NORTHGATE PROPERTIES

LAND SOUTH OF SUMMER LANE PAGHAM

APPEAL REF :APP/C3810/W/25/3365661 – ARUN DC REF P/15/24/OUT

EMPLOYMENT & SKILLS PLAN – CONDITION 18 RESPONSE NOTE

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Background

Condition 18 of the outline consent states the following

Prior to commencement of development the applicant shall prepare and submit for approval in writing, an Employment and Skills Plan. Following approval of the Employment and Skills Plan the developer will implement and promote the objectives of the approved plan

The submitted reserved matters looks to seek consent for phase 1 of this development which will be the initial infrastructure road running north to south through the development and will not include any dwellings, public open space or infrastructure outside of the road.

CITB Contractor and Developer Guidance – England July 2017 (Appendix 1) provides detailed guidance on the content and implementation requirements for an employment and skills plan. Appendix B of this document sets out the benchmarks relating to projects that would require an ESP based on the value of work. This starts at £1 million for all construction type projects in band 1

The proposed road construction will be valued between £300,000 & £400,000 and therefore falls outside of band I in this respect

Northgate Properties values the benefit of an employment and skills plan in its importance to encourage training and employment of those wishing to start a career in construction, but to secure a more meaningful document, it is proposed that this will be submitted alongside any future reserved matters application for the wider housing scheme.

As any housing scheme will exceed the £1 million starting threshold, the Arun District Council Template (Appendix 2) will be completed and monitored as part of clearance of the planning condition and will become the primary document for measuring compliance and benefits of the scheme

Conclusion

Northgate Properties looks to seek part discharge of condition 18 relating to the first phase of this development, with full compliance subject to follow on reserved matters applications for the housing scheme

Client-Based Approach

To Developing and Implementing An Employment and Skills Strategy On Construction Projects

Contractor and Developer Guidance – England

July 2017

Foreword

As construction projects become an increasing focus of attention in a growing number of opportunities within the sector for training and productivity, the National Skills Academy for Construction continues to drive partnerships between the sector and clients, creating a common dialogue to enable aspirations for improved social value and economic development to be realised.

Sarah Beale **Kevin Bennett**

The National Skills Academy for Construction, facilitated by CITB, supports public sector bodies and organisations with responsibility for procuring construction work, to embed employment and skills interventions into planning and procurement contracts. Known as the Client-Based Approach, this end-to-end guidance is designed to be used for construction procurement and planning to aid the creation of employment and skills interventions, including Apprenticeships, work placements, job creation and upskilling opportunities that are relevant and proportionate to the construction activity being procured.

The Client-Based Approach ensures that all tiers of the construction and built environment supply chain can grow their business by supporting employment, skills and Apprenticeships. The approach includes employer-led benchmarks for employment, skills and Apprenticeship delivery against procurement lot sizes of £1 million upwards, making engagement in this agenda directly accessible to small and medium enterprises (SMEs), as well as larger contractors and their supply chains. The approach also covers early contractor procurement and the re-engineering of long-term contracts which gives further scope for dialogue between the client and the contractor to achieve the best outcomes.

Covering all areas of construction, such as housing and infrastructure, our construction industry backed guidance, which is tried, tested and endorsed by local authorities in England, Scotland and Wales, offers a genuine opportunity to work in partnership with employers in the industry and training and education providers. The guidance enables partners to set relevant and proportionate targets to increase the volume and quality of employment and skills interventions through construction contracts – meeting your communities' specific needs in a fair, measureable and sustainable way.

Co-signatories

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1.0 Introduction

Many Public Sector clients, including Local Authorities, registered providers and Central Government departments are playing their part to ensure that we invest in our nation's construction skills during the current downturn and beyond. That means utilising the huge power of public procurement to address the industry's skills requirements now and in the future and to support young people, adults and the businesses of this country.

The Government continues to state that it is committed to enhancing the delivery of Apprenticeships and workplace training. This means using procurement to promote investment in skills both when letting new contracts and working with existing Contractors where contracts have been awarded on a voluntary basis.

They are using the opportunity provided by the Client-Based Approach to leverage a significant amount of training and employment opportunities through their capital works programmes and through their powers under Planning Policy and Development Control.

Client-Based Approach Guidance documents for Local Authorities have been commissioned by CITB to provide information to clients on how to incorporate employment, skills and training requirements into the planning and procurement of construction projects, and include legal advice, good practice information and suggested Template Clauses for Tenders and construction contracts.

This Guide has also been commissioned by CITB to assist Contractors and developers to respond to the Employment and Skills requirements in Local and Central Government clients' procurements and development obligations (where applicable). CITB has appointed Trowers & Hamlins LLP as consultants in the production of this Guide (of whom further details are set out in Appendix F). A glossary of commonly used terms is set out in Appendix E.

This Guide includes:

- What to expect from a Local or Central Government client's Tender documents
- The documents required to respond to such Tenders
- Early Contractor Procurement and suggested methods of ensuring that Employment and Skills requirements are flowed through the supply chain
- Template Clauses for use in sub-contracts
- Advice on engagement with the client and supply chain, including Early Contractor Procurement, Re-Engineering the Supply Chain under Long-Term Contracts, inclusion of Small and Medium Enterprises (SMEs) and Supply Chain diversity
- Practical advice on the implementation during construction
- Ongoing monitoring of the Employment and Skills requirements

Reference is made throughout this Guide to its use by contractors, although it will apply equally to developers, whether they are undertaking works themselves or sub-contracting to a main contractor.

