislative requirements?
- > Is the procuring authority equipped to deliver community benefits?
- > Are the community benefits aligned to defined outcomes?

1.1 Introduction

This toolkit provides a methodology of how social, economic and environmental benefits can be embedded more effectively within construction procurement. This is by way of including project specific community benefit requirements within the procurement process. The following sequenced approach has been adopted for this toolkit:-

Diagram 1:
Community Benefits Cycle within Public Sector Procurement



This approach ensures that consideration is given to community benefits prior to procurement, that benefits are clearly defined during procurement and that benefits are monitored and reported effectively. To ensure continuous improvement, the lessons learned from projects should be captured to inform future projects.

This sequenced approach is underpinned by the principles that community benefits are proportionate, deliverable and specific to the contract.

1.0

COMMUNITY BENEFITS AT PRE-PROCUREMENT

1.2 Adopting This Toolkit

This toolkit can be adopted when procuring authorities are to include community benefits within a construction related contract.

This toolkit is **not** statutory guidance as referred to within the Procurement Reform Act 2014. When deciding to include community benefits within a contract, procuring authorities should consider fully their obligations, any statutory guidance and any organisational policy. Upon deciding community benefits are required within a contract, this toolkit offers a structured methodology to ensure efficient and compliant procurement practice.

When community benefits are embedded within procurement, the procuring authority should ensure:-

- > They obtain the correct legal and procurement advice when including community benefits.
- > All community benefits are outcome focused.
- > Any community benefits proposed are proportionate and suitable for that project.
- > Community benefits align to the procuring authority's wider policy requirements.
- > They consider opportunities for innovation and collaboration to deliver enhanced benefits.

If community benefits are to be included within the procurement process, then the procuring authority is advised to consider this document in its entirety. For ease of reference, table 1 below highlights specific areas of this toolkit which are relevant to key stages of the procurement process.

Table 1:

Section	Pre-procurement	OJEU	POQ	Tender Prep	Tender Submission	Tender Evaluation	Contract Execution	Construction	Completion
1.2 Adopting this toolkit	●								
1.3 Obligations of the Procuring Authority	●	●	●	●					●
1.4 Legal Requirements	●	●	●	●					
1.5 Systems & Cultures within Organisations	●	●		●					
1.6 Outcome Focussed Community Benefits	●	●		●					●
1.7 Market Engagement	●	●	●	●					
2.1 Developing a Community Benefits Project Plan				●	●	●	●		
2.2 Community Benefit Definitions & Measurements				●	●	●	●		
2.3 Specifying within Procurement Documents			●	●	●	●	●		
2.4 Evaluation of Community Benefits within Submissions			●	●	●	●			
2.5 Funding & Support Initiatives				●	●			●	
3.1 Monitoring & Reporting				●	●			●	●
3.2 Contractual Compliance				●	●			●	
3.3 Capturing Lessons Learned				●	●			●	●

1.0 COMMUNITY BENEFITS AT PRE-PROCUREMENT

1.3 Obligations of the Procuring Authority

The Procurement Reform Act (Scotland) 2014 received Royal Assent on 17 June 2014. Enabling regulations and statutory guidance will be introduced in 2016. Before this, public bodies will wish to reflect on how the act is linked to effective community benefits.

This section provides an overview of the Procurement Reform Act and how the obligations contained within the act are linked to effective community benefits requirements within contracts. These obligations and any statutory guidance should be considered when adopting this toolkit once enabling regulations are introduced.

1.3.1 Procurement Reform Act 2014

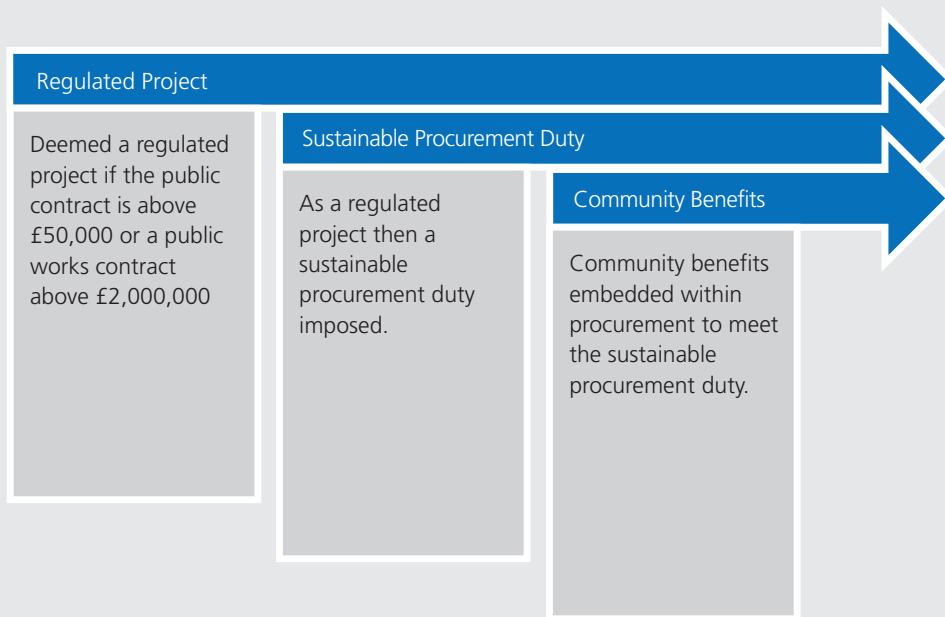
The Procurement Reform Act (Scotland) 2014 is a significant element of the continuing public procurement reform programme. Scottish Government has described the aim of the Act as follows:-

“to establish a national legislative framework for sustainable public procurement that supports Scotland’s economic growth by delivering social and environmental benefits, supporting innovation and promoting public procurement processes.”

The Act will introduce a new Sustainable Procurement Duty which will be placed on procuring authorities. This duty will require procuring authorities to consider how they deliver enhanced social, economic and environmental benefits from their procurement. The obligations of this duty are set out within the Procurement Reform Act 2014 and will be implemented through statutory guidance.

A sustainable procurement duty will apply to all regulated projects as defined within the Procurement Reform Act. Community benefits are a key component for a procuring authority to meet their sustainable procurement duty.

Diagram 2:
Classification and duties within the Procurement Reform Act 2014



1.0

COMMUNITY BENEFITS AT PRE-PROCUREMENT

The sustainable procurement duty is defined as follows:-

Sustainable Procurement Duty

- (1) For the purposes of this Act, the sustainable procurement duty is a duty of a contracting authority.

Before carrying out a regulated procurement, to consider how in conducting the procurement it can

- (a) 1 - improve the economic, social and environmental wellbeing of the authorities areas,
2 - Facilitate the involvement of small and medium enterprises, third sector bodies and supported businesses in the process and
3 - Promote innovation
- (b) in carrying out the procurement, to act with a view to securing such improvements identified as a result of paragraph (a)(i).
- (2) The contracting authority must consider under subsection (1) only matters that are relevant to what is proposed to be procured and, in doing so, consider the extent to which it is proportionate in all the circumstances to take those matters into account.
- (3) In this section, references to the wellbeing of the authority's area include, in particular, reducing inequality in the area.

Section 9 Sustainable Procurement Duty – Procurement Reform Act 2014

In addition, community benefits are defined as follows:-

Community Benefits Requirements

“For the purposes of this Act, a community benefit requirement is a contractual requirement imposed by a contracting authority

- (a) relating to -
- (i) training and recruitment, or
- (ii) the availability of sub-contracting opportunities, or
- (b) which is otherwise intended to improve the economic, social or environmental wellbeing of the authority's area in a way additional to the main purpose of the contract in which the requirement is included.”

Section 24 Community Benefits – Procurement Reform Act 2014

1.0

COMMUNITY BENEFITS AT PRE-PROCUREMENT

Community benefits are also linked to the following obligations in the Procurement Reform Act:-

Table 2: Community Benefit Obligations within the Procurement Reform Act 2014

Key Outcomes	Community Benefits Obligations within the Procurement Reform Act	Section
Development of Procurement Strategy	- Authorities should include a community benefit policy in the Procurement strategy.	15(5)(b)(i)
	- Procurement strategy to include approach to ensuring 30 day payments terms achieved for all suppliers.	15(5)(d)
	- Authorities required to publish a procurement strategy when regulated procurement within in any year is equal to or exceeds £5m.	15(5)(a)(iii)
Procurement Of Works	- Authorities should consider in their procurement how they can improve economic, social and environmental wellbeing.	9(1)(a)(i)
	- Authorities should promote innovation in meeting the sustainable procurement duty.	9(1)(a)(iii)
	- Authorities should promote and facilitate the use of supported businesses.	11
	- Authorities should facilitate the involvement of small & medium enterprises within their procurement approach.	9(1)(a)(iii)
	- Authorities should carry out their procurement in line with the procurement strategy.	17
	- Authorities must have regard to any statutory guidance published on community benefits.	26(3)
	- Authorities must consider the appropriateness of applying community benefits within procurement for projects above £4m.	25(1)&(2)
	- Authorities must include community benefits requirements within their contract notices.	25(3)
	- Authorities must include what benefits will be achieved within the award notice.	25(4)
Publish an Annual Procurement Report	- Authorities, having prepared a procurement strategy, must then complete and publish an annual procurement report.	18 & 19
	- The report should include a summary of annual community benefits imposed as part of the regulated procurement.	18(2)(d)
	- This report should also include a summary of any steps taken to facilitate the involvement of supported businesses.	18(2)(e)

1.0

COMMUNITY BENEFITS AT PRE-PROCUREMENT

1.3.2 Annual Procurement Strategy

It will be a requirement of the Procurement Reform Act for procuring authorities to prepare and submit a procurement strategy on an annual basis. This will be required when the total value of all regulated projects is equal to or exceeds £5,000,000 per annum. The procurement strategy must include but is not limited to:-

- > A general policy on the use of community benefits requirements. 15(5)(b)(i)
- > A general policy on consulting and engaging with those affected by its procurements. 15(5)(b)(ii)
- > An approach to ensuring 30 day payment terms achieved for all suppliers through the supply chain. 15(5)(d)

1.3.3 General Policy on the use of Community Benefits

This is a general policy on the use of community benefit requirements. The policy may be replicated within a project plan or other policy documents, including the business case for a project.

Example Community Benefit Policy

“ The Council’s objective is to maximise the opportunities for securing training and employment, business start-up and business growth through planned investment.”

Glasgow City Council

Refer to section 4.1 for a case study in the development of a community benefit policy.

1.3.4 Annual Procurement Report

The annual procurement report will set out the progress that was made for the regulated procurement activities for that authority. This will be published at the end of each financial year and should include but is not limited to:-

- > A summary of the regulated procurement completed in the previous year.
- > Analysis on whether the completed regulated procurement complies with the authority’s procurement strategy. Where procurements did not comply, then a statement on the reasons for this and a rectification plan is required.
- > A summary of the community benefit requirements imposed as part of a regulated procurement in that year.
- > A summary of any steps taken to involve supported businesses.
- > A summary of the regulated procurement the authority expects to commence in the next two financial years.

The Procurement Reform Act will also place an obligation on the Scottish Government to prepare a report at the end of each financial year based on the information contained within the annual procurement reports of all the procuring authorities.

1.0

COMMUNITY
BENEFITS AT
PRE-PROCUREMENT

1.4 Legal Requirements

1.4.1 EU Legal Framework

The Scottish Government, local authorities, housing associations and other public sector bodies are “contracting authorities” for the purposes of public procurement law. Procurement law comes from EU Directive 2004/18 which has been implemented in Scotland by the Public Contracts (Scotland) Regulations 2012.

At an EU level, Directive 2014/24 has been introduced which will replace the 2004 one. It is expected that this new Directive will be implemented in Scotland with new regulations in 2015. At the same time, it is expected that the provisions of the Procurement Reform (Scotland) Act 2014 will be brought into force. Guidance is available on the Scottish Government website in relation to procurement law in general, and what it means for contracting authorities. In relation to community benefits the key points are as follows:

- > Procurement law is supportive of the delivery of community benefits. The recitals (the introduction to the 2004 Directive) note that “employment and occupation are key elements in guaranteeing equal opportunities for all and contribute to integration in society” and that “contract conditions can be used to favour for example, on-site vocational training, employment of people experiencing difficulty in integrating, reducing unemployment or protecting the environment.”
- > The principles of transparency, equal treatment and non-discrimination apply equally to the community benefit aspects of procurement as they do to all other aspects. The same is true of the detailed procedural requirements.
- > A particular area of risk is to ensure that community benefit requirements do not cause either direct or indirect discrimination, particularly if it is mandated to any degree where the community benefits must be delivered.

In addition to considering public procurement law considerations, a contracting authority should ensure that it has the legal power to deliver the proposed community benefits, and that they are in compliance with the authority’s own internal rules and procedures as well as the requirements of other legislation and regulations.

1.4.2 Legal Parameters of Public Bodies

In terms of legal obligations, the procurement framework in Scotland operates on a number of levels. On a European level, the general principles of EU law apply to public sector clients, whilst more specific procurement rules are implemented at a national level (i.e. the Local Government Acts and the Public Contracts (Scotland) Regulations 2006).

At a local level, such clients are also responsible for formulating their own internal procurement rules and policies within the framework of guidance or directions issued by the Scottish Government. Local authorities must make and adhere to their own standing orders, providing for competition across their procurement needs. Within this large body of legal rules there are a number of important legal constraints governing procurement practices. In the context of discrimination, it is important to take into account UK equality regulation as set out in the Equality Act 2010. The Act brought into force a public sector equality duty that requires all public bodies to eliminate discrimination, advance equality of opportunity and foster good working relationships. This duty applies to the procurement and commissioning of services.

1.4.3 Legal Summary

Community benefits need to be carefully considered to ensure that they meet the requirements of the EU procurement rules and general EU law. Care should be taken to ensure that clauses do not cause either direct or indirect discrimination. Contracting authorities must have a legal and policy basis for incorporating community benefit requirements in their procurement processes.

1.0

COMMUNITY BENEFITS AT PRE-PROCUREMENT

1.5 Systems & Cultures within Organisations

1.5.1 Organisation Systems & Cultures

To support procuring authorities to deliver community benefits, there is a need to ensure sufficient support systems are in place. The key priority is to embed a culture and process within organisations which considers community benefits from inception to completion. Some progress has been made to implement systems to deliver community benefits within procurement.

Key interventions that can be made to promote community benefits within organisations include:-

- > Ensuring that community benefits are given priority from the top of the organisation.
- > Linking the delivery of community benefits to the procurement capability assessment and performance development reviews within organisations.
- > Delivering roadshows to procurement departments to promote the inclusion of community benefits within all procurements.
- > Ensuring adequate training and guidance is made available to employees.
- > Utilising and sharing consistent methods of reporting and monitoring of community benefits.
- > Publicising internally and externally the benefits being achieved by the procuring authority.
- > Ensuring employees understand organisational obligations and policies effecting community benefits.

