

The Buy Social Construction Model

Frequently Asked Questions

1. What is the Buy Social construction model?

The Buy Social construction model has been developed by the Strategic Investment Board and CPD. The process of development included consultation with Departments, the construction Centres of Procurement Expertise (CoPE) and representatives from the local construction industry.

The model was endorsed by the Procurement Board in November 2015 and came into operation in April 2016. It sets a contractual requirement for a quantifiable number of targeted recruitment and training opportunities for New Entrant Trainees to be provided in Government construction contracts.

The requirement is to be delivered by the Main Contractor who has the choice to share the requirement with its supply chain should it wish. The Main Contractor must set out its proposals in a Recruitment and Training Plan using a pro-forma that has been circulated as Annex A to the letter to Heads of Construction CoPEs dated 25 May 2016. The Plan may be required with the tender or submitted to the Employer's Project Manager for acceptance within 4 weeks of contract award when planning for the contract will be significantly advanced. The latter position is that recommended by CPD for the immediate future but procurement teams may ask for the Plan with the tender and may score it as a part of the award process.

A month by month projection of the New Entrant Trainee person-weeks that will be delivered is required as a part of the first Buy Social Delivery Report 4 weeks after the start of the contract and outputs will then be assessed against this each month. A standard form is provided as a part of the Sustainable Development reporting arrangements.

2. How is Buy Social treated in the award of the contract?

Along with other parts of the Sustainable Development requirements the Buy Social requirements are a part of what is being contracted for and may be either an award criterion and contract condition, or just a contract condition.

The Main Contractor must set out its proposals in a Recruitment and Training Plan for the contract using a standard pro-forma that is included in the tender documentation. This may be required with the tender to ensure that the tenderer has developed a methodology to deliver these requirements and allowed for this in its price. It is for the client and CoPE to decide whether they wish to score this Plan as a part of the award of the contract, but if they do this must have been notified to tenderers in the procurement documentation along with the associated scoring

methodology. Alternatively, the Plan may be required from the successful contractor within 4 weeks of the award of the contract.

The pro-forma Recruitment and Training Plan includes a Net Cost Schedule to be completed by the contractor. This should be removed from the Plan (i.e. from the tender documentation) if this information is not required or if the Plan is to be submitted after award.

The successful contractor will be required to submit a Buy Social Delivery Report to the Project Manager 4 weeks after the commencement of the contract when planning for the contract will be significantly advanced. This is part of the Sustainability Report and includes a month by month projection of the New Entrant Trainee person-weeks that will be delivered. It will therefore be more detailed than the Recruitment and Training Plan.

3. To which Government construction contracts will the Buy Social construction model apply?

The model is to be included in all construction works contracts subject to Northern Ireland Public Procurement Policy (NIPPP) providing they exceed certain estimated construction cost thresholds.

The model will apply to building contracts which have a contract value greater than £2m and civil engineering contracts which have a contract value greater than £4m.

The Buy Social model will apply to frameworks and Measured Term Contracts (MTCs) that are above the relevant threshold value. However, where the value of projects or work orders awarded to any contractor under the framework or MTC is unlikely to reach the above threshold value then the Buy Social requirements can be omitted from the procurement documentation and contract.

There may be instances where a Measured Term Contract, despite having a value above the relevant threshold, is not suitable for the application of the Buy Social model. This may be where the flow of work is highly sporadic and/or the work is so dispersed and for such limited periods that opportunities for meaningful employment are not feasible. In such instances the relevant CoPE has discretion to decide whether it is appropriate to apply the model.

4. Will the model apply to construction services contracts?

A Buy Social Services model is currently being developed and piloted by the Strategic Investment Board and it is expected that further details of it will be made available later in 2016.

5. What are the requirements of Buy Social in these contracts?

Buy Social will require 52 person-weeks of paid employment opportunities to be delivered for New Entrant Trainees, for each £1M of contract value (and pro rata), in building contracts.

In civil engineering contracts the model will require 26 person-weeks of paid employment opportunities to be provided for each £1M of contract value (and pro rata).

In both building and civil engineering contracts the model enables the inclusion of opportunities for unpaid work experience and training placements. These are calculated as 2 weeks for each £1m of contract value (and pro rata).

A person-week is the equivalent of one person working for 5 days either on site, or through a mix of on-site work and off-site training. The exact requirements for each project will be calculated by the Project Manager based on the pre tender estimate and will be included in the Invitation to Tender documentation issued to contractors as a fixed number of person-weeks.

In a Framework Agreement the total value of the individual contracts to be awarded under it may not be known at the time of procurement. In such cases it would be appropriate to specify the number of new entrant trainee person weeks to be delivered under the Framework as 52 or 26 weeks per million and pro rata against the value of the contract awarded. This will depend on whether the Framework is for building or civil engineering works. However, it is important that the actual number of new entrant trainee weeks to be delivered in each contract awarded under the Framework is accurately specified in the procurement and contract documentation for it. Measured Term Contracts should also be treated in this manner.

Where, in exceptional circumstances, the contract includes a very significant expenditure on specialist construction and/or fittings that will be delivered with no input from a Northern Ireland workforce, this value can be deducted before the calculation of the person-week targets.

6. Why are the thresholds and targets different for building contracts and civil engineering contracts?

In civil engineering contracts the requirements of Buy Social are less than those in building contracts. This reflects the reduced amount of labour required in a civil engineering contract when compared to a building contract of similar cost.