2.0 The National Skills Academy for Construction Programme

This Guide is based on the National Skills Academy for Construction programme, which integrates skills development with major construction projects. It has been established since 2007 and involves over 400 construction projects throughout Great Britain.

The Client-Based Approach requires the creation by a client of an Employment and Skills Strategy, which forms the basis of an Employment and Skills Plan (an ESP), developed to include the minimum Employment Skills Outputs (Benchmarks) specific to an individual construction project or Framework of projects. The Employment and Skills Strategy and a Template ESP will be included in a client's Tender documents and a Contractor will be required to commit to the minimum Benchmarks and exceed them, where possible. The Contractor will also need to create an Employment and Skills Method Statement to explain how the ESP will be implemented throughout the project or Framework (a Method Statement). With the advent of the Public Contracts Regulations 2015 it is also now explicitly possible for Tender Evaluation Criteria to refer to social aims and therefore the Tender may also be assessed against the employment aims of a client.

This Guidance has been based on the legislation current as at June 2016 including: EU Directive 2014/24/EU on Public Procurement; The Public Contracts Regulations 2015 (SI 2015 No 102); The Public Services (Social Value) Act 2012; Town and Country Planning Act 1990; The Planning and Compulsory Purchase Act 2004 and The Planning Act 2008.

3.0 CITB

It is recommended that in the first instance a client should contact CITB regarding its intended approach to employment and skills. Please email NSAfC@citb.co.uk

CITB are the Industry Training Board and a partner in the Sector Skills Council for the construction industry in England, Scotland and Wales". A social enterprise, devoted to building competitive advantage for the construction industry and the people who work in it" We have a clear focus – to work to ensure that the construction industry has the right skills, in the right place, at the right time. The Strategic Partnerships Team is the department of CITB that works closely with clients, developers and contractors and is conversant in the development and implementation of Employment and Skills Strategies and Employment and Skills Plans (ESPs). CITB (in partnership with CITB-Northern Ireland) covers the whole of the UK and can provide support to clients, developers and contractors in how best to utilise this guide in conjunction with existing good practice.

CITB facilitates and supports the contractor-led National Skills Academy for Construction. The Client-Based Approach is a product of the Academy and presents an industry solution to embedding employment, skills and Apprenticeships into the procurement of construction works.

CITB is uniquely positioned to improve the skills base and productivity of the UK construction industry. Through its Construction Skills Network, CITB provides the authoritative picture of the skills requirements to support the construction industry moving forward. It also aims to inform Governments at national and local levels, planning to meet future employment and skills requirements, by providing sector intelligence based upon robust data and analysing capacity, productivity and skills. In its role as an Industry Training Board, CITB uses this evidence to develop sector- specific solutions to meet emerging and identified needs.

CITB, through its Strategic Partnerships Team, offers support for contractors identifying how it should utilise this guidance to maximise employment and skills outputs across projects and contracts.

Over 400 National Skills Academy for Construction projects have already been supported across Great Britain. The Strategic Partnerships Teams are also working with clients to help embed sensible and achievable employment and skills solutions into their strategies, to develop ESPs and to engage with their supply chains.

If a client follows this guidance as an end to end process to embed the employment and skills requirements into its strategies, procurement and implementation, it may be possible for the client to apply for National Skills Academy for Construction status across the portfolio of projects in relation to which this guidance has been used. In order to receive National Skills Academy for Construction accreditation and permission to use the brand, a successful submission must be made to the National Construction Skills Academy Group (NCSAG) (the established body of contractor and client representatives from across the construction industry which form the core part of the CITB governance structure) with supporting evidence that the Client-Based Approach has been implemented. CITB's Strategic Partnerships Team can provide further details about this process and how the operational teams can support contractors meet their client obligations

High on the agenda for all public sector clients is the provision of employment and skills opportunities for local residents. As this guidance explains, public sector clients are prohibited in an EU procurement process from requiring contractors to offer local opportunities in tender documents or contract conditions. However, following contract award, clients can carry out supply chain collaboration exercises with contractors either before start on site (using Early Contractor Procurement) or over the duration of a contract (by re-engineering Long-term Contracts) in order to influence the contractor's use of a local supply chain. This is discussed further in Section 6.

CITB has also developed

- Client Based Approach guidance for planning & procurement in England , Wales and Scotland

4.0 What Requirements to Expect in a Local or Central Government Client's Tender

This section sets out the Employment and Skills-related documents that a contractor should expect to receive from a Local or Central Government client using the Client-Based Approach at each stage during an EU-compliant procurement process.

4.1 Market consultation

The EU Regulations now specifically allow clients to consult the market before publishing a Contract Notice in the OJEU. This period of pre-procurement planning and initial consultation might be used by a client to confirm that the project or framework of prospective projects is suitable for the Employment and Skills Strategy.