1.5.2 Resource, Skills & Expertise

Employing and developing the correct skills and expertise is also key to the success of delivering community benefits within procurement. The appointment of a community benefits manager or equivalent will be a key part to that success. Their role is to manage strategically the community benefits being delivered across an organisation or portfolio of projects.

Roles and responsibilities of a community benefit manager may include but are not limited to:-

- > Supporting departments in developing a community benefits policy and project objectives.
- > Monitoring performance and completing audits of benefits reported within projects.
- > Sharing best practice within the organisation (lead working groups).
- > Providing a link to national forums to promote best practice within community benefits.
- > Identifying opportunities to collaborate or innovate within projects or with other authorities.
- > Managing and co-ordinating required reporting which may include:-
 - Co-ordination of all community benefit data for inclusion within the annual procurement report.
 - Promotion of consistent reporting and approach within the procuring authority.
- > Monitoring at a strategic level the cumulative requirements being requested by the procuring authority across all projects. This is to ensure cumulative requirements are deliverable within the construction market. (I.e. If an authority requests 3 new M&E apprenticeships across 5 projects, does the local labour market have the capacity to support 15 new M&E apprenticeships?)
- > Managing and updating a benchmark database of community benefits to inform future projects.
- > Managing and delivering lessons learned workshops. Ensuring these lessons are shared and inform future community benefit policy and project objectives.

The appointment of the community benefit manager could be a direct appointment by the procuring authority or a joint appointment with other procuring authorities.

1.0 COMMUNITY BENEFITS AT PRE-PROCUREMENT

1.6 Outcome Focused Community Benefits

When defining community benefit requirements, the procuring authority should maintain an outcome focused approach. The key outcome is to maximise social, economic and environmental benefits from regulated procurement activity. In addition to the policy of the organisation, the community benefits must consider the wider obligations which include, but are not limited to:-

- > Regulations (Climate Change Act 2008, Community Empowerment Bill, Equality Act 2010, Procurement Reform (Scotland) Act 2004).
- > The community benefit policy within the annual procurement strategy.
- > Local social, economic and environmental issues for that project.
- > Authorities own policies/obligations (economic development strategy, local development plan, single outcome agreement).
- > Alignment to the National Performance Framework.

The procuring authorities should also consider and align community benefits to the Scottish Government National Performance Framework.

When developing a community benefits policy or project objective, procuring authorities should cross refer how these benefits link to the national performance framework. The procuring authority should refer to Scottish Government guidance linking community benefits to the relevant national outcomes.

Scottish Government National Performance Framework

NATIONAL PERFORMANCE FRAMEWORK

THE GOVERNMENT'S PURPOSE
To focus government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth

HIGH LEVEL TARGETS RELATING TO THE PURPOSE
Growth Productivity Participation Population Solidarity Cohesion Sustainability

STRATEGIC OBJECTIVES

WEALTHIER & FAIRER	SMARTER	HEALTHIER	SAFER & STRONGER	GREENER
We live in a Scotland that is the most attractive place for doing business in Europe				
We realise our full economic potential with more and better employment opportunities for our people				
We are better educated, more skilled and more successful, renowned for our research and innovation				
Our young people are successful learners, confident individuals, effective contributors and responsible citizens				
Our children have the best start in life and are ready to succeed				
We live longer, healthier lives				
We have tackled the significant inequalities in Scottish society				
We have improved the life chances for children, young people and families at risk				
We live our lives safe from crime, disorder and danger				
We live in well-designed, sustainable places where we are able to access the amenities and services we need				
We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others				
We value and enjoy our built and natural environment and protect it and enhance it for future generations				
We take pride in a strong, fair and inclusive national identity				
We reduce the local and global environmental impact of our consumption and production				
Our people are able to maintain their independence as they get older and are able to access appropriate support when they need it				
Our public services are high quality, continually improving, efficient and responsive to local people's needs				

NATIONAL OUTCOMES (vertical text on left and right sides of the outcomes table)

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December 2011

1.0

COMMUNITY BENEFITS AT PRE-PROCUREMENT

1.7 Market Engagement

In the development of community benefit policies and project plans, the ability to engage with private sector partners will ensure that benefits being proposed are proportionate and deliverable. Ways in which a procuring authority can seek feedback from the private sector in the development of their community benefits is through the following means:-

Table 3: Market Engagement Strategies

Forms of Engagement	Stages of Procurement				
	Pre-Procurement	Project Design	Procurement	Preferred Bidder	Construction
Meet The Buyer Days <i>(Engage with Bidders)</i>	●	●	●		
Industry Forums <i>(Colleges/ Skills Development)</i>	●	●	●	●	●
Collaborate With Other Authorities	●	●	●	●	●
Industry Benchmarks <i>(CITB Client based approach)</i>	●	●	●	●	●
Appoint Community Benefit Advisor	●	●			

Suppliers should also undertake comprehensive market engagement within their supply chain to ensure that the community benefits requirements passed down to the supply chain are proportionate to the scope of each sub-contract.

Authorities should also use the early market engagement to identify, develop and include for new and innovative community benefit solutions within their community benefit project plan prior to tender.

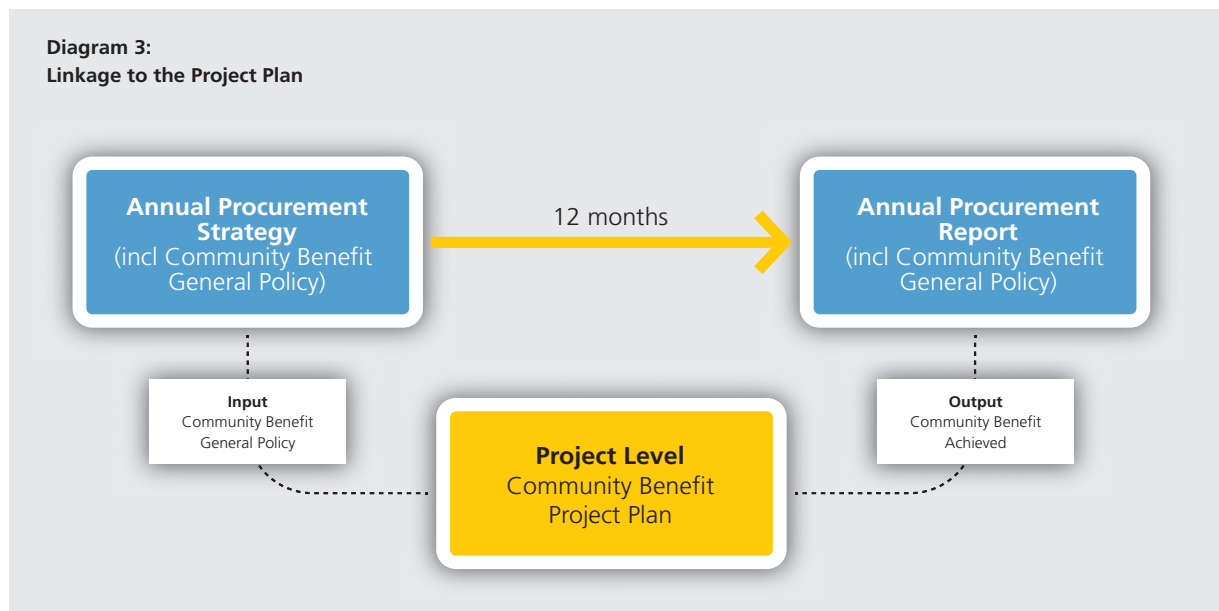
02 Procurement of Community Benefits

This section focuses on the development of the procuring authority’s community benefit requirements through the preparation of a Community Benefits Project Plan.

2.1 Developing the Community Benefit Project Plan

2.1.1 What is a Community Benefit Project Plan?

The community benefit project plan stipulates the procuring authority’s requirements for community benefits within a project. It also links to the annual procurement strategy and annual report as set out below:-

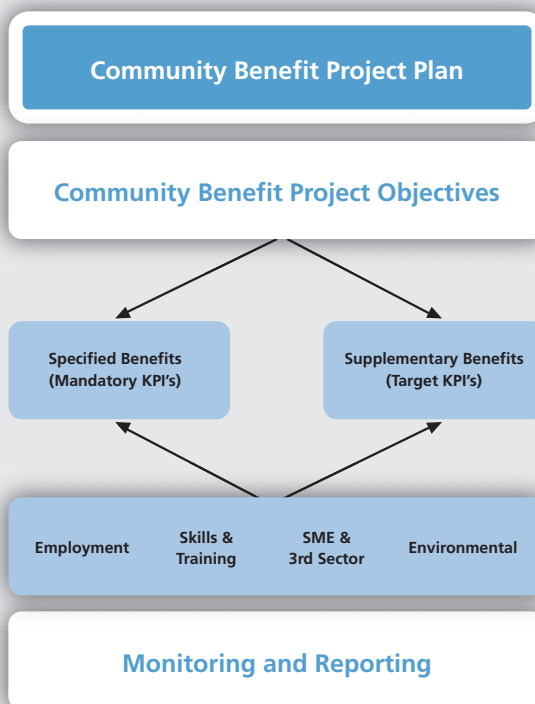


2.0 PROCUREMENT OF COMMUNITY BENEFITS

The plan, once developed, will form part of the contract and set out the procuring authority's requirements for that project.

A template project plan is contained within appendix A and for a summary of the key elements of a community benefit project plan, refer to Diagram 4.

Diagram 4:
Content of Community Benefit Project Plan



2.0 PROCUREMENT OF COMMUNITY BENEFITS

2.1.2 Community Benefit Project Objectives

The community benefit project objectives define the specific approach to achieving social, economic and environmental benefits. The specific project objective should align to the procuring authority's general community benefit policy. When developing the project objective, procuring authorities should consider:-

- > The local social, economic and environmental issues for that project.
- > The sector and value of the project. (e.g A college project may link outcomes to training)
- > The economic development strategy and local development plan.
- > The use of the CITB client based approach in the development of strategies.
- > Lessons learned from previous projects in regards to community benefits.
- > The alignment to the national performance network. (Refer to section 1.6)
- > Inclusion of disadvantaged groups.

Consultation with Local Authority departments and agencies will further inform the key requirements for the project objective. Refer to case study 4.2.4 for examples of community benefit forums. An example project objective is set out below and a case study is contained within section 4.1.

Example Community Benefit Project Objective

"For the example Primary School Project, this procuring authority will continue to use all of its powers, wherever it can, to do anything it considers will promote or improve the well-being of the area. Steps to be taken include:

- > the implementation of measures for the promotion of equality of women and men at work and the increased participation of women in the labour market.
- > providing residents with the skills to compete for the employment created by this new investment in public services;

2.0 PROCUREMENT OF COMMUNITY BENEFITS

2.1.3 Specified Benefits

Specified benefits are included within the community benefit project plan. The specified benefits have clear definitions and key performance indicators which a supplier will be measured against. Failure to deliver a specified benefit is linked to contractual remedies or specified pricing adjustments.

2.1.4 Supplementary Benefits

The supplementary benefits have clear definitions but are target measures rather than absolute requirements. The delivery of supplementary benefits will be the subject of a “reasonable endeavours” contractual obligation. Failure to use reasonable endeavours may result in contractual remedies (but not specified price adjustments). Failure to meet target measures having used reasonable endeavours would not be breach of contract and is a contractual compliant outcome. During the tender period there are two types of supplementary benefits which include:-

Requested Supplementary Benefits

Benefits which have been defined and requested by the procuring authority and are contained within their community benefit project plan.

Additional Supplementary Benefits

This is an optional requirement within any invitation to tender. When invited by the procuring authority, the supplier can offer additional supplementary benefits within their tender submission. The additional supplementary benefits will have the same “reasonable endeavours” contractual requirements.

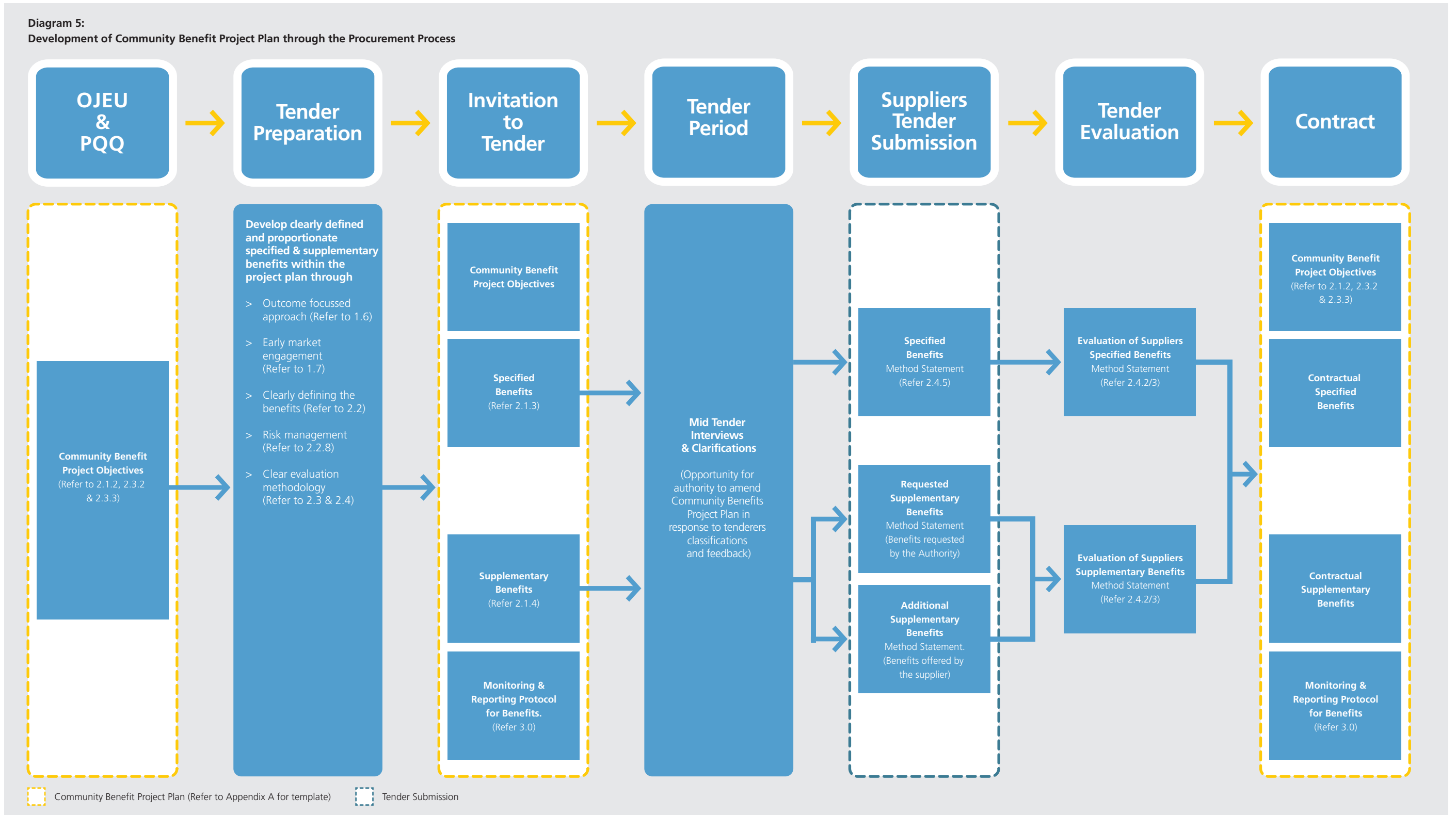
Upon appointment of the successful bidder, then all requested and additional supplementary benefits will be subsumed into the contractual community benefit project plan and will have the same contractual requirements.