7. What is a New Entrant Trainee?

A New Entrant Trainee is one of the following:

- a person that is leaving or has, within the last 12 months, left an educational establishment or a training provider (including paid student work placements);

- a person aged under 25 that has been registered as a job-seeker for more than 26 weeks and is seeking employment that includes on-site training and assessment, or offsite training (or a mix of these);
- a person aged 25 or over that requires training and support and has been registered as a job-seeker for more than 52 weeks and is seeking employment that includes on-site training and assessment, or offsite training (or mix of these);
- an existing 'New Entrant Trainee' known to the Employer that is seeking a new position to complete their 'New Entrant' period, or another person accepted as a New Entrant Trainee by the Employer;

A New Entrant Trainee can be one of the following:

- an apprentice who is undertaking a paid apprenticeship, registered within the ApprenticeshipsNI programme or an equivalent scheme (e.g. Level 2 or Level 3 framework apprentices or a similar scheme for construction trade apprentices), who can be counted as a 'New Entrant' for up to 104 weeks;
- a professional trainee (post primary degree or equivalent) who is working towards full corporate membership of a professional institution and/or registration body e.g. CIBSE, ICE, IStructE RIBA, RICS, ARB etc and is registered with an appropriate professional body. These individuals can be counted as a 'New Entrant' for up to 104 weeks;
- an undergraduate student working towards a primary degree and required by a university or college to undertake a placement in industry to gain relevant training and experience through paid employment. The experience should be related to a construction discipline and the individual can be counted for up to 52 weeks; or
- an other trainee who can be counted as a 'New Entrant' for up to 52 weeks.

The latter category can include but is not limited to semi-skilled, operative, administration, health and safety, IT support, business improvement and other support positions.

8. Are there any restrictions for Contractors in the make-up of New Entrant Trainees to be provided under the contract?

Yes, the model places some restrictions on the balance of apprentices, students, professional and other trainees used to achieve the model's targets. In addition, there are restrictions upon the number of existing employees that can be used to satisfy the requirements. These are summarised below:

- no more than 50% of the New Entrant Trainee person-weeks will be provided by apprentices, students and professional trainees;
- at least 25% of the New Entrant Trainee person-weeks will be provided by apprentices.
- at least 50% of the apprentice, student and professional trainee person-weeks will be delivered by people that are newly-recruited to work on the contract - other people may be transferred on a permanent basis from other contracts or recruited through a shared apprentice scheme.

9. How is Buy Social included in relevant construction contracts?

The model's requirements will be included in NEC3 contracts as part of the Works Information. A set of 'model clauses' has been developed by CPD for this purpose and are available at the following link: [insert link](#).

10. Where can a Contractor or its supply chain members source New Entrant Trainees?

New Entrant Trainees can be sourced from the following areas:

- organisations delivering education and skills training. These can list themselves on a NICS Buy Social Brokerage website established for this purpose (www.buysocialnibrokerage.org);
- existing staff within the Contractor's, or its supply chain's, workforce providing they meet the definition for New Entrant Trainees; or
- another employer where the Employer specifically agrees.

New Entrant Trainees that are being transferred to the contract may only be 'counted' for the remainder of the allocated time as a New Entrant Trainee (i.e. up to 52 or 104 weeks in all employments).

11. Where can a Contractor and its supply chain find further information on brokerage service providers?

Further information on brokerage services providers is available at the following link: www.buysocialnibrokerage.org.

However, Contractors and their supply chain members should be aware that SIB and CPD have not vetted and are not responsible for verifying the status of these providers.

12. How is delivery of Buy Social targets monitored in Government's construction contracts?

Prior to each monthly progress meeting the Contractor provides an update on progress against the person weeks delivery schedule agreed with the Employer's Project Manager and set out in the first month's Buy Social Delivery Report, which is part of the monthly Contractor's Sustainability Report. This is submitted to and discussed with the Project Manager at each monthly meeting.

The Project Manager reviews the information presented by the Contractor at each meeting and updates the progress summary in the eTendersNI contract management module.

CPD generates reports from eTendersNI on the application of the Buy Social model and presents these to the Procurement Board, when requested. The Centres of Procurement Expertise will be able to generate similar reports to assess progress of their capital programmes against the model's requirements.

At contract completion the Project Manager arranges for the final Buy Social report to be archived within the eTendersNI Contract Management Module. This will facilitate future assessment of the outcomes created from the application of Buy Social.

13. What is the Contractor's Sustainability Report?

The Contractor's Sustainability Report is the tool through which the Contractor reports its progress towards the delivery of the Buy Social and wider sustainable construction requirements contained within the contract. It represents a single source of reporting for Government construction projects.

The Report encapsulates revised Economic, Social and Environmental requirements which are being implemented from April 2016. The Report is provided as a Microsoft Excel template workbook which the Contractor completes and submits to the PM each month. Each monthly Report is signed off by a Director of the Contractor's Firm and the PM.

14. Where can I get further information?

While the Buy Social requirements have evolved from the earlier 'CIFNI' model it is recognised that CoPEs and client procurement teams may welcome initial support to help implement the new approach. To assist with this the Buy Social Team within the Strategic Investment Board (SIB) have a support officer with a construction

background (Nuala Griffiths – Nuala.griffiths@sibni.org), and SIB will work with CPD to offer short training sessions on the 'new approach' over the coming months.

Further information on Buy Social can be obtained from its website at the following link: [Buy Social](#)

Alternatively information can be obtained from the Buy Social Team at the following email address: info@BuySocial.org

Further information on the wider sustainability requirements and the Contractor's Sustainability Report can be obtained from CPD via the details provided below.

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