At this stage, the client is able to engage with prospective bidders as to how it sees the Employment and Skills Strategy being delivered through the project or framework. The client can also gauge the potential interests of SMEs, start-ups and suppliers which champion employment and skills practices. The client also needs to decide which procurement procedure is to be used – Open, Restricted, the Competitive Procedure with Negotiation, Competitive Dialogue or the Innovation Partnership Procedure. The Competitive Procedure with Negotiation and the Competitive Dialogue Procedure are only available in the limited circumstances set out in the EU Regulations.

4.2 Pre-Qualification Questionnaire

A client's Pre-Qualification Questionnaire should request details of the contractor's previous experience in implementing skills development, employment, Apprenticeships or training schemes on similar projects or programmes (in terms of value and scope of works or services). It may also require details of where the contractor has failed to meet Employment and Skills targets, and why.

4.3 Invitation to Tender

The Directive 2014/24 on Public Procurement (the Directive) and the implementing Regulations in the UK, the Public Contracts Regulations 2015 (the EU Regulations) allow clients to pursue secondary policies via procurement procedures (the primary policy in an EU-compliant process being to open up the Single Market and to subject the particular contract to an EU-wide competition) and the EU Regulations provide flexibility to consider secondary requirements (in terms of the protection of the environment, employment of the long-term unemployed and other training and skills initiatives) at all stages of a procurement, from the advertisement of the contract in the Official Journal of the European Union (OJEU) to the operation of the contract with the selected contractor or developers.

Developments enshrined in the EU Regulations now enhance the ability of clients to evaluate social and environmental objectives through a legally compliant evaluation methodology and this Guidance guides contractors and developers on how clients can incorporate this additional flexibility into their procurement procedures.

Two options therefore now exist under the Client-Based Approach which helps clients

approach the achievement of these aims: the Confirmation of Commitments option and the Evaluation option. A client has the flexibility of choosing either option and therefore the contractors will need to review the Evaluation Criteria and information included in the Invitation to Tender in order to confirm which approach the client has adopted.

As described briefly in the Introduction, a client using the Client-Based Approach will have created an Employment and Skills Strategy, which will set out its Employment and Skills Policies applicable to each of its construction projects. This should be included as part of the client's Tender documentation and should cover the following areas: Objectives and Priorities; Employment and Skills Areas; Benchmarks; Implementation; Roles and Responsibilities; Monitoring and Reporting and Review.The client should include in its Employment and Skills Strategy a Template ESP (see Appendix C) with the Summary column on the far right populated with the client's minimum Benchmarks to be met by the contractor over the duration of the Contract or Framework (see Section 4.3 and Appendix B). As part of its Tender return, each contractor should complete the remainder of the ESP, showing how the minimum requirements will be achieved and/or exceeded on a month-by-month basis. This structured approach provides the client and the contractor with a clear idea of what will be achieved and when, helping to reduce the number of misunderstandings and assist with measuring performance.

Contractors should also create a Method Statement setting out in detail how the Outcomes in the ESP will be implemented on site. This again provides the client with transparency as to how and when the Outcomes will be achieved.

Under a Framework Agreement, where the value and type of the programme or project are likely to be consistent, the client may require the contractor to create an indicative ESP and Method Statement at Tender stage, based on a model project. Where this is not possible, the contractor should be asked to create a general ESP and Method Statement covering the total Employment and Skills Outputs over the duration of the Framework Agreement. For each individual project, a more detailed ESP and Method Statement can be agreed between the parties as a pre-condition to the construction phase of that project.

Some contracts, such as PPC2000, have a pre-commencement phase built into their programme. These are referred to as Two-Stage Contracts and enable the contractor to create a more detailed Method Statement during the pre-commencement phase. This is discussed in more detail in Section 6.

1. The Confirmation of Commitments Option

As part of the Tender requirements set out by a client adopting the Confirmation of Commitments Option at the Tender stage, each contractor will be required to unequivocally commit to the implementation of the Employment and Skills Strategy, the ESP and the Method Statement in accordance with the terms of the Building Contract or Framework Agreement.

This commitment will then be an absolute requirement of the client (a minimum requirement pursuant to the EU Regulations) and if a contractor is unable to confirm its commitment to its implementation of the client's minimum Employment and Skills

requirements it is likely that its Tender will be rejected.

The exact detail of the ESP and Method Statement will then be finalised by the client and the successful contractor post-Tender, as part of the project mobilisation activities, but contractors should note that the client is unable to agree to any significant or substantial changes to the contractor's proposals post-Tender without breaching the EU Regulations and risking a challenge from one of the unsuccessful Tenderers.

2. The Evaluation Option

When the Evaluation method is used, the client will set out Evaluation Criteria in the Invitation to Tender which aim to score the Tender proposals on their ability to meet or surpass certain Employment and Skills criteria. These Evaluation Criteria should be linked to the contract and comply with EU law, and as such be proportionate and non-discriminatory.