2.0
PROCUREMENT
OF COMMUNITY
BENEFITS

2.0
PROCUREMENT
OF COMMUNITY
BENEFITS

2.1.5 Development of the Project Plan during the Procurement Process

The diagram below summarises the development of the community benefit project plan through the procurement process.



2.0
PROCUREMENT
OF COMMUNITY
BENEFITS

The community benefit project plan will develop through each stage of the procurement process. The table below summarises the key components at each stage of procurement.

Table 4: Development of the Project Plan

Procurement Stages	Community Project Plan Benefits Plan			
	Community Benefits Project Objective	Specified Community Benefits	Supplementary Community Benefits	Monitoring & Reporting Requirements
OJEU Notice	●			
PQQ	●			
Tender Documents	●	●	●	●
Suppliers Tender Offer	●	●	●	●
Contract	●	●	●	●

The procuring authority on a project by project basis can decide how benefits are classified (either specified or supplementary). The classification of a benefit will effect the risk profile for delivery. The procuring authority should consider this during the development of the plan. (Refer to section 2.2.7).

For alternative procurement processes (2 Stage Tendering, Framework or partnership arrangements) the development of the project plan can adopt the same structured approach. The procuring authority should seek to establish their community benefit requirements as early as possible during the development process and prior to any invitation to tender.

Where this is not possible, (ie. programme constraints) the procuring authority can work collaboratively with the supplier to develop their community benefit project plan. With this approach, the procuring authority should ensure they maintain control of the project plan until completion of the project.

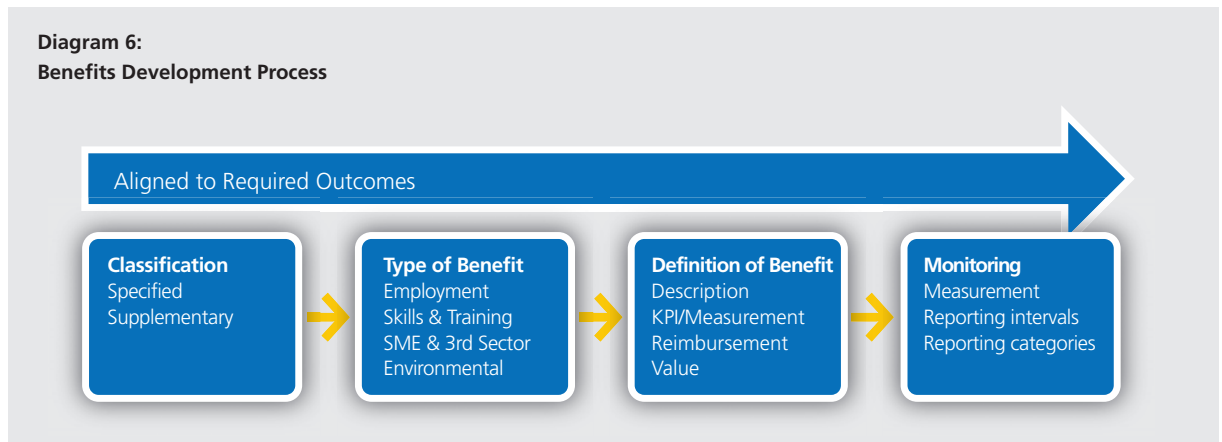
2.1.6 Converting Supplementary to Specified Benefits

Through the development process outlined within section 2.1.5, the procuring authority and the supplier can (subject to agreement) convert supplementary benefits into specified benefits. This could occur after tender evaluation and once the successful tenderer has been identified. This will provide greater certainty to the procuring authority that benefits will be delivered. Unless already proposed within the supplier’s tender offer, any conversion of supplementary benefits after tender evaluation would be subject to agreement by both parties.

2.0
PROCUREMENT
OF COMMUNITY
BENEFITS

2.2 Community Benefits Definitions & Measurements

This section provides a methodology for defining benefits for inclusion within the community benefit project plan. Clear definitions and measurements offer the supplier certainty when bidding and avoid disputes during the post contract phase. If procuring authorities apply a consistent approach to definitions then this will support a consistent method of reporting. The four key steps in the development of benefits are set out below:-



When defining benefits, the procuring authority must ensure they are proportionate and deliverable. In deciding whether a benefit is to be specified or supplementary, consideration must be given to the risk profile in delivering that benefit. Where a supplier requires the engagement and agreement of a third party to deliver a benefit (i.e. school visit), then these benefits may be more suited as a supplementary benefit. The following tables stipulate where benefits might be more suited to supplementary benefits. Refer to section 2.2.7 for further information in regards to risk management.

Another key part in the development of benefits is through community engagement to inform effective outcome focused benefits. Case studies in how partnership working and community engagement can be implemented are contained within section 4.4 of this toolkit. To support the development of benefits, a template community benefit project plan is included within appendix A.

2.0
PROCUREMENT
OF COMMUNITY
BENEFITS

2.2.1 Employment

Employment benefits can be defined and adapted to meet the procuring authority’s project objective. The following table lists the type of employment benefits and considerations to be made when defining these benefits:-

Table 5: Employment benefits - Types & Definitions

Employment Benefits Type	Considerations When Defining the Benefit
New Entrants	<ul style="list-style-type: none"> > Specify the job type (e.g. M&E/Joiner/Operative). > Specify duration of unemployment prior to employment on project. > Level of experience prior to employment (e.g. no skills & experience). > Duration of new employment before benefit deemed to be achieved. CITB advise 12 weeks. > Unit for measurement (e.g. number of new entrants). > Specify evidence/information required to demonstrate delivery of the benefit.
Indirect New Entrants	<ul style="list-style-type: none"> > Specify the job type (e.g. M&E/Joiner/Operative). > Specify duration of unemployment prior to employment on project. > Level of experience prior to employment (e.g. no skills or specify level of experience). > Duration of new employment before benefit deemed to be achieved. CITB advise 12 weeks. > Unit for measurement (e.g. number of new entrants). > Specify evidence/information required to demonstrate delivery of the benefit.
Graduates	<ul style="list-style-type: none"> > Specify the job type (e.g. Engineers/PM/QS). > Unit for measurement (e.g. number of new entrants). > Specify evidence/information required to demonstrate delivery of the benefit.
Apprenticeships	<ul style="list-style-type: none"> > Specify the apprenticeship type (e.g. M&E/Joiner/Operative). > Specify level of attainment at the beginning and end of projects (e.g. SNVQ Level 2 or 3). > Specify requirement to utilise a shared apprenticeship scheme. > Specify evidence/information required to demonstrate delivery of the benefit. > Consider opportunity to promote continuity of apprenticeship (e.g. target level 2 or 3 apprenticeships)

EU principles of freedom of establishment and non-discrimination prevent public sector clients from expressly requiring bidding suppliers to provide opportunities for local residents within a given area or even within the UK. Such obligations must not be included in either tender documents or contract conditions. However, a procuring authority can make use of local employment vehicles by stipulating that vacancies created as a result of the project must be advertised within specific employability offices, as well as anywhere else the contractor chooses to advertise. This will ensure that everyone will have an equal chance of competing for the vacancy.

2.0 PROCUREMENT OF COMMUNITY BENEFITS

When defining employment benefits procuring authorities should ensure they deliver long term opportunities for the new entrants and that the introduction of a new entrant is not at the expense of the existing workforce.

2.2.2 Skills & Training

Skills and training benefits can be defined and adapted to meet the procuring authority's specific project objective. The following table lists the type of skills and training benefits as well as the considerations to be taken into account when defining these benefits:-

Table 6: Skills & Training - Types and Definitions

Skills & Training Benefits Type	Considerations When Defining the Benefit
Work Placements	<ul style="list-style-type: none"> > Specify group (e.g. age 14-16/16-19 or Pre-Employment). > Specify partners if required. (E.g. Princes Trust/Women in Construction, Job Centre Plus or local community organisations). > Specify the duration of placement to qualify as a benefit (e.g. minimum 5 days or other). > Unit for measurement (e.g. number of placements or days). > Specify evidence/information required to demonstrate delivery of the benefit.
Curriculum Support	<ul style="list-style-type: none"> > Specify type of curriculum initiative. > Unit for measurement (e.g. number of placements or days). > Specify evidence/information required to demonstrate delivery of the benefit.
Visits - School	<ul style="list-style-type: none"> > Whether visit was to school or to sites. > Unit for measurement (e.g. number of pupils engaged). > Specify evidence/information required to demonstrate delivery of the benefit.
Visits - Further Education	<ul style="list-style-type: none"> > Whether visit was to further education facility or to sites. > Unit for measurement (e.g. number of students engaged). > Specify evidence/information required to demonstrate delivery of the benefit.
Educational Engagement	<ul style="list-style-type: none"> > Specify project type (e.g. arts project, project acting as case study for a course). > Unit for measurement (e.g. number of beneficiaries or number of educational projects). > Specify evidence/information required to demonstrate delivery of the benefit.

2.0
PROCUREMENT
OF COMMUNITY
BENEFITS

2.2.3 Environmental

For construction projects, the majority of the environmental benefits will be embedded within the design and performance of the new facility. By aligning with performance targets (EPC, BREEAM etc.), environmental sustainability is considered at the outset of the project. Authorities should refer to specific guidance in relation to delivery of environmental sustainability and benefits within projects.

During the construction phase, some further environmental benefits can be delivered and therefore can be included within the community benefit project plan. The following table lists the type of environmental benefits and considerations to be made when defining these benefits:-

Table 7: Environmental benefits - Types and Definitions

Employment Benefits Type	Considerations When Defining the Benefit
Recycled Waste	<ul style="list-style-type: none"> > Specify requirement (e.g. application of the Zero Waste Scotland initiatives). > Unit for measurement (i.e. % of works). > Specify evidence/information required to demonstrate delivery of the benefit.
Reduced Waste To Landfill	<ul style="list-style-type: none"> > Specify requirement (e.g. re-use inert material). > Unit for measurement. > Specify evidence/information required to demonstrate delivery of the benefit.
Reduced Site Pollution	<ul style="list-style-type: none"> > Specify requirement (e.g. noise, air or water pollution). > Unit for measurement. > Specify evidence/information required to demonstrate delivery of the benefit.
Habitat Enhancement	<ul style="list-style-type: none"> > If actual environmental enhancements are required then these should be defined as part of contract as they are not community benefits. > Specify requirements (e.g. volunteer work/ community landscaping projects/ tree planting etc.). > Unit for measurement. > Specify evidence/information required to demonstrate delivery of the benefit.
Carbon Reduction	<ul style="list-style-type: none"> > Specify requirement. Consider benefits which lead to carbon reduction initiatives. (Introduce car sharing scheme to site operatives, training and awareness workshops to building users on efficient use of building, deliver cycling proficiency training).

2.0 PROCUREMENT OF COMMUNITY BENEFITS

2.2.4 SME & 3rd Sector Involvement

When developing skills and training benefits, they can be defined and adapted to meet the procuring authorities project objectives. The following table lists the type of 3rd Sector benefits and considerations to be made when defining these benefits:-

Table 8: SME & 3rd Sector Benefits - Types and Definitions

SME & 3rd Sector Benefit Type	Considerations When Defining the Benefit
Work Awarded By Value (£)	<p>> Supplementary Benefit Only – Used to collate/measure data only. Authority must not specify requirements regarding the awarding of work or contravene discrimination regulations.</p> <ul style="list-style-type: none"> > The benefit is calculated on the total value of work awarded versus the total value or works awarded to SMEs. Definition required as to what value is to be used (contract price, work package value, project cost etc.). > Specific location of SME (e.g. local, national, within a postcode, within an authority areas or hub territory). > Specify size of SME (refer to SG definition). > Unit for measurement (% of works awarded to SMEs by value). > Specify evidence/information required to demonstrate delivery of the benefit.
Work Awarded By Tendering Opportunities (number)	<p>> Supplementary Benefit Only – Used to collate/measure data only. Authority must not specify requirements regarding the awarding of work and contravene discrimination regulations.</p> <ul style="list-style-type: none"> > The benefit is calculated on total number of tender opportunities versus the total number of successful SMEs. > Specific location of SME is optional (e.g. local, national, within a postcode, within a authority areas or hub territory). > Specify size of SME (refer to SG definition). > Unit for measurement (% of total tendering opportunities awarded to SMEs). > Specify evidence/information required to demonstrate delivery of the benefit.
Supplier Development	<ul style="list-style-type: none"> > Specify type of seminar (e.g. work winning, value management, risk management, PQQ bidding, H&S, environmental stewardship). > Specify frequency. > Unit for measurement (e.g. number of seminars or number of beneficiaries). > Specify evidence/information required to demonstrate delivery of the benefit.
Meet The Buyers Days	<ul style="list-style-type: none"> > Specify frequency. > Unit for measurement (e.g. number of seminars or number of beneficiaries). > Specify evidence/information required to demonstrate delivery of the benefit.

2.0
**PROCUREMENT
 OF COMMUNITY
 BENEFITS**

SME & 3rd Sector Benefit Type	Considerations When Defining the Benefit
Advertising Works On Public Contracts Scotland Training	<ul style="list-style-type: none"> > Specify the scope of the contract to be advertised on PCS (by value, number of packages, discipline etc.) > Specify type (e.g. leadership, supervisor, H&S, presentation, BIM, bid training etc.). > Specify attendees (e.g. suppliers, sub-contractors, designers etc.). > Unit for measurement (e.g. number of seminars or number of beneficiaries). > Specify evidence/information required to demonstrate delivery of the benefit.
Community Events	<ul style="list-style-type: none"> > Specify type of event (e.g. presentation to community, volunteer work). > Specify type of volunteering. > Specify target group to benefit which is linked to strategy. > Unit for measurement (e.g. number of events or hours of volunteer work). > Specify evidence/information required to demonstrate delivery of the benefit.

Through any investment, the economic benefits will be realised by awarding contracts in the local and national economy. As a result, the level of works awarded to SMEs will significantly affect the economic impact of that project. EU principles of freedom of establishment and non-discrimination prevent public sector clients from expressly requiring bidding contractors to provide opportunities for local organisations within a given area or even within the UK. Such obligations must not be included in either tender documents or contract conditions. An example of legitimate interventions a procuring authority may take is to request the tier 1 supplier to advertise tendering opportunities on Public Contracts Scotland or hold “Meet the Buyer” events to promote tendering opportunities to the local tier 2 and 3 supply chain.

2.2.5 Key Performance Indicators

Once the community benefits definitions have been prepared, then associated Key Performance Indicators (KPIs) must be defined against each benefit. When setting the KPIs, procuring authorities must ensure they are reasonable and proportionate to the contract. Once the method of measurement for that benefit has been defined then an associated target must be set. To decide on the level at which KPIs are set, procuring authorities can call upon the following information:-

- > Benchmark data available (CITB client based approach, hub programme or internal benchmark data).
- > Experience of previously delivered projects and lessons learned.
- > Engagement and sharing of experience with other procuring authorities.
- > Early market engagement (refer to section 1.7).
- > Existing knowledge of local market capacity.

Where a procuring authority cannot reasonably set a measurable target for a community benefit, they may classify this as a supplementary benefit. Supplementary benefits will not be enforced through non-compliance measures provided for in the contract and are benefits which the contractor commits to delivering with “reasonable endeavours”. A failure to meet target measures having used reasonable endeavours is not breach of contract.

2.0 PROCUREMENT OF COMMUNITY BENEFITS

2.2.6 Specifying Contractual Recourse for Non-Compliance

As outlined within section 2.1.3, the specified benefits have defined measurable outcomes which the supplier must deliver. Within the ITT and contract documents, the procuring authority must clearly state the contractual remedies in the event that the specified benefits are not delivered. The primary remedy is for the procuring authority to insist on contract performance – as with any contractual commitment.

The secondary remedy for specified benefits is for there to be an adjustment to the contract sum to reflect the failure to deliver. The losses which the procuring authority suffers from the failure to deliver a community benefit may be difficult to assess. It is suggested that the reimbursement value of specified benefits is agreed and recorded in the community benefit project plan by the procuring authority.

In setting the reimbursement value the procuring authority must ensure it is reasonable and proportionate in the totality of the contract. Where a procuring authority is uncertain about setting the reimbursement values, they can inform their decision through benchmark data, knowledge sharing with other public sector bodies or feedback from early market engagement.

The suggestion that the reimbursement value of specified benefits is agreed and recorded in the contract is because assessing contractual damages in the normal way can be challenging. It is recognised that the approach might theoretically lead to the reimbursement values being challenged as contractual penalties. This risk can be reduced if the procuring authority has evidence of the value or cost to it of the delivery of the community benefit and the re-imbursement value is set accordingly. However, even though there is the risk of the adjustment being subject to a potential challenge as a penalty, it is suggested that this is better than the alternative which is a claim for breach which may be problematic in other ways. It also must be remembered that the primary remedy is the insistence on contract performance.

2.2.7 Risk Management in Defining Benefits

When developing benefits within the community benefit project plan, the procuring authority should monitor the risk profile for the benefits. A combination of excessive requirements coupled with excessive reimbursement values, may lead to risk being priced within a contract and may erode the value for money position. Risk considerations to be made when defining community benefits include:-

- > Does the community benefit require the contribution of a third party? Can the supplier influence the third party sufficiently to support the delivery that benefit?
- > Are the reimbursement values associated with the specified benefit reasonable and proportionate?
- > Are the benefits clearly defined and not open to interpretation?
- > Does the market have the capacity to deliver that benefit? (refer to section 1.5.2 and 1.7)
- > Would the benefit be better suited as a supplementary or specified benefit?

Where a benefit is deemed to carry significant risk in delivery, the procuring authority should consider reducing the requirements, setting as a supplementary benefit or withdrawing the benefit from the project plan.

The overall objective is to develop a community benefit project plan which is deliverable, proportionate and offers the supplier a realistic opportunity to meet the procuring authority required outcomes.

2.0 PROCUREMENT OF COMMUNITY BENEFITS

2.3 Specifying Community Benefits within Procurement Documents

This section provides guidance to procuring authorities when specifying their community benefits within contracts to allow them to remain within the parameters of their procurement duty and regulations. Procuring authorities and suppliers are advised to obtain their own legal advice when incorporating community benefits within contracts.

2.3.1 Approach to specifying Community Benefits

When including community benefits and associated clauses, the overarching approach should be to include the requirements within the procurement process at the earliest opportunity. Ideally, these should be set out within the OJEU notice. Other considerations to be made when including community benefits clauses in contracts include:-

- > Legal and policy justifications.
- > Contract suitability and capacity need to be addressed on a case-by-case basis.
- > Clearly setting in advance the implementation and monitoring requirements.
- > Community benefit clauses must be mentioned in any OJEU notice by a contracting authority and throughout the procurement process.
- > Community benefit clauses need to have a direct link to the core purpose of the contract.
- > Direct or indirect discrimination must be avoided.

2.3.2 Contract Notice

The inclusion of social requirements in contract conditions must be mentioned in any OJEU notice for projects equal to or above £4.3m. The Procurement Reform Act 2014 requires the procuring authority to include:-

1. a summary of the community benefit requirements it intends to include in the contract; or
2. where it does not intend to include any such requirements, provide a statement recording the reasons for this.

The following sample wording can be considered when preparing the OJEU Notice. This would be included under the heading 'other information'.

Example OJEU Notice Wording

"Under this [procurement/project] the [contractor/developer] will be required to support the authority's economic and social regeneration objectives. Accordingly, contract performance conditions may relate in particular to social and environmental considerations."

Where recruitment is included as a requirement of the contract, the Common Procurement Vocabulary (CPV) for "labour recruitment and the provision of personnel services", CPV 74500000-4, should be included in the list of CPV codes given in the OJEU Notice.

Use of appropriate wording in standard notices (e.g. OJEU Notice), for example use of the text set out above, reserves the right to take account of social and environmental issues in the award of the contract.

If a Prior Information Notice (PIN) is used in advance on the OJEU contract notice then the community benefit information (as is set out above) should be included at that stage.

2.0 PROCUREMENT OF COMMUNITY BENEFITS

2.3.3 Pre-Qualification Questionnaire

Where community benefits are included as a requirement of the contract, the following questions can be asked in the pre-qualification questionnaire to assess the bidder's technical capability:-

Example Pre-Qualification Question

Please give three examples of how your organisation has delivered community benefits on previous projects and how they addressed the following issues:-

- a. generating employment and training opportunities for long-term unemployed people;
- b. providing training opportunities;
- c. development of trade skills in your existing workforce; and
- d. equal opportunities recruitment procedures.
- e. delivering environmental benefits

The method of evaluation for the PQQ should be clearly set out and further guidance is contained in section 2.4.1.

2.3.4 Invitation to Tender

When incorporating community benefits within the invitation to tender, the procuring authority should ensure they include the completed community benefit project plan.

The procuring authority should also request that a method statement be submitted as part of the tender submission. This community benefit method statement will offer an opportunity for the supplier to set out their approach and methodology in delivering the specified and supplementary benefits. The supplier can also include a method statement about how they will deliver any additional supplementary benefits they wish to offer as part of their bid. The evaluation of community benefits within the tender submission is outlined with section of 2.4. Example criteria that can be included within the ITT are as follows:-

Example Invitation to Tender Requirement

Model Tender Requirements

By submitting a tender, the bidder agrees they can deliver all specified and supplementary benefits included in the community benefit project plan.

1. Refer to the community benefit project plan contained in section (...). The tenderer should provide a methodology detailing how they will deliver the specified benefits. The tenderer should address the following within their methodology:-
 - a. The methodology for delivering the specified benefits.
 - b. Resource and governance to be implemented to deliver these benefits.
 - c. Method of collation/evidencing and reporting of these benefits.
2. Refer to the community benefit project plan contained in section (...). The tenderer should provide a methodology detailing how they will deliver the required supplementary benefits within their tender. The tenderer should address the following within their methodology:-
 - a. The methodology for achieving the stipulated supplementary benefits.
 - b. Resource and governance to be implemented to deliver these benefits.
 - c. Method of collation/evidencing and reporting of these benefits.
3. (Optional) Refer to the community benefit project plan contained in section (...). The tenderer should provide a methodology detailing how they will deliver any additional supplementary benefits they propose within their tender. The tenderer should address the following within their methodology:-
 - a. A methodology for any additional supplementary benefits proposed by the tenderer and how these additional benefits address the Community Benefit Project Objectives.
 - b. Resource and governance to be implemented to deliver these benefits.
 - c. Method of collation/evidencing and reporting of these benefits.

Note bidders are to be assessed on a qualitative basis against their additional supplementary method statements and not the quantum of the benefits being proposed.

2.0
PROCUREMENT
OF COMMUNITY
BENEFITS

2.3.5 Contract Execution

Once a preferred bidder has been identified, then the procuring authority should incorporate, into the contract, the agreed community benefits project plan. When incorporating the community benefit project plan, the procuring authority should ensure that:-

- > The benefits, definitions, measurements and monitoring are clearly understood.
- > Any supplementary benefits that are required to be transferred to specified benefits are completed.
- > The community benefits contract clauses are understood and agreed between all parties.
- > Any tender clarifications within the supplier’s tender are addressed through withdrawal or amendment to the community benefits project plan.

2.3.6 Contract Conditions – Model Clauses

On the basis of a fully developed community benefit project plan, this will set out the requirements of the procuring authority and any reimbursement values. Example model clauses are as follows:-

Model Clauses
<ol style="list-style-type: none"> 1. The [Contractor/Developer] agrees to deliver the community benefits requirements as scheduled within the Community Benefit Project Plan as listed within [...]. The Contractor is to ensure all obligations are met and that accurate reporting and monitoring is completed and no double counting of benefits is incorporated within any reporting. 2. "Community Benefit Project Plan" means the plan with that title set out at Part [...] of the Schedule. 3. "Specified Benefits" means those community benefits requirements set out in Part One of the Community Benefit Project Plan. 4. "Supplementary Benefits" means those community benefits requirements set out in Part Two of the Community Benefit Project Plan. 5. The Contractor shall deliver the Specified Benefits. 6. The Contractor shall use reasonable endeavours to deliver the Supplementary Benefits. 7. If any Specified or Supplementary Benefit is not delivered in full by the relevant delivery date as set out in the Community Benefit Project Plan then: <ol style="list-style-type: none"> 7.1 such late, partial or non-delivery shall constitute a breach of this Agreement; and 7.2 in addition to being a breach of this Agreement, and without prejudice to any other remedy which the Authority may have, in the case of Specified Benefits only, the Contractor shall pay to the Authority an amount equal to the reimbursement value set out in the Community Benefit Project Plan as relative to that Specified Benefit.

The community benefit project plan should be in two parts - the first for the specified benefits and the second for the supplementary benefits. For each benefit there should be a clear description of it, and optionally a timescale for its delivery.

For the specified benefits there should also be a reimbursement value if it is not achieved. That value could be specified as an absolute, as a multiple (e.g. an amount of money per apprentice if 3 are to be delivered) or with time introduced as a factor (e.g. if an apprentice had to be delivered by the end of year 2, the reimbursement value is assessed each month at the end of which there is still failure).

The model clause will need to be integrated into the form of contract adopted by the authority. When integrating the clause (and when implementing its terms) particular care needs to be applied to the "set off" provisions allowing the authority to "net off" any reimbursement values against contract sums, and the "pay less" notice provisions which are relevant to the withholding of sums under regulated construction contracts.

2.0
PROCUREMENT
OF COMMUNITY
BENEFITS

2.4 Evaluation of Community Benefits within Submissions

When procuring community benefits, the procuring authority must comply with its procurement obligations and provides a clear and transparent approach to how the PQQ and tender submission will be evaluated. The key factors to take into account when assessing community benefits proposals include:-

- > The assessment of community benefits must be made on a qualitative basis.
- > The procuring authority must be clear within their PQQ and invitation to tender how they will score the community benefits and what level of the scoring will be attributed to community benefits.
- > The procuring authority should consider where possible the application of the tender evaluation methodology outlined within the Construction Journey.

2.4.1 Evaluating Community Benefits at Pre-Qualification Questionnaire

The procuring authority can assess the supplier’s capability of delivering community benefits at PQQ stage. The selection process should be a “backward-looking, not forward-looking” process. That is, the criteria for selection must concentrate on the general suitability and capability of the supplier for the project, as opposed to the specific means by which the supplier would perform the contract.

The example below highlights how a procuring authority could evaluate the technical capability of the bidders at PQQ stage.

Example A – Weighting of Community Benefits at PQQ

The example below offers a suggested selection criteria for a project. The apportionment of scoring attributed to community benefits should be assessed on a project by project basis.



Alternatively, the procuring authority might include a pass/fail criteria for the assessment of the PQQ.

Within the PQQ, the procuring authority should clearly set out what criteria the supplier will be scored against. An example of the criteria that could be included within the PQQ is contained within section 2.3.3. The procuring authority should adopt a clear scoring methodology and this should be communicated to the supplier within the PQQ. The procuring authority can use their own scoring methodology or adopt the methodology contained within the Construction Journey.

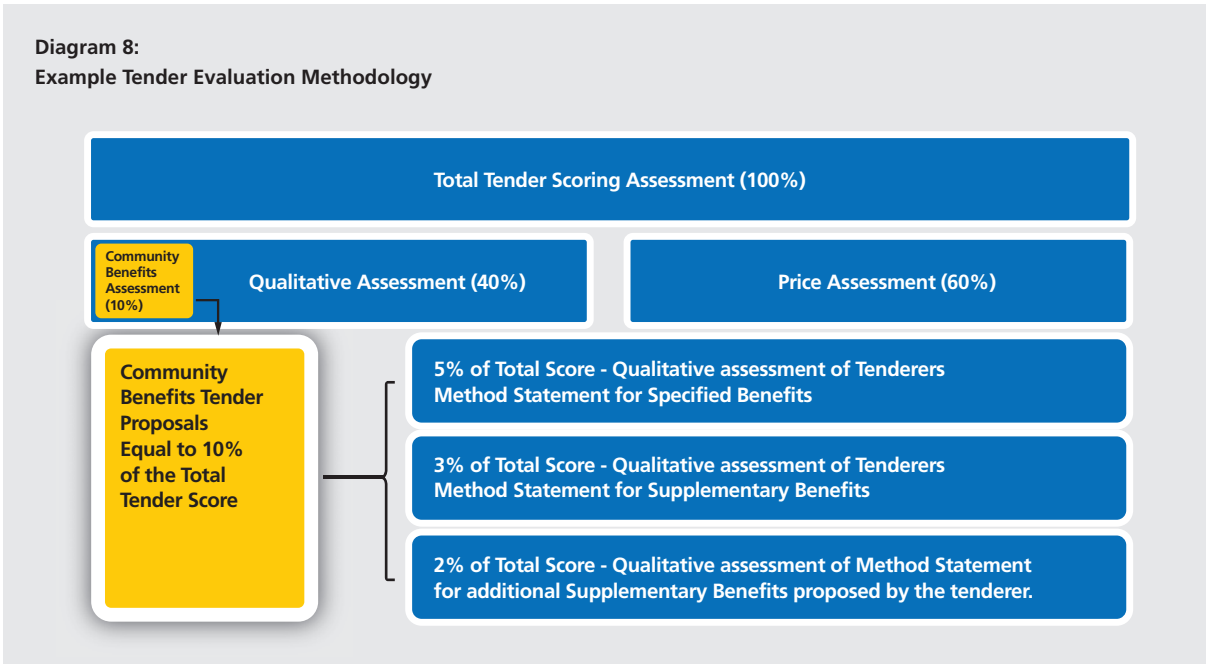
2.0 PROCUREMENT OF COMMUNITY BENEFITS

2.4.2 Evaluating Community Benefits at Tender Stage

The example below, highlights how a procuring authority could evaluate community benefits within the tender submission.