As with the Confirmation of Commitments approach, contractors should be asked in the Invitation to Tender to:

- Confirm their commitment to implement Employment and Skills development on the contract or Framework Agreement and to complete the remainder of the ESP to show when the Benchmarks will be achieved on a month-by-month basis. The Template ESP at Appendix C provides a breakdown of the Employment and Skills areas as set out in the client's Employment and Skills Strategy
- Complete a Method Statement outlining how the ESP will be implemented on site

In addition to the ESP and Method Statement, questions may be inserted by the client in its Invitation to Tender so that their requirements are set out clearly and contractors' responses are thereby obtained in a more standardised format that can be evaluated on a like-for-like basis and can be taken forward by the parties post-Tender (e.g. for the completion of the ESP). This ensures that there is no ambiguity as to what is expected of the contractors, whilst still allowing the contractors a degree of flexibility to add value or go over and above such requirements. The Employment and Skills Strategy also creates a bottom line for any future developments under a Framework Agreement.

As part of the required responses with regard to the ESP and Method Statement, the contractors are likely to be required to state their commitment to deliver the Employment and Skills Strategy, the minimum Benchmarks set out therein and any cost of doing so. The client is then likely to use this initial requirement as a baseline and allocate scores to specific questions relating to their Employment and Skills requirements or certain sections of the ESP, Method Statement or Added Value proposals.

The minimum Benchmarks will then be evaluated by the client on a Pass/Fail basis (as minimum requirements) so that it can confirm that all Tenders submitted comply with the minimum Benchmarks set out in the client's Employment and Skills Strategy (this is identical to the Confirmation of Commitments approach and therefore if a Tenderer fails to confirm their commitment to implement the minimum Benchmarks

on the contract or Framework, the client is able to reject that Tender). It is important for contractors to note that a client is unlikely to waive any of the minimum Benchmarks once they have been declared in the procurement documents and/or Tenders have been invited, in the interests of transparency and equal treatment and clients are specifically restricted by the EU Regulations from removing minimum requirements once these have been stated.

The Tenderers should review the Evaluation information carefully in order to ascertain which elements of the Tender responses the client will be evaluating via its scoring and weighting exercise, for example:

- The completed ESP and/or
- All or certain elements of the Method Statement and/or
- Added Value proposals

A client must clearly set out in its procurement documents what Award Criteria and (ideally) the weighting it will use to evaluate the contractors' ESP and/or Method Statement and/or Added Value proposals. The weighting may not be set out if Tenders are either to be evaluated purely on price, or it is not objectively possible to set out the weighting (in which case it should set out the decreasing order of importance of each criterion).

A client should also provide a Scoring Matrix against which it will score the contractors' responses. This provides (for example) a range of scores from 1 to 5 or 1 to 10 and sets out how the client intends to evaluate Tenders against the pre-disclosed Evaluation Criteria, using the pre-disclosed Scoring Matrix.

In addition to the Scoring Matrix, the client should also set out Scoring Guidance that links back to the range of scores achievable for each question and sets out how the Tenderer could achieve an excellent or good (or poor or unacceptable) score.

In summary, the Evaluation Option requires the client to set out the minimum Benchmarks it will require in respect of the relevant contract/Framework Agreement and requires the client to make it clear that minimum Benchmarks are absolute requirements. It then requires the client to set out which elements of the Tenderers' responses it wishes to evaluate along with the relevant Evaluation Criteria, alongside all of the other qualitative Evaluation Criteria in the OJEU Notice or procurement documents, ideally with their Weightings. Where the knowledge of sub-criteria and their related Weightings could affect the preparation of a Tender, these should also be disclosed to Tenderers in advance of them preparing their Tender.

Contractors should also note that clients may include pricing requirements and price evaluation information in its Invitation to Tender, if it has chosen to evaluate the costs of delivering the ESP separately from the overall contract sum. In any event, the client is likely to expect that all commitments made by the Tenderer in its ESP and Method Statement are fully priced in the Tender proposal, unless stated otherwise.

4.4 Overview of Employment and Skills Benchmarks

The Benchmarks to be included in the client's Employment and Skills Strategy and Summary column of the ESP provide target Outputs against seven (7) Employment and Skills Areas. These Areas cover Apprenticeships, Support for schools and

colleges, Skills development for the existing workforce and Entry into employment. Please see Appendix A for details of these Employment and Skills Areas.

The Benchmarks are the cornerstone of the Client-Based Approach and have been ratified by the National Construction Skills Academy Group (NCSAG), the established body of contractor representatives which form the core part of the CITB governance structure. Benchmarks led and approved by the construction industry provide confidence to clients and contractors that the requirements are reasonable, proportionate and achievable.

The Benchmarks have been developed to reflect the ability of various categories of construction projects to support Employment and Skills development. The categories are set out in Section 4.54 and cover both new build construction and repairs and maintenance.

The Benchmarks should be used as minimum requirements for Tenderers to meet and/or exceed, and have been created to provide proportionality against the size and type of the projects on which they are to be used.

The size of the project is taken into account by the value bandings. For construction projects these range from £1 million to £100 million in terms of overall construction spend. In the case of housing projects (public and private), additional value bands have been included for projects below £1 million in construction value. In the case of repairs and maintenance projects, the value bands are based on annual spend.

CITB is able to develop bespoke Benchmarks for projects that exceed these values or are of a particular specialist nature.