Example B – Weighting of Community Benefits within Tenders

The example below offers a suggested selection criteria for a project. The apportionment of scoring attributed to community benefits should be assessed on a project by project basis.



Within the ITT the procuring authority should clearly set out what criteria the supplier will be scored against. An example of the criteria that could be included within the PQQ is contained within section 2.3.4. The procuring authority can use their own scoring methodology or adopt the methodology contained within the Construction Procurement Journey.

2.0 PROCUREMENT OF COMMUNITY BENEFITS

Example C – Evaluation of Bidders Specified Method Statements

The following example offers a suggested approach to evaluating community benefits within tenders. The example is for the evaluation of the method statements for the specified benefits within a bid. The example assumes there are 5 bidders who have each submitted method statements for the specified benefits detailed within the community benefit project plan. The invitation to tender included specific evaluation criteria (Refer to section 2.3.4) and assumed a weighting for this section of 5% of the total tender. The assessors scoring criteria adopted for this example is listed below:-

Example Scoring Criteria

No	Score		Description
	%		
0	0%	Unacceptable	Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.
1	25%	Poor	Response is partially relevant and poor. The response addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled.
2	50%	Acceptable	Response is relevant and acceptable. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas.
3	75%	Good	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.
4	100%	Excellent	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.

Based on the scoring criteria listed above, the following table highlights a summary of the evaluation.

Example Evaluation Summary of the Specified Benefit Method Statements

Bidder	Bid Compliant to Community Benefit Plan	Quality of specified benefits method statement	Section Weighting For Specified Benefits (%)	Assessors Score (Out of 4)	Assessors Weighted Score
A	✓	Acceptable	5%	2	2.5%
B	✓	Acceptable	5%	2	2.5%
C	✓	Good	5%	3	4%
D	✓	Excellent	5%	4	5%
E	✗	Acceptable	5%	0	0%

In the above example, Bidder E qualified their bid and withdrew the commitment to deliver some of the specified benefits. Within this example, Bidder E's bid was non-compliant with the required specified benefits. As the bidder has failed to demonstrate an ability to deliver the requirements, bidder E scored zero for the specified benefits section regardless of the acceptable method statement.

2.0 PROCUREMENT OF COMMUNITY BENEFITS

The procuring authority should use experienced individuals in the assessment of the method statements. This may include a community benefit manager within the organisation or other consultant advice. For suppliers, the development of method statements will be fundamental to successful community benefit submissions. Support and training is available through a number of agencies such as Supplier Development Programme and Ready for Business (refer to section 2.5). Further guidance on method statement development is included in section 2.4.5.

2.4.3 Evaluation of Non-Compliant Tenders

In the event that a bidder qualifies a tender submission and confirms that they are unable to deliver some or all of the specified or supplementary benefits, the evaluator should ensure that the ITT sets out how this will be scored.

Where some or all of the specified or supplementary benefits are excluded from a bidders tender submission, the evaluation of that bid can be adjusted through a predetermined scoring adjustment within the qualitative assessment. Alternatively this non-compliance could be treated as a pass/fail for an element of the bid or the entire tender (Refer to example C). Whichever approach is adopted, the procuring authority must clearly state the evaluation methodology within the invitation to tender. Where a procuring authority has carried out a robust approach to bidder selection and the development of their community benefit requirements (market engagement, benchmarking, mid-tender clarification), then the risk of non-compliant community benefit tender submission should be minimal.

2.4.4 Evaluation of Commercial Variances

The fundamental approach for specified or supplementary benefits is that the evaluation process should assess how the bidder plans to deliver the community benefits requirements. This is through the qualitative assessment of the method statements. If all bidders offer a compliant tender submission there will be no need to evaluate the nature of the community benefits themselves, because there will be no variances between bidders in terms of their scope or scale. In other words the evaluation is of delivery methodology, rather than what the benefits are.

However, variances may occur where additional supplementary benefits are requested in the invitation document and included within a tender. These benefits may vary in terms of scope and scale across the tender submissions. The recommended method of evaluation is still through a qualitative assessment of the associated method statement. It is not recommended that the procuring authority tries to ascribe a financial value to each additional supplemental benefit and to include that in the price/commercial evaluation process.

The evaluation criteria for additional supplementary benefits needs to be able to assess two key aspects. These are:-

1. "How" will the supplier deliver the proposed community benefit. (As per specified benefits)
2. "How" will the benefits being proposed support the authority's community benefit objectives.

Both aspects will be assessed through a qualitative assessment of the method statement. Example criteria are included in section 2.3.4. Scoring additional supplementary benefits within tenders will require the panel to exercise their professional judgement. It will be a judgement based score, in the same way as a panel may evaluate design, rather than a process driven score such as pricing.

2.0 PROCUREMENT OF COMMUNITY BENEFITS

If this approach is adopted, the procuring authority should clearly set out its approach in the invitation document. The procuring authority should clearly state that any variances in the scope or scale of additional supplementary benefits, will not form part of the financial evaluation process. Furthermore the evaluation will be based on qualitative assessment of the method statements against the defined criteria.

The procuring authority should ensure they seek the correct legal and procurement advice early within the process to ensure the evaluation of community benefits can be done in a way which ensures compliance.

2.4.5 Development of Suppliers Method Statements

In the preparation of the method statements, the supplier should ensure they address the criteria which have been set out within the invitation to tender. Areas to be considered for inclusion within a community benefit method statement include:-

- > The approach of the supplier in delivering the community benefits.
- > Ensuring compliance with the community benefit project plan.
- > Demonstrating consultation with support agencies where applicable.
- > Demonstrating consultation with third parties where applicable (school, colleges, communities).
- > Demonstrating engagement with the supply chain in the delivery of benefits.
- > Consider emphasis of fair employment practice.
- > Opportunities to innovate.

In addition, the supplier should also consider opportunities for innovation. Any innovative benefits that the supplier can offer can be included and evaluated within the additional supplementary benefits section. When developing new and innovative benefits, the supplier may consider the following:-

- > Aligning the proposals to the procuring authority's community benefit policy and project objectives.
- > Consider opportunities to further improve payment terms to SMEs.
- > Consider additional benefits to support the local community needs.
- > Opportunities to include supported businesses within projects.
- > Additional benefits to support third parties outwith construction (e.g. designers, suppliers, cleaners, catering etc).
- > Consider current public sector legislation and requirements (e.g Living Wage, zero contract hours) and how the bidder can demonstrate alignment to these issues.

A full understanding of the procuring authority's community benefit policy and project objectives will support the supplier's ability to innovate and add value within the tender submissions.

2.0 PROCUREMENT OF COMMUNITY BENEFITS

2.5 Funding & Support Initiatives

For both procuring authorities and suppliers there are a number of organisations that can provide resources, knowledge and funding to support the implementation of community benefits. Example organisations include:-



The Developing Markets for Third Sector Providers programme is being delivered by the Ready for Business consortium. The consortium is led by Ready for Business Procurement LLP, a partnership involving leading support providers to the Third Sector and Private Sector in Scotland.

www.readyforbusiness.org



SDP aims to assist SMEs improve their performance in winning contracts with public sector organisations. We offer information, support and training events to help unravel the tendering process.

www.sdpscotland.co.uk



Skills Development Scotland (SDS) is the national skills body supporting the people and businesses of Scotland to develop and apply their skills. SDS was formed in 2008 as a non-departmental public body, bringing together careers, skills, training and funding services.

www.skillsdevelopmentscotland.co.uk



We are the Industry Training Board and a partner in the Sector Skills Council for the construction industry in England, Scotland and Wales. It's our job to work with industry to encourage training, which helps build a safe, professional and fully qualified workforce. CITB also manage The Nationals Skills Academy.

www.citb.co.uk
www.cskills.org/nsacademy

Employability in Scotland

Scotland's employability framework 'Workforce Plus' recognised the need for real partnership working between agencies especially at local level to address employability challenges.

www.employabilityinScotland.com

Our Skillsforce

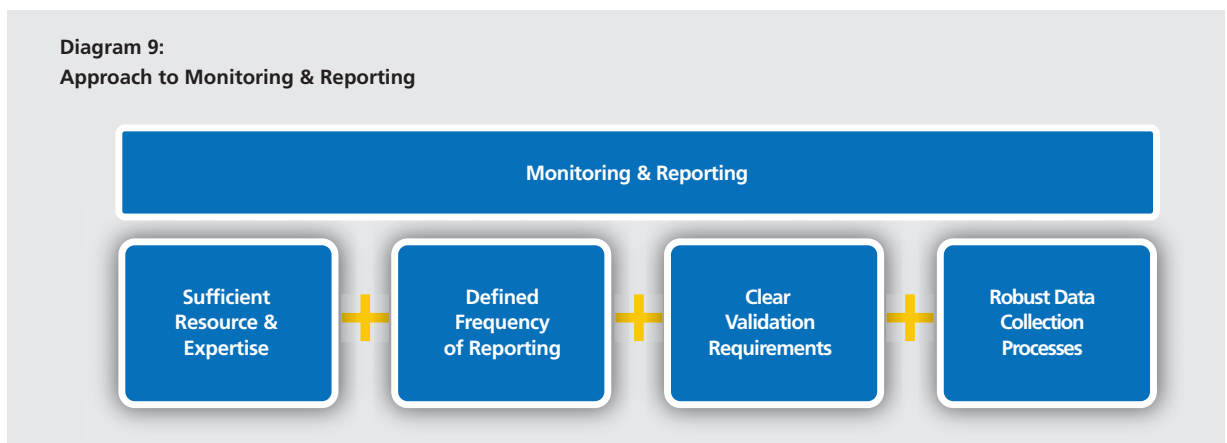
Our Skillsforce is brought to you by Skills Development Scotland and pulls together a wide range of skills related support into the one place. You will be able to access useful information, keep up to date with news and events as well as finding out about a wide range of funding opportunities.

www.ourskillsforce.co.uk

A list of current funding and support organisations is available [here](#). Procuring authorities and suppliers should engage with the organisations above on a project by project basis to identify current initiatives and areas of support.

03 Monitoring & Lessons Learned

This section outlines the approach to monitoring the delivery of community benefits and how this should inform future projects. There should be a robust and transparent method of checking outcomes in the contract to ensure that the supplier delivers the agreed community benefits. The four key areas to successful monitoring are:-



3.1 Monitoring & Reporting

3.1.1 Resource to Monitor Data

The majority of benefits are achieved during the construction phase of the project. As outlined in section 1.5.2, the procuring authority should ensure the correct level of resource is available to meet their duties and collect community benefits data as it is reported.

The approach of the supplier in delivering the required information will be outlined within their method statements and project plan. The procuring authority and the suppliers' community benefit representatives working closely together will be key to delivering the project objectives.

3.1.2 Frequency of Reporting

The frequency of reporting should be set out in the community benefit project plan. The inclusion of community benefits on the agenda of site progress meetings and monthly meetings will ensure this remains within the minds of all parties involved in the project. Alternatively quarterly review meetings can be carried out between the supplier and procuring authority to assess progress against the project plan.

The reporting should also be an opportunity to highlight any issues in the delivery of benefits as they arise. By identifying and notifying the project team early, this will offer all parties the opportunity to work collaboratively to mitigate the risk of the non-delivery of benefits within the community benefit project plan.

3.1.3 Validation of Benefits

The procuring authority should ensure that they have a sufficient level of confidence in the accuracy of the community benefits data that is being reported and included within their annual procurement report. The procuring authority should ensure they have a clear validation procedure to satisfy their own operational and governance arrangements. This will be set out in the community benefit project plan.

3.0 MONITORING & LESSONS LEARNED

The scale of validation will vary across procuring authorities. Where there is a large pipeline of projects, then the reliance on self-certification by the supplier with ad-hoc audits of this information would offer a manageable approach. However through effective contract management, all specified benefits should be fully validated to ensure compliance with the contract conditions. The information required to demonstrate that the benefits have been achieved will be outlined within the community benefit project plan. There are also defined methodologies that currently exist in the validation of data including the CITB client based approach.

When defining the benefits and subsequent validation, it is important that benefits are not double counted. This should be considered in the definitions of the benefits within the project plan but also in how benefits are validated.

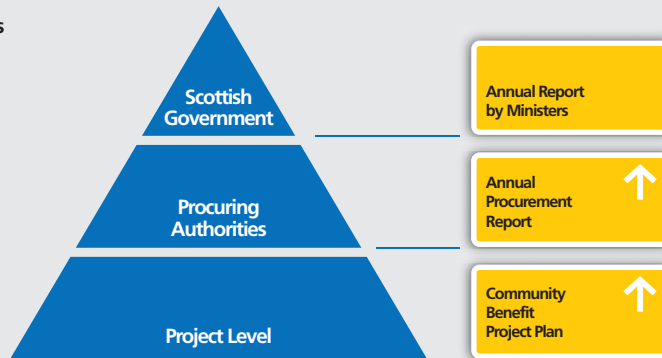
3.1.4 Data Collection

The authority should put in place a process for the collation and management of benefits data. This could be led and managed by their community benefits manager. The key areas to consider include:-

- > Consistency of reporting across all projects.
- > Information technology to manage data (reference can be made to CITB Sponsa system).
- > Align reporting to the template annual procurement report published by Scottish Government.

In the development of reporting, the procuring authority should refer to the Scottish Government Guidance in regards to preparation of the Annual Procurement Report.

Diagram 10:
Reporting of Community Benefits



The consistency of reporting will support the ability of procuring authorities to consolidate data across all their regulated projects and demonstrate enhanced benefits. An example case study of effective monitoring and reporting is contained within section 4.3 of this toolkit.

3.0 MONITORING & LESSONS LEARNED

3.2 Contractual Compliance

3.2.1 Administering Contractual Requirements

The procuring authority will apply their own professional judgment in the administering of the contract and associated conditions. Where community benefits are not delivered the procuring authority should proactively and collaboratively work to deliver the benefits with the supplier. The following approach should be taken when applying contractual remedies:-

Diagram 11:
Approach to applying contractual remedies



3.2.2 Contractual Adjustment for Non-Delivery

In the collection and monitoring of data during the service delivery phase, the procuring authority should ensure that the supplier delivers against all their contractual commitments. In the event that a KPI associated with a specified benefit has not been delivered then the procuring authority should enforce the contractual remedies that have been included within the contract (refer to section 2.2.6)

In the event a specified benefit is not delivered, the procuring authority can treat this as non-compliance and the reimbursement value can be deducted. This can be made within the valuation process and the procuring authority and their advisors should apply their own professional judgment on any adjustments.

The deduction of money due to the non-delivery of benefits should be the final recourse within a project. The opportunity to work collaboratively to deliver the community benefit project plan should be the priority of all parties.

3.2.3 Utilisation of Reimbursement Costs

If through the management of a contract costs are recovered for the non-delivery of community benefits, then the procuring authority could adopt the following approaches:-

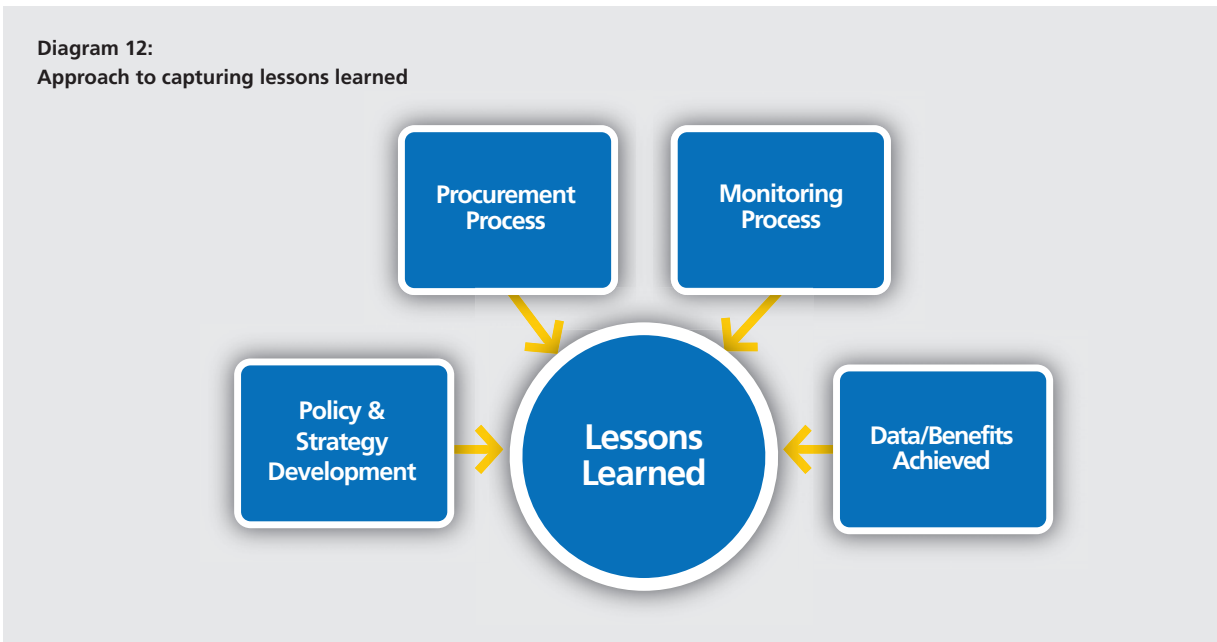
- > Offset the costs recovered through the non-delivery of community benefits against the overall contract sum.
- > Reinvest this money in new community benefit initiatives within the existing contract.
- > Ring fence this money and utilise it to invest in community benefits initiatives outwith the existing contract.

The decision on how this money is used will be made by the procuring authority. However the opportunity to reinvest within the existing project offers the advantage of realising benefits sooner and aligning to the objectives of that project.

3.0 MONITORING & LESSONS LEARNED

3.3 Lessons Learned

Capturing the lessons from the procurement of projects and transferring these to the next project is the final step in the community benefit cycle (Refer to 1.1). The procuring authority should include the delivery of community benefits in their post project review. The key areas to be considered are outlined below:-



Collating the lessons learned should be managed by the community benefit manager and any workshops or engagement should encompass all stakeholders involved in the community benefit cycle including the suppliers. Once this information is collated, it should be analysed against the 4 steps of the community benefit cycle as follows:-

1. Community benefits at pre-procurement.
2. Procurement of community benefits.
3. Monitoring.
4. Reporting of community benefits.

The lessons learned will inform future procurements and help the procuring authority harness greater social, economic and environmental benefits within future contracts. A case study outlining the approach to lessons learned is contained within section 4.3.2.

04 Community Benefit Case Studies

4.1 Community Benefits Policy & Objectives

4.1.1 CASE STUDY – Community Benefit Policy

Procuring Authority:

Glasgow 2014 Organising Committee

Project:

Commonwealth Games



Summary

The Glasgow 2014 commonwealth games has a combined investment in infrastructure of £575m. The opportunities this presented to the Glasgow 2014 Organising Committee to maximise social, economic and environmental benefits to the wider areas was fundamental to the success of the games. A Procurement Sustainability Policy was published in February 2013 to set out the OC's vision and policy in regards to sustainable procurement.

Learning Point

The Procurement Sustainability Policy offered a clear and concise approach in how the OC would meet their sustainable procurement requirements. This policy was linked to the vision for the games to **"leave a lasting legacy"**.

The policy was summarised as follows:-

"The OC are committed to sourcing sustainably, ensuring that all required goods and services are procured to an end that demonstrates, wherever feasible, ethical, social, environmental and economic benefits."

The policy document was set out in the following ways:-

- > Policy linked to the vision of Glasgow 2014 Organising Committee
- > Policy linked to other legislation and policies which included but were not limited to:-
- > International Labour Organisations (ILO) Fundamental Conventions.
- > Ethical Trading Initiatives Base Code.
- > Code of Conduct of The World Federation of the Sporting Goods Industry.
- > Responsible Sourcing of construction Products BRE BES 6001.
- > The policy set out 5 key areas where the sustainability agenda can be focused which include:-
- > Labour, social, waste, materials and transportation.
- > The policy set out a list of deliverables to be adopted to meet the sustainability requirements:-
- > To consider sustainability from the outset using cross-functional teams in order to determine the best solutions and the development of sustainably aware specifications.
- > To adopt a pragmatic approach to encouraging and influencing suppliers to improve their sustainability practices.
- > To not place unrealistic requirements on Small to Medium Size Enterprises (SMEs), disadvantaging them from doing business with the OC.
- > Every effort will be made to conduct activities to support and deliver community benefits and work in partnership with suppliers to achieve this.
- > As stated in the procurement code of conduct, the OC does not intend to place onerous requirements on suppliers. Any measures adopted will be proportionate to the value of the requirement.
- > The OC will clearly state sustainability objectives from the outset of any procurement and would like to encourage suppliers to be innovative in their response on how to meet. Where appropriate updates will be requested on progress towards sustainability targets by the supply chain.
- > Application of common sense approaches to reducing the negative and improving the positive footprints left behind.

Key Lessons

The sustainability policy consider both organisational policy and external legislation and policy.

The policy was published at the outset of the procurement process and distilled down to procurement activities.

Contact

http://www.glasgow2014.com/sites/default/files/documents/G2014-Procurement-Sustainability-Policy-FINAL-V2-070213_0.pdf

4.0

COMMUNITY BENEFITS CASE STUDIES

4.1.2 CASE STUDY – Community Benefit Policy



Procuring Authority:
Glasgow City Council

Summary

Glasgow City Council in 2010, launched a Sustainable Procurement Policy and action plan, this was in line with Glasgow City Council key objectives, GCC Climate Change Strategy, Corporate Procurement Strategy, and in response to the Scottish Government Sustainable Procurement Action Plan and the review of public procurement in Scotland. The aim of the policy is to embed sustainability principles (social, economic and environmental) into all procurement within Glasgow City Council.

Learning Point

Glasgow City Council have developed a community benefit policy which is specific to the authority's needs. This policy is as follows:-

Delivering Community Benefit

In light of the opportunities being presented through the development of Commonwealth Games sites and wider city developments both public and private sector, in infrastructure and procurement, Glasgow City Council, through Development and Regeneration Services has a remit that focuses on the regeneration activity within the city. The Council's objective is to maximise the opportunities for securing training and employment, business start up and business growth through planned investment.

Employment and Training

A key policy objective is to tackle the high levels of worklessness among Glasgow residents. The Council is committed in its approach to assisting unemployed people access to quality sustainable employment and training opportunities. Through the use of its Community Benefit Policy the Council is particularly focusing on the opportunities that arise from the significant physical developments in the city infrastructure, both in the construction and end use phases. This has resulted in 500 places for the long term unemployed up to the end of December 2013. Working in partnership with main private sector developers and key employability agencies, the Council continues to improve the coordination and delivery of employment and training programmes to ensure effective and efficient service provision for both the business community and those seeking employment.

Developing Glasgow's Business Base

The Council recognises the need to support the development of the SME and Social Enterprise (SE) sector by developing a procurement approach which maximises their exposure to procurement opportunities. The development of the Glasgow Business Portal along with contractually agreed Capacity Building support programme from main contractors has provided further opportunities to Glasgow SME and SE businesses.

Key Lessons

Community benefit policy considers council specific issues. The policy addresses the different types of benefit classifications in relation to employment, training and support to the 3rd sector.

Contact

<https://www.glasgow.gov.uk/index.aspx?articleid=3010>

4.0

COMMUNITY BENEFITS CASE STUDIES

4.2 Effective Procurement

4.2.1 CASE STUDY – Evaluation of Community Benefits

Procuring Authority:

Renfrewshire Council
Corporate Procurement Unit



Summary

Renfrewshire Council is committed to maximising Community Benefits from its procurement activities. A 10% weighting is applied to all Construction and Infrastructure contracts over £250k. In addition a 5-10% weighting is considered for service contracts. This will be achieved through the inclusion of specific Community Benefit Clauses and targets within procurement contracts.

Learning Point

The council have developed a clear and structured approach to the evaluation of community benefits within tenders. The council have developed a points based approach to inform the development of community benefit proposals.

Instead of included the exact requirements within a Community Benefit Project Plan, the council set out a schedule of fully defined benefits upon which they wish to have delivered for a project, based on the value and duration of a contract. They then allocate points to each benefit. The supplier as part of the ITT are asked to develop a community benefit method statement and proposals from a community benefits 'menu' equal to a defined point's total.

The authority also sets out criteria questions to which the supplier is asked to respond. Examples of these are as follows:-

Requirement 2 – Maximising Employment and Training

Describe your end to end approach to the delivery of training and skills and how you will adapt this to the needs of Renfrewshire. This should include your approach to identifying and working with recruitment and employability partners, maximising opportunities for new entrants and your approach to involve your supply chain as part of this contract.

Requirement 3 – Commitment to community and Corporate Social Responsibility (CSR) Initiatives

Describe your company's approach to supporting and being involved in Community and CSR Projects in Renfrewshire and the community projects that you commit to supporting and being involved in as part of this Contract.

Requirement 4 – SME and Third Sector Opportunities

Describe any actions you propose to take to identify and assist SMEs, Social Enterprises, Supported Business and Third Sector Organisations during the Contract. This should include any capacity building or business mentoring opportunities

Requirement 5 – Reporting and Monitoring of Community Benefits

Who will be responsible for the achievement and monitoring of the community benefit requirements. How would you apply previous experience to the delivery of community benefits and targeted employment and training?

This approach offers a clear and consistent approach to the evaluation of community benefits within the procurement process.

Key Lessons

The evaluation approach offers flexibility to suppliers in how they propose the quantum of community benefit requirements.

Contact

Corporate Procurement Unit, 2nd Floor,
Renfrewshire House, Council HQ, Cotton St, Paisley, PA1 1JB
email: cpu@renfrewshire.gov.uk
phone: 0141 618 7048

4.0
COMMUNITY
BENEFITS CASE
STUDIES

4.2.2 CASE STUDY – Effective Procurement

Project:
Bull Stud Facility
Procuring Authority:
Scottish Government

Value:
£2.5m



Summary

The case of the construction of a new bull stud facility highlights the importance of considering sustainability outcomes at the earliest possible stage in the procurement cycle. This means considering sustainability risks and opportunities from design all the way through to operation and contract management. The appropriate sustainability requirements can then be incorporated into the procurement documentation at each stage in a relevant and proportionate manner, in line with the Marrakech Approach to sustainable procurement.

This case study emphasises the social, economic as well as the environmental outcomes that can be delivered by including relevant award criteria in a below OJEU threshold construction project. Here, all three strands of sustainability are seen to be important, notably in the opportunities offered to deliver community benefits in the form of employment and skills development. Scottish Government was able to draw on the expertise of Construction Skills Scotland in the development of an appropriate employment skills plan in this instance, demonstrating the importance of collaboration in designing robust procurement strategies.

A wide range of sustainable benefits have been agreed in this contract, principally:

- > All inert materials will be processed on-site and used in the permanent construction i.e. no inert material will go to landfill.
- > Excess materials that are unsuitable for formation will be utilised in the construction of bunds to the silage clamp and wet land areas.
- > 'Borrow Pits' will be used to generate aggregates in excess to those 'won' from demolition and the overall cut and fill exercise.
- > All steelwork will be removed for salvage.
- > Increased biodiversity through the re-aligning of the swale and supporting the pond area, which will be rich with wildlife.
- > Solar thermal panels were installed to supply hot water to offices and animal-handling facilities.
- > The solar panel system will reduce the farm's electricity requirements by around 20% and provide a source of revenue in the form of a Feed-in-Tariff.
- > The contract is structured in such a way that a range of contracting opportunities will be available to Small and Medium Enterprises.

Employment and skills commitments delivered within the contract were as follows:-

Benefit	Number
Existing apprentices or apprentice completion (including final year apprentice)	4
Jobs Advertised Through Local Employment Vehicles	2
Get Ready for Work taster/placement for a suitable individual (16-19 years)	4
N/SVQ Starts for Subcontractors (persons)	4
N/SVQ Completions for Subcontractors (persons)	4
Training Plans for Subcontractors	4
Supervisor Training for Subcontractors (persons)	4
Leadership and Management Training for subcontractors (persons)	4
Advanced Health and Safety Training for subcontractors (persons)	4

In addition to the employment and skills criteria set out in the ITT the contractor agreed to facilitate site visits for schools and the agricultural community to demonstrate the innovation adopted, with particular emphasis on Zero Waste Policy and design development with regard to the safe operation of agricultural facilities.