A range of factors has been taken into account when developing the Benchmarks. These include the typical labour content of the work type, the nature of the workforce in terms of skills and trade categories, the availability of Apprenticeship Frameworks within the sector, and typical project durations. This work has been based on the experience gained by CITB from Employment and Skills implementation on a range of construction projects and draws extensively on the work of the National Skills Academy for Construction in this area.

The Benchmarks have been set at a level that reflects the possibility that contractors and their supply chain may be involved on numerous projects requiring Employment and Skills targets. It is recognised that there must be a balance struck between creating opportunities for people to develop skills and the ability of the industry to accommodate skills development within challenging project environments.

It is also recognised that many contractors, clients and their advisers already have the ability to deliver Employment and Skills programmes on construction projects, whereas others will need to develop the appropriate procedures and methods for implementation.

The Benchmark figures will be reviewed by CITB on a regular basis as additional performance information becomes available. This will enable the Benchmarks to be refined to reflect the capability of contractors and clients as they become more familiar with implementing the Client-Based Approach.

It may be the case that following contract award, the scope of the works is varied, so that the contract sum and the number of personnel required are increased or decreased. In this event, the Outputs in the ESP and any Key Performance Indicators may be proportionately amended by agreement, where the Building Contract allows.

4.5 Categories of Projects Covered by the Benchmarks

Benchmarks have been developed for the following thirteen categories of construction projects and four maintenance sectors.

Construction projects:

1. Residential - public and private sector housing
2. Retail, sports, leisure, entertainment - theatres, restaurants, public swimming baths, works and buildings such as sports grounds, stadiums and racecourses etc.
3. Highways and roads
4. Infrastructure (excluding highways) - water, sewerage, electricity, gas, communications, air transport, railways and harbours
5. Factories and warehouses (including garages)
6. Education - schools, colleges and universities
7. Health - hospitals including medical schools, clinics and welfare centres
8. Offices and commercial
9. Regeneration – new build involving existing communities
10. Refurbishment/Decent Homes
11. Water supply and waste disposal
12. Off-site structures
13. Judicial – Courts, young offenders institutes and prisons

Maintenance projects:

14. Housing repairs and maintenance
15. Non-housing repairs and maintenance
16. Highways
    - Structural maintenance
    - Routine cyclical maintenance
    - Routine Structures
17. Courts, young offenders' institutes and prisons' refurbishment

4.6 Key Performance Indicators (KPIs)

The client's draft construction contract included in the Tender documents may contain a set of KPIs and targets, some of which may relate to Employment and Skills. If so, it is likely that the achievement of the contractor's ESP and Method Statement for each of the Employment and Skills areas will form the basis of the Employment and Skills KPIs and the monthly targets to be attained.

In order to incentivise the achievement of the KPIs and targets, the client may link failure or attainment to:

- A breach of contract giving rise to a claim for damages
- The level of profit payable to the contractor: This approach can be a powerful incentive which needs to be integrated in the pricing structure used for payment of the contractor in relation to each project and/or
- The award of future projects pursuant to a Framework Agreement: This is another powerful incentive for contractors to treat the KPIs and targets seriously

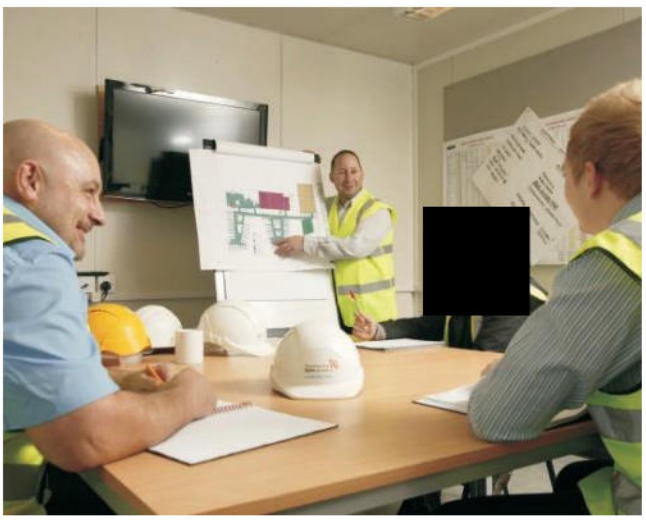
Equivalent provisions should be included in the contractor's supply chain sub-contracts, proportionate to that sub-contractor's contribution towards the ESP.

4.7 Costing Employment and Skills Requirements

Clients should recognise that the delivery of an ESP involves certain costs. However, best practice demonstrated on a number of National Skills Academy for Construction schemes shows that although costs as a proportion of construction value should be relatively small, that figure can be considerable. It is vital therefore that the client and Tendering contractor understand how the funding of these Outcomes will be sourced.

An additional cost is the management of and delivery of the ESP. For the larger schemes this could include the role of a dedicated Project Skills Co-Ordinator together with a site-based Skills Centre. On smaller schemes, which do not justify a dedicated Skills Co-ordinator, this management role may be undertaken by a part-time Skills Co-Ordinator, the cost of which will form part of the contractor's preliminaries or overheads for the scheme. As contractors become more practised at delivering ESPs, it is likely that they will increasingly employ specialist staff to assist with this requirement.

NB: Wage costs of Apprentices can often be significantly off-set against the productivity of the Apprentices and by grants from CITB which may be drawn down by the company employing them (conditions apply).



5.0 Development of the Building Contract or Framework Agreement

Procurements in the UK (except Scotland) are regulated by the EU Regulations, which implement the EU Directive. The Regulations limit the ability of Contracting Authorities to negotiate contract terms during the procurement and after contract award so it is fundamental that information on supply chains is gained as early as possible as changes during the Tender process and after the award are restricted.

Under the Open and Restricted EU Procedures there is no opportunity to negotiate a contractor's Tender during the procurement itself and under those procedures the client may choose to adopt a two-stage process (explained in Section 6) in order to finalise its requirements with the selected Tenderer.

The Competitive Dialogue Procedure and the Competitive Procedure with Negotiation do allow some scope for structured negotiation with Tenderers and it may be that the client will finalise its requirements, and the Tenderers' related proposals, during the dialogue phase of the procurement procedure. This means final Tenders are obtained on the basis of a well-developed ESP and Method Statement that will be subject only to minor clarification post-Tender. It should be noted that, the use of these procedures is only permitted in certain circumstances, e.g. in respect of complex procurements which are usually larger-scale and require input from the Private Sector in order to finalise the Tender specification.

The finalised ESP and Method Statement should be included as contract documents forming the Building Contract or Framework Agreement with contractual obligations on the contractor, including monthly reviews of progress against the ESP and KPIs, and a final review at the end of the project or at the end of each project under a Framework.

6.0 Engaging the Supply Chain

The client will seek to achieve the best value from the contractor and its supply chain, not only in terms of prices but also in the creation of the best Employment and Skills opportunities. Local unemployment and skills deficits are likely to be high on any Local or Central Government client's agenda, and procurement of construction projects is an effective method of working towards their targets. To this end, the Crown Commercial Service has issued guidance on supporting Apprenticeships through procurement, noting that skills levels are key to sustainable development. The client's Employment and Skills Strategy will set out the priority of Employment and Skills areas to be addressed and the benchmarked Outputs that the client expects to be achieved for projects of certain types and values.

6.1 Early Contractor Procurement

In addition to the Employment and Skills Outputs obtained through the EU procurement process, a methodical approach to contractor procurement can achieve further contractor, sub-contractor and supplier contributions in the delivery of Employment and Skills.

Early Contractor Procurement is a procurement strategy which has its origins in two stage Tendering, but adopts a more systematic approach with clear conditionality and binding deadlines. It is based on a series of post-award processes which have been clearly provided for in the Tender documents (see Section 6.1.3) and are undertaken after contractor selection but prior to mobilisation on site and involves activities in which the contractor and its key supply chain members are directly involved.

A number of Public Body clients have already achieved significant results through use of this approach, including local employment and training opportunities and other community benefits.

6.1.1 What is Early Contractor Procurement?

Early Contractor Procurement is a two stage process whereby the client undertakes a procurement exercise and then enters into a conditional contract with a contractor, which will not become unconditional or permit start on site until a set of pre-conditions have been met during a pre-mobilisation phase. Such pre-conditions may include clarification and enhancement of the contractor's ESP and Method Statement. This approach can be applied to an individual project, a Framework Agreement or a Long-Term Contract.

The terms of the conditional appointment under a two stage process should set out contractual mechanisms by which the client works with the contractor to review and reengineer its proposals for direct labour, sub-contractors and supply contracts in order to establish whether better value options are available that will deliver enhanced and refined Employment and Skills Outputs. These processes should not involve client nomination of sub-contractors or suppliers but provide a transparent means by which the client can ensure that the contractor tests its proposals in detail and alters them if better value and better employment and skill commitments can be achieved.

Without Early Contractor Procurement, a client undertakes a procurement exercise and then enters straight into an unconditional contract with a contractor, which starts on site without a clear pre-mobilisation phase. The limited time and opportunities created by the constraints of a single stage Tender exercise lead to the risk of contractors not pursuing detailed reviews with their potential supply chain members to address Employment and Skills requirements, thereby depriving them of an opportunity to obtain fully developed and thought through proposals from team members.

The Client-Based Approach Guidance is designed to assist clients and contractors with the creation of clear expectations and commitments at the procurement stage and can be used whether a client is undertaking a Single-Stage procurement with immediate start on site or a Two-Stage procurement under Early Contractor Procurement.

6.1.2 How Does Early Contractor Procurement Work?

Contractor Procurement (Stage One)	Selection of the contractor following EU compliant procurement (individual Project, Framework or Term Contract).
Conditional Contractor Appointment (Stage Two)	Agreed supply chain Re-engineering processes and activities undertaken according to a contractual timetable, including review by the client and the contractor of supply chain packages for Best Value and for proposals and commitment to achieve the ESP and Method Statement.
Unconditional Contractor Appointment	Once the agreed supply chain Re-Engineering processes and activities are complete and the ESP and Method Statement have been finalised, the contractor is unconditionally appointed and proceeds with mobilisation.