Key Lessons

- Consider sustainability early.
- Risk and opportunity analysis.
- Agree sustainability criteria in contract.

Contact

Scottish Government
Tel. 0131 244 0865.

4.0

COMMUNITY BENEFITS CASE STUDIES

4.2.3 CASE STUDY – Definition of Community Benefits

Procuring Authority:
Angus Council



Summary

Angus Council approved the introduction of community benefits on a council wide basis in March 2012. This was intended to secure the maximum economic and social benefits from Angus Council procurement within the current legal framework.

Learning Point

The council has developed detailed guidance to support the effective inclusion of community benefits within procurement. This guidance provides clear specification of their requirements in relation to community benefits plan delivery via the contract, including definitions of each outcome, what counts as an outcome and the evidence required to demonstrate achievement of the outcome. Examples of these definitions and associated evidence is as follows:-

Example 1 - New Start Employment Opportunities

Definition - The contractor is required to provide New Starts Employment Opportunities involved in delivery of the contract as a minimum to the extent specified in the community benefits plan. A new start would be defined as someone who had previously been unemployed (at point of referral), or a leaver from a recognised training programme – not someone coming directly from another job. A New Starts Employment Opportunity is defined as an employment opportunity of 4 weeks minimum at 30 hours per week or more.

Angus Council is keen to ensure that wherever possible the new employment opportunities offered to local residents are good quality, sustainable employment opportunities. As such the 'Towards Employment Team' (TET) will follow up on those employees after 26 weeks from their date of commencement on the contract. Angus Council appreciate that there may be perfectly valid reasons why the employment opportunities cannot continue and where this is the case TET would be keen to assist those employees to access alternative employment opportunities.

Evidence – New start employment form. Note information may be shared with other employability partners including Jobcentre plus to confirm new start status.

Outcomes – 1 individual represents 1 new start.

Example 2 - Sub-Contract Opportunity Access

Guidance: To ensure access to sub-contract opportunities the contractor is required, for all sub-contract opportunities of more than £50,000 in value which have not already been awarded (provisionally, conditionally or otherwise) by the contractor prior to award of the contract itself, to either:

- (a) seek quick quotes from suppliers, which must include a local supplier where reasonable market research identifies a local supply chain capable of meeting the sub-contract requirement, using the Public Contracts Scotland portal – www.publiccontractsscotland.gov.uk/; or
- (b) at the contractor's choice, advertise for bids from suppliers through local press, on Public Contracts Scotland portal – www.publiccontractsscotland.gov.uk/ or other agreed approaches e.g. 'Meet The Buyer Events'.

For the avoidance of any doubt, the supplier is not compelled by this requirement to discriminate in favour of local suppliers to the exclusion of non-local ones. However, where the local supply base is capable of meeting the sub-contract requirement, it is to allow local contractors the opportunity to bid.

Evidence – Copies of advertisements, details of events or quick quote information.

4.0

COMMUNITY BENEFITS CASE STUDIES

4.2.3 CASE STUDY – Definition of Community Benefits

Procuring Authority:
Angus Council



Example 3 Local Labour – Monitoring Only

Definition - The contractor is required to record the percentage of local people who are employed in executing the contract and report the same to the employer using the reporting form to be provided by the employer on a regular basis. The first return will be due 1 month after the commencement of delivery of the works under the contract and continuing monthly thereafter during the currency of the contract. 'Local people' are defined as individuals ordinarily resident in Angus, as evidenced by his or her stated home postcode. Postcodes can be provided by Angus Council.

Evidence - Monthly percentage of local labour to be provided on the community benefits reporting monitor, one month in arrears. Supporting evidence in the form of individuals' names, dates of birth and postcodes should be provided on a regular basis. Contractors may wish to amend their site induction or site sign in procedures to gather this information. Note: The contractor will be responsible for addressing all data gathering and data sharing consent requirements for implementing this clause (eg. from employees as part of site signing in arrangements or as part of on-site induction or other system put in place by the contractor). Sample wording to secure consent to share information is available on request but should be approved by your own legal departments.

The promotion of exemplar benefit definitions offers clear benefits to the council procurement department in terms of more efficient working and a consistency approach to delivery. However when applying these exemplar benefits, the procuring authority ensure they are aligned to the project specific objectives to ensure requested community benefits are aligned to the specific needs of the local area.

Key Lessons

Exemplar benefit definitions promotes consistence, clarity and robust benefits within all procurements. The consistency of benefits ensure more efficient working within projects.

Contact

Angus Council
Orchardbank Business Park, Orchardbank
Forfar, Angus, DD8 1AX

4.0

COMMUNITY BENEFITS CASE STUDIES

4.2.4 CASE STUDY – Collaborative Community Benefit Forums

Procuring Authority:
Renfrewshire Council
Community Benefit Forums

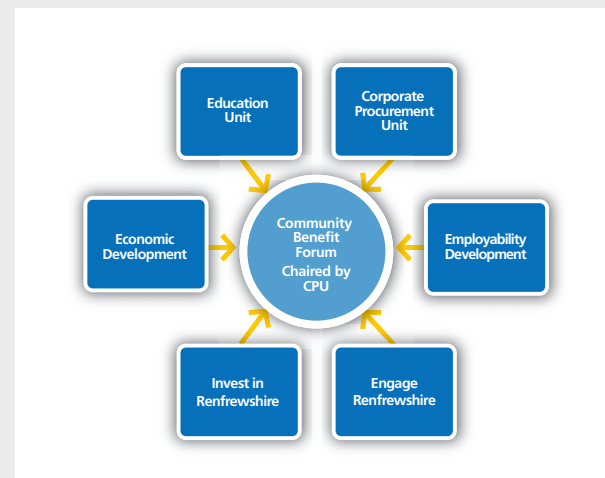


Summary

In order to ensure effective sharing of information a Community Benefits Forum has been established, this includes representation from Economic Development, Education, Corporate Procurement Unit, employability intermediaries; Invest in Renfrewshire and Renfrewshire's third sector interface organisation; Engage Renfrewshire

Learning Point

Renfrewshire Council have developed a community benefit forum with key agencies who can support the development of project specific objects and benefit requirements. The forum includes:-



The community benefit forum has been developed by the Councils Corporate Procurement Unit and is chaired by the community benefit manager from the corporate procurement unit. The forum has the following key objectives:

- > To ensure contract opportunities, key timeframes and procurement objectives are proactively communicated to internal departments and external stakeholders.
- > To ensure local economic development information, such as employability programmes, funding opportunities, community initiatives, education activity and community plan objectives are shared with service departments and CPU. As appropriate this intelligence will be shared with bidders and communicated through formal procurement channels.
- > To identify opportunities and work strategically with economic development supply side partners and in collaboration with contractors to help maximise employment opportunities and instigate community requirements.
- > To measure/report community benefit targets, monitor outcomes and highlight best practice. Continually seek improvement and innovation.

Key Lessons

The development of project specific objectives is supported by the knowledge transfers with other council departments.

Forum offers a mechanism to test the deliverability of proposed benefits within the local market.

Contact

Corporate Procurement Unit, 2nd Floor,
Renfrewshire House, Council HQ, Cotton St, Paisley,
PA1 1JB

email: cpu@renfrewshire.gov.uk

phone: 0141 618 7048

4.0 COMMUNITY BENEFITS CASE STUDIES

4.3 Monitoring & Reporting

4.3.1 CASE STUDY – Monitoring & Reporting

Project:
Hub Programme

Value:
£1.5bn

Procuring Authority:
Scottish Futures Trust



Monitoring & Reporting Of Community Benefits
Summary

The Scotland-wide hub initiative which is led by SFT, reflects a national approach to the delivery of new community infrastructure which is valued to be more than £1.5bn over the next 10 years. It brings together community planning partners including health boards, local authorities, police, fire and rescue services and several other public bodies together with a private sector development partner to form a hubCo to increase joint working and deliver best value in delivering new community facilities. This service is delivered through five hubCos in the South East, North, East Central, West and South West regions of Scotland.

Learning Point

Within the Hub programme each hubCo has defined Key Performance Indicators (KPIs) against which they are measured to demonstrate they are delivering value for money. Through the procurement of each territory, each hubCo had committed to slight variations in community benefit KPIs. These variations led to inconsistency in reporting across all the territories and limited the ability to consolidate the benefits achieved across the whole hub programme.

Through SFT’s programme management role the community benefits KPIs across all territories were assessed and synergies identified. A template reporting document was developed which offered a consistent method of reporting by each hubCo in relation to their community benefits data. Data is provided by each hubCo on a quarterly basis.

A second challenge to the programme was the ability to promote, present and offer a level of transparency to the community benefits being delivered within the hub programme. A community benefits dashboard offers a high level summary of the key benefits that have been achieved on the programme to date. The graphic importantly identifies both the benefits and the value of work upon which they are based.

The community benefit dashboard is published on a quarterly basis on the SFT website.



Key Lessons

- Consistency of data collection simplifies reporting and reduces the resources required.
- Regular reporting intervals on a quarterly basis maintain the importance of community benefits within projects.
- When collating benefits from differing sources clarity is required as to the definition of each benefit and how this is measured to ensure comparable data is collected.

Contact

Scottish Futures Trust
Tel . 0131 510 0800
E-mail. mailbox@scottishfuturestrust.org.uk
SFT Community Benefit Dashboard

4.0

COMMUNITY BENEFITS CASE STUDIES

4.3.2 CASE STUDY – Capturing Lessons Learned



Procuring Authority:
Clyde Gateway

Lesson Learned from Community Benefits

Summary

Clyde Gateway is delivering a regeneration programme which is transforming the image, perception and fortunes of our communities. We cover an area that includes a large part of the east end of Glasgow, including Bridgeton and Dalmarnock and Rutherglen and Shawfield in South Lanarkshire.

Our partners have provided Clyde Gateway with over £200m of public finance or assets during the period 2008-2016 with additional investment-led model to attract a further £1.5 billion-worth of investment and private development over a 20-year period. One of the early project delivered was the Eastgate Office. The state-of-the-art 6,000-square-metre development cost £9.7m and is now the new Headquarters of Community Safety Glasgow. Completed in March 2012, the project contains a number of community benefit requirements.

Learning Point

In the delivery of new projects within Clyde Gateway a structured reporting and monitoring system is in place to capture community benefits which have been delivered. Upon completion of every project a lesson learned workshop and report is prepared to review the effectiveness of the community benefit process on that project.

Within the Eastgate Office project a structured lesson learned process was carried upon completion of the project. The lessons report is used to pass on any lessons that can be usefully applied to other projects. The purpose of the report is to provoke action so that the positive lessons become embedded in the Clyde Gateway's way of working and we can avoid any negative lessons in future projects.

The report followed a Prince 2 process of reporting and was formulated from the following documents

- > The Development Agreement;
- > Final Tender Submission;
- > Lessons Log (for identification of lessons);
- > Quality Register, Issue Register and Risk Register (for statistical analysis);
- > Monthly Monitoring records (for statistical analysis)

The lessons learned report was structured in the following format:-

1. Executive Summary

2. Summary of Benefits Achieved on the Project

3. Measuring Success

- i) How much effort was required to deliver CB. More or less than anticipated?
- ii) How effective was the process management?
 - > Project Staff
 - > Recruitment
 - > Benefit Criteria & Definitions
 - > Work Package Procurement
 - > Supported Businesses

4.0 COMMUNITY BENEFITS CASE STUDIES

4.3.2 CASE STUDY – Capturing Lessons Learned

- > Social Enterprises
- > Work With Schools
- > Monitoring Process
- > Marketing
- > Other areas for review



4. Significant Lessons

- > Lessons identified against the topics listed in section 3.0. Each lesson had a identified issue, cause, lesson learned, recommendation and owner for remedial action.

Example of Section 4 which highlights the significant lessons:-

Topic	Issue	Cause	Lesson	Lesson For	Recommendation
Monitoring	Monthly reports	Do these work/ fit for purpose/ anything missing/ timing?	The report did not contain a section for recording the total number of work packages won by CG SMEs or the value of these packages.	CG	Include work packages won by CG SMEs and value. Format spreadsheet.
Other	Lack of consistent approach by public sector for CB clauses	E.g. no CB clause	In this instance this was beneficial as DC could accommodate new entrants at without cutting across a CB requirement on that project. However, sometimes an inconsistent approach to CB across the public sector can be difficult for contractors to manage.	CG Other public sector GRA	Keep Glasgow's CB delivery group and Scottish Government informed of lessons learned.
Recruitment	Difficulty recruiting within the proposed timeline	Some early activity but a rush to recruit within the last 6 months. This resulted in a number of vacancies being circulated with limited turn around.	While CG's partners continually prepare individuals for live opportunities the admin required to circulate and manage a vacancy can require a bit of notice. Early identification of opportunities especially those sought through sub-contractors is essential.	CG DC	CG can work with partners to try to speed up this process. Briefing session on site with site team and Clyde Gateway to discuss the processes and technicalities associated with recruitment to meet the community benefit requirements. The report and workshop was co-ordinated and managed by the community benefits project manager.

Key Lessons

In capturing lessons, all key stakeholders should be involved and consulted.

Lessons learned workshops should be held promptly after completion to ensure a high level of engagement with existing stakeholders and knowledge and experiences are not lost.

An open and non- adversarial approach is required to capture key lessons.

Contact

Clyde Gateway

Tel - 0141 276 1573

<http://www.clydegateway.com/>

E-mail - gatewayenquiries@clydegateway.com

4.0

COMMUNITY BENEFITS CASE STUDIES

4.3.3 CASE STUDY – Evaluation of Impact of Community Benefit

Project:
Emirates Arena & Sir Chris Hoy Velodrome

Value:
£100m

Procuring Authority:
Glasgow City Council



Summary

The Emirates Arena and Sir Chris Hoy Velodrome is one of the largest indoor sports facilities of its kind in Europe.

The 42,000m² complex incorporates two distinct venues linked by a four-storey 'hub' accommodating offices for governing sporting bodies, a gym, spa, VIP and media facilities. A community sports centre, five-a-side pitches and an outdoor cycle track were also provided. Delivered on time and budget, the complex has already secured its place on the world sporting stage and will provide a lasting legacy post-2014 by aiding the development of the next generation of elite Scottish athletes and providing first class facilities for the community.

Learning Point

Within the project the contractor Sir Robert McAlpine completed an evaluation of the impact that community benefits delivered within the project.

The approach to the evaluation was set out within the tender submission by the Contractor. Four methodologies for measurement were adopted and include:-

1. Four Socio-economic Key Performance Indicators (SEKPIs)
2. Additionality Measures – the extra spending with local SMEs and SEs through having a project objective to maximise opportunities for them
3. An adapted version of LM3 – based on the New Economics Foundation's 'Local Multiplier' tool
4. Conducting supplier surveys – understanding local SMEs and Social Enterprises' experiences with us and what wider benefits they have brought to, and gained from, the project

Four Socio-economic Key Performance Indicators

Opportunity: Of 64 opportunities advertised and awarded (some were withdrawn or combined with other works), 27 included an Invitation to Tender to at least 1 local SME or SE. This equates to 42% of the works packages advertised with the number of local SMEs/SEs being invited reaching 39.

Capacity: Of the 39 Invitations to Tender sent to local SMEs or SEs, 34 of these were returned, equating to 87%.

Ability: Of the 27 opportunities that included an Invitation to Tender to at least 1 local SME or SE, 9 were awarded to a local SME or SE, which is 33%.

Value: The value of tenders awarded to local SMEs or SEs is £6.4million.

Key Lessons

The implications of procuring through the 2014 Business Portal have had a significant impact on the ability to "maximise opportunities" for local SMEs and SEs.

Contact

Link to report:-

http://sustainability.sir-robert-mcalpine.com/_assets/pdfs/Local_Multiplier_Case_Study_The_Emirates_Arena_and_Sir_Chris_Hoy_Velodrome_Glasgow.pdf

4.0
COMMUNITY
BENEFITS CASE
STUDIES

4.3.4 CASE STUDY – Reporting of Community Benefits

Procuring Authority
Scottish Government
Research by University Of Glasgow
in relation to Community Benefits



Summary

Scottish Government commissioned the University of Glasgow to research the *“Analysis of the impact and value of Community Benefit Clauses in Procurement”*. This research paper will be formally published to assess the effectiveness of community benefit clauses.

Learning Point

The overarching purpose of the research is to assess the usage of community benefit clauses and the additional impact these have on employment and skills development – with a particular focus on the benefits to more disadvantaged groups including young people, disabled people, women and ethnic minorities.

The research provided indicators to measure the performance of community benefits within construction. The tables below list the indicators that can be used within the monitoring and reporting of community benefits.

EXAMPLE A – DATA CATEGORIES FOR OUTCOME INDICATORS

OUTCOME INDICATORS

USE OF COMMUNITY BENEFITS CLAUSES IN CONTRACTS

1. Total Number of Contracts Let
2. Total Number of Contracts Let Over £4 million
3. Total Number of Contracts Let with Community Benefit Clauses
4. Total Number of Contracts Let Over £4 million with Community Benefit Clauses
5. Total Value of Contracts Let
6. Total Value of Contracts Let Over £4 million
7. Total Value of Contracts Let with Community Benefit Clauses
8. Total Value of Contracts Let Over £4 million with Community Benefit Clauses

KEY CONTRACT INFORMATION

9. Total Value of Contract
10. Number of Jobs Filled by Priority Groups
11. Number of Apprenticeships Filled by Priority Groups
12. Number of Work Placements for Priority Groups
13. Number of Qualifications Achieved Through Training by Priority Groups

SHORT-TERM SUSTAINABILITY INDICATORS

14. Number of Recruits from Priority Groups Employed at 26 Weeks After Job Start
15. Number of Apprenticeships from Priority Groups Employed at 26 Weeks After Apprenticeship Start
16. Number of Work Placements for Priority Groups Subsequently Recruited by Contractor/Sub-Contractor

4.0

COMMUNITY BENEFITS CASE STUDIES

4.3.4 CASE STUDY – Reporting of Community Benefits

EXAMPLE B – DATA CATEGORIES FOR CONTRACT MONITORING

CONTRACT MONITORING INDICATORS

KEY CONTRACT INFORMATION

1. Total Value of Contract
2. Main Contractor by Type of Organisation – SME; Social; Other
3. Total Value of Works Sub-Contracted
4. Total Value of Works Sub-Contracted to SMEs
5. Total Value of Works Sub-Contracted to Social Enterprises

COMMUNITY BENEFIT CLAUSE INDICATORS

6. Total Number Recruited to Deliver Contract
7. Number of Jobs Filled by Priority Groups
8. Total Number of Apprenticeships Recruited to Deliver Contract
9. Number of Apprenticeships Filled by Priority Groups
10. Number of Work Placements for School Pupils, College and University Students
11. Number of Work Placements for Priority Groups
12. Number of Qualifications Achieved Through Training by Priority Groups
13. Number of Qualifications Achieved Through Training by Other Employees

SHORT-TERM SUSTAINABILITY INDICATORS

14. Number of Recruits from Priority Groups Employed at 26 Weeks After Job Start
15. Number of Apprenticeships from Priority Groups Employed at 26 Weeks After Apprenticeship Start
16. Number of Work Placements for Priority Groups Subsequently Recruited by Contractor/Sub-Contractor

ADDITIONALITY INDICATORS (What additionality has CB added)

17. Number of Recruits from Priority Groups
18. Number of Apprentices from Priority Groups
19. Number of Work Placements for School Pupils, College and University Students
20. Number of Work Placements for Priority Groups that the implementation of CB's has contributed too.
21. Number of Qualifications Achieved Through Training by Priority Groups.
22. Number of Qualifications Achieved Through Training by Other Employees
23. Total Value of Works Sub-Contracted to SMEs that would have been awarded
24. Total Value of Works Sub-Contracted to Social Enterprises that would have been awarded

Key Lessons

The promotion of consistent indicators will support the reporting of benefits across an organisation.

Contact

Link
<http://www.gov.scot/Publications/2015/06/6812>
 Enquiries to
joanne.farow@scotland.gsi.gov.uk

4.0 COMMUNITY BENEFITS CASE STUDIES

4.4 Partnership & Community Engagement

4.4.1 CASE STUDY – Partnership & Community Engagement

Project:
South Glasgow University Hospital and
Royal Hospital for Sick Children

Value:
£600m

Procuring Authority:
NHS Greater Glasgow and Clyde



Summary

As part of the contract at the South Glasgow University Hospital (SGUH) and the Royal Hospital for Sick Children (RHSC), Brookfield Multiplex committed to implementing and delivering on an extensive community benefit strategy. The key objective for community benefits strategy was to maximise opportunities for local people – to link the opportunities presented by the construction of these super hospitals to the needs of the local community. The focus was on job creation, training and business opportunities

Learning Point

The community benefit strategy at the SGUH and RHSC has been highly successful and surpassed the key performance indicators agreed at the outset of the project. The learning points that can be taken from this project are outlined below:-

Partnership – due to the size and complexity of the project it was essential that Brookfield Multiplex developed excellent links and working relationships with agencies within the public sector that were experts in the field of employment, learning and business development. This partnership provided the direct links and support required to deliver on the community benefit strategy.

Supply Chain Buy-in – The supply chain played a critical part in supporting the community benefit strategy and it was essential to have their buy-in and commitment from the outset of the project. Prior to any supply chain partner starting on-site they were required to commit to KPIs for creating jobs, training and business opportunities and working with the processes and protocols that had been established.

Communication – regular meetings of the community benefit strategy kept the focus on outcomes and allowed for open discussions on what was working well and what areas needed to be addressed. A meeting schedule was established early on that included the wider partnership network and monthly one to one meetings with the key supply chain.

Reviews – quarterly reviews were an essential part of the process and they allowed for a clearer understanding of how the strategy was developing and how progress was being made towards final outcome.



Key Lessons

Having the right person in place with a clear understanding of the objectives as well as the ownership.

Proper promotion and communication of the community benefit strategy throughout the project ensures that everyone involved has a part to play.

Contact

Brookfield Multiplex
Tel - +44 (0) 20 7659 3500
E-mail - euinfo@brookfieldmultiplex.com

4.0

COMMUNITY BENEFITS CASE STUDIES

4.4.2 CASE STUDY – Partnership & Community Engagement

Project:

HWS – Lairdsland Primary School

Partners:

hub West Scotland, East Dunbartonshire Council
Morgan Sindall, Glasgow Kelvin College



Summary

Working in partnership with key stakeholders, supply chain members, education and employability partners, Hub West Scotland (hWS) continually strives to deliver innovative activities to leave a legacy of improved opportunities and enhanced skills. On the Lairdsland Primary School Project, a partnership was established between hWS, EDC Education Dept, Primary Contractor Morgan Sindall and Glasgow Kelvin College.

Aim of Partnership

To form a link between education and business to enhance the current NPA Construction Course by providing additional industry recognised certification and provide young people with real life construction work experience opportunities. These additional elements will help to prepare young people for employment and assist them in making better informed career choices by giving them the opportunity to develop knowledge, experience and skills within the construction sector.

Learning Point / Detail

Hub West Scotland's Project Skills Co-ordinator engaged with Participant East Dunbartonshire Council's Education Department to scope out potential opportunities for the Lairdsland Primary School Project team to engage and support education.

East Dunbartonshire Council in partnership with Glasgow Kelvin College run a Vocational Programme to help young people develop knowledge and skills and prepare them for future employment or higher education. It offers young people a wide range of vocational options at varying levels. Courses are accredited by the SQA and provide young people with skills, knowledge and experience specific to the option, subject and industry it represents.

In support of this existing programme, a partnership between hWS, EDC Education, Glasgow Kelvin College and primary contractor, Morgan Sindall was established. The purpose of the partnership was to form a link between education and business to enhance the current NPA Construction Course by providing additional industry recognised certification and provide young people with real life construction work experience opportunities.

All partners recognised the benefit of including the training and achievement of the industry recognised CSCS test into the exiting NPA Construction course. This provided pupils with an understanding of health, safety and environment issues with the construction sector. The certification/card scheme is widely recognised by the industry with most contractors and construction clients insisting that all workers have the accreditation. Work placements opportunities were also timetabled into the existing programme for pupils to undertake a one week work placement opportunity within construction.

Morgan Sindall funded CSCS revision materials and the cost of the CSCS Test and Card Applications, delivered a talk about the industry and the Lairdsland Primary School project and provided work placements including a certificate of completion/reference to all pupils who successfully completed work placement. East Dunbartonshire Council's education department provided funding for pupils to travel to/from work placement and provide PPE. Glasgow Kelvin College agreed to incorporate and facilitate CSCS revision/training, testing, card application and work placements within the existing programme timetable.

Key Lessons

Bridging gap between industry an education
Providing real life experiences to allow pupils to make educated choices.

Contact

Hub West Scotland
Tel. 0141 530 2150
Website:- www.hubwestscotland.co.uk

Appendix Template Community Benefit Project Plan

[Click link to Word File >](#)

TEMPLATE - Community Benefit Project Plan

Project Name:

Location:

Project Description:

1.0 Community Benefit Policy & Project Objectives

1.1 Procuring Authorities Community Benefit General Policy

"Include within this section the procuring authorities community benefit policy contained within their procurement strategy and any additional strategy the procuring authority is pursuing which may influence the community benefit project plan"

1.2 Community Benefit Project Objectives

"Include the project specific community benefit objectives tailored to the specific project. Refer to section 2.1.2 of this toolkit."

1.3 Community Engagement

"Include in this section any community engagement completed to date and organisations which have been consulted in the development of the benefits. Ensure contact details provided"

1.4 Support & Third Sector Organisations

“Include in this section any engagement which has been conducted with support agencies. All secured and potential funding and support should be listed to inform the supplier and ensure this is considered within their tender submission and during the delivery phase. This section offers an opportunity for the procuring authority to direct the supplier to specific agencies aligned to the project objectives.”

Type Support	Organisation	Contact	Description of Support Offered	Status Secured/ Speculative
Apprenticeship	Shared Apprenticeship Scheme	A. Smith Tel..... E-mail.....	Two - level 1 apprentices have been identified from the shared apprenticeship scheme for placements project “X”.	Secured.

2.0 Specified & Supplementary Benefits

2.1 Specified Benefits

“This section should provide the detailed definition of all specified benefits, including monitoring requirements, KPI's and reimbursement values”

Ref	Type	Definition	Mandatory Key Performance Indicator	Validation Requirements	Reimbursement Value	Delivery Timescale
3	SME & Third Sector					
3.1	SME Development	The supplier is to provide structured 1 hours H&S training to SME's during the construction phase.	20 Site Operatives	Submission of signed attendance sheets	£100 per Operative	Refer to Delivery programme

2.2 Supplementary Benefits

“This section should provide the detailed definition of all specified benefits, including monitoring requirements, KPI’s and reimbursement values. This is to include both supplementary benefits requested by the procuring authority and additional supplementary benefits offered by the supplier.”

Ref	Type	Definition	Mandatory Key Performance Indicator	Validation Requirements	Delivery Timescale
3	SME & Third Sector				
3.1	SME Development	The supplier is to provide structured 1 hours H&S training to SME’s during the construction phase.	20 Site Operatives	Submission of Signed attendance Sheets	Refer to Delivery programme

3.0 Reporting & Monitoring

3.1 Community Benefit Delivery & Monitoring Matrix

“This document is used to monitor the benefits during the delivery phase of a project. The matrix is appended to this document and includes the contractual requirements and a record of the benefits achieved to date. The spreadsheet is split into two parts. The first section contains the contractual requirements including the KPIs associated with the benefit and programme specific delivery dates which are defined in section 2. The second section provides a reporting format to monitor progress during the construction phase. There is a section for RAG reporting to further support monitoring.”

3.2 Reporting Methodology

“The section should set out the requirements of the supplier regarding reporting and monitoring the progress of the community benefit project plan. This may include the requirement for the supplier to populate the monitoring matrix and additional information.”

3.3 Reporting Frequency

“This section should set out how often the supplier reports against the project plan, who they provide the information to and the contact details for the community benefit manager for both the procuring authority and supplier.”

3.4 Validation approach

“This section confirms the validation requirements for the benefits being delivered. The authority can request that a validation file is prepared by the supplier to validate delivery of the community benefits. This section will set out agreed protocols in how the procuring authority signs off delivery of benefits during the project.”

Community Benefit Delivery & Monitoring Matrix

Benefit Ref	Benefit Type Description	KPI/Target	Contractual Requirements									Monitoring & Reporting					
			Jan 16	Feb 16	Mar 16	Apr 16	May 16	Jun 16	July 16	Aug 16	Total	Benefits Achieved to Date	Diff +/-	Delivered on Programme Yes/No	Validation provide to Authority Yes/No	RAG Rating	Notes
SPECIFIED BENEFITS																	
Employment																	
Skills & Training																	
SME & 3rd Sector																	
3.1	H&S 1 Hr Training	20 Nr Operatives				10					10	20	21	1	✓	✓	
Environmental																	
SUPPLEMENTARY BENEFITS																	
Employment																	
Skills & Training																	
SME & 3rd Sector																	
Environmental																	

Refer to section 2.0 of the Community Benefit Project Plan for full definition and requirements for each benefit.

SCOTTISH
FUTURES
TRUST

1st Floor
11-15 Thistle Street
Edinburgh
EH2 1DF

T +44 (0)131 5100800

E mailbox@scottishfuturestrust.org.uk

W scottishfuturestrust.org.uk