The benefits of the two-stage approach are:

- A period of thinking time post-award during which the contractor can engage with the client and the supply chain members to clarify and enhance the ESP and Method Statement and improve on costs
- An opportunity for the contractor and the supply chain members to offer innovative solutions
- A period for the client to assist the contractor by liaising with Employment and Skills intermediaries and signposting the use of local training providers, employment agencies and education facilities

6.1.3 Early Contractor Procurement and the EU Regulations

The EU Regulations prohibit clients from making material changes to contract conditions once the procurement process has completed. Clients may therefore be concerned that, when using the Open or Restricted Procedures, dialogue with the contractor and supply chain post-award may give rise to a challenge from unsuccessful Tenderers. In order to minimise the risk of challenge, the client must ensure that the pre-mobilisation activities are clearly provided for in the contract conditions disclosed at Tender stage and should not depart materially from the proposals set out in the contractor's original Tender.

Whilst the Regulations prohibit material changes, they do allow for some modifications to be made to a concluded contract (Regulation 72). Amongst others, modifications which have a value of under 10% (for Services/Supply Contracts) and 15% (for Works Contracts) of the original value of the contract would be allowable, provided they do not change the overall nature of the contract, and do not exceed the defined financial thresholds for Works, Services and Supplies Contracts. The current thresholds are:

- Works Contracts: £4,104,394 (net of VAT) (for both Central and Sub-Central Government)
- Supplies and Services Contracts: £106,047 (net of VAT) (for Central Government) and £164,176 (net of VAT) (for Sub-Central Government)

The thresholds are subject to change and up-to-date information can be obtained from the Tenders Direct website (www.Tendersdirect.co.uk) These figures were updated on 1 January 2016. Local Authorities and Housing Associations are deemed to be Sub-Central Contracting Authorities.

In addition, modifications which are non-substantial are allowed. Substantial is further defined by Regulation 72(8) and includes changes which either materially affect the character of the contract or would generally have altered the Tender process by allowing/attracting other providers to submit Tenders or which would have resulted in another Tender being accepted.

If the enhancements to the ESP and/or costs cannot be achieved within the confines of the Regulation 72 grounds noted above, then there are other grounds for modification set out in Regulation 72. The rules in Regulation 72 are complex and if in doubt, specific legal advice should be sought.

6.1.4 Early Contractor Procurement and Standard Form Contracts

Early Contractor Procurement is dealt with in relatively few published contract forms.

For clients implementing a single project in line with this Guidance, Early Contractor Procurement processes are set out in detail in the PPC2000 Form of Contract, which describes a series of pre-construction activities and links these to objectives that include Employment and Skills. These processes have been successfully tested on a wide range of projects over the last fifteen years.

In November 2015 NEC published an Early Contractor Involvement Clause with related Guidance, which enables a contractor to be appointed in two stages. The Stage One appointment enables the build detailed up of designs and costs in advance of Stage Two.

JCT produced in 2011 an updated Pre-Construction Agreement, which is suitable for Early Contractor Procurement but requires clarification of the specific pre-construction phase activities and processes and creation of a timetable governing their completion. It also needs clearer links between the procurement of the Pre-Construction Agreement and procurement of the construction phase Building Contract. JCT contracts can be amended to include Early Contractor Procurement provisions.

There are no published forms of Framework Agreement that deal expressly with Early Contractor Procurement.

For Long-Term Contracts Early Contractor Procurement is provided for only in the TPC2005 Form of Contract, and recently the NEC3 Form of Contract. Other forms of Long-Term Contract such as the JCT Measured Term Contract would require adaptation to create the conditional appointments described in this Guidance.

6.2 Suggested Sub-Contract Procurement Procedure

6.2.1 Pre-Qualification of Sub-Contractors

A Pre-Qualification Questionnaire (a PQQ) may be dispatched to sub-contractors who have expressed an interest in Tendering for the sub-contract. At this stage, the PQQ should consider information relating to each sub-contractor's financial or economic standing, technical or professional ability and other issues that provide the contractor with grounds for rejection.

Contractors should carefully consider the wording of any Employment and Skills questions at this stage to ensure that they will not prejudice Small or Medium Enterprises (SMEs) or new start-up companies who do not have the requisite experience but who may nevertheless be competent to deliver Outputs including Employment, Skills, and Apprenticeship requirements under the proposed contract. This is more important now given Lord Young's report titled "Growing Your Business" which highlighted public procurement as a key avenue for growth of the economy by encouraging and harnessing SMEs.

For the purposes of the selection stage, a question could be included within the PQQ requiring prospective sub-contractors to indicate their experience of implementing employment, skills development and training on previous projects or Frameworks similar to the level required by the contractor and the client. Prospective sub-contractors should also be required to set out a short Method Statement as to how they have achieved this on previous projects or Frameworks, indicating what levels of training, including Apprenticeships, have been historically offered.

6.2.2 Sub-Contractor Tendering and Award

Once the short-list of sub-contractors has been compiled, an Invitation to Tender (ITT) should be prepared that obtains the short-listed sub-contractors' proposals for the contract.

The contractor will have produced an ESP and Method Statement in response to the Employment and Skills Strategy requirements in the client's Tender documentation. A copy of the contractor's ESP and Method Statement should be included in each sub-contract ITT to make clear the contractor's obligations to the client.

The contractor should consider how each sub-contractor can contribute to the contractor's achievement of the ESP and should set out in its Evaluation Criteria exactly what the sub-contractor's contribution is to be. It is suggested that the contractor's requirements from each sub-contractor are a minimum standard linked to the minimum requirements of the client, creating a bottom line for future contracts or Framework Agreement programmes.

Setting out the sub-contractor's Employment and Skills requirements in the ITT ensures that there is no ambiguity as to what is expected, whilst still allowing a degree of flexibility to add value or go over and above such requirements.

A Method Statement outlining how the sub-contractor's requirements will be implemented on site should also be requested within ITT in order for Tendering sub-contractors to show how they intend to ensure delivery.

The sub-contractors' responses to each ITT should state their commitment to deliver the requirements and any related costs. Contractors should provide as much information as possible to ensure that the sub-contractors are costing the implementation of the minimum requirements as accurately as they can.

Each sub-contractor's response to the Employment and Skills requirements can be scored and evaluated so as to ensure that the contractor is receiving Best Value.

The ITT should contain the contractor's standard form of Sub-Contract, including the Employment and Skills minimum requirements. Suggested Template Sub-Contract Clauses are set out in Appendix D. The authors cannot accept liability for the use of these Clauses.

6.3 Sub-Contract Requirements

In order to obtain commitment from the supply chain in achieving the ESP targets and Method Statement, the contractor should make clear the sub-contractor's minimum obligations in each sub-contract Tender. Sub-Contractors should be encouraged to exceed the contractor's requirements, in order to provide Added Value to the contractor and ultimately the client.

Where possible, the contractor's Employment and Skills requirements should be flowed through into relevant supply chain Sub-Contracts, so that they become a contractual requirement and are more easily enforceable.

The obligations and level of involvement should be plainly set out in the Sub-Contract. Appendix D to this Guidance contains suggested Template Sub-Contract Clauses for use with:

- SPC2000 Specialist Contract for Project Partnering (amended 2013)
- JCT Standard Building Sub-Contract (SBCSub/A) (2011 Edition) Articles of Agreement; JCT Standard Building Sub-Contract with Sub-Contractor's Design (SBCSub/D/A) (2011 Edition) Articles of Agreement or JCT Design and Build Sub-Contract (DBSub) (2011 Edition) Articles of Agreement
- NEC3 Engineering and Construction Sub-Contract (3rd Edition)

The detail of the Clauses will have to be adapted to suit the requirements particular to each project. They have been drafted to reflect equivalent provisions under the forms of Building Contract and Framework Agreements which have been provided as Templates in the Public Sector client and Central Government Client-Based Approach Guidance.

6.4 Sub-Contract Key Performance Indicators (KPIs)

It is likely that the client will have linked the contractor's achievement of the ESP and Method Statement to KPIs and targets contained in the Building Contract or Framework Agreement.

In order to incentivise the contributions of the contractor's supply chain towards those KPIs and targets, the contractor may wish to include a set of Employment and Skills KPIs in its sub-contracts. The assessment of a supply chain member's previous performance against the KPIs could influence the award of future sub-contracts and this is a powerful incentive for supply chain members to treat the KPIs and targets seriously.

In all cases, contractors should consider what is proportionate and reasonable to expect from a supply chain member. It is important that they take their sub-contract responsibilities seriously, but it is also important that they are not dissuaded from Tendering or encouraged to quote a risk premium.

6.5 Supply Chain Review During the Pre-Construction Phase

Although the EU Regulations prevent negotiation of contract Terms between the client and contractor post-award, an element of clarification is permissible, as set out above at Section 6.1.3. It is likely that the contractor's ESP and Method Statement will require amplification once the project parameters become more defined. So that the contractor's Employment and Skills responsibilities are clear before start on site, it is useful to conduct a review procedure during a pre-construction phase, if one has been built into the contract. See Section 6.1 for further information on two-stage contracts and early engagement.

Any post-award review of the supply chain should be undertaken on a consensual basis. The first step will be for the contractor to confirm its supply chain to establish which members can provide the best prices and value in order to achieve additional savings, including Employment and Skills Outputs. It is possible for the contractor to re-Tender works and/or supply packages, in consultation with the client, in order to determine which can offer the best value, including imposed Employment and Skills Benchmarks.

Once the preferred supply chain members have been identified, Added Value can be realised through facilitated discussions identifying the client's particular Employment and Skills requirements and clarifying the ESP and Method Statement. The success of a pre-construction supply chain review is dependent on all parties knowing what is expected of them. This is best set out in a pre-construction timetable.

6.6 Re-Engineering Long-Term Contracts

The Guidance focuses on procurement of single projects, but there are far greater opportunities for clients to maximise Employment and Skills Outputs where they are in a position to appoint contractors to Long-Term Contracts. These can comprise:

- Framework Agreements and/or
- Term Contracts

6.6.1 Use of Long-Term Contracts

Any Long-Term Contract can contain contractual mechanisms for the client to review the main contractor's proposals for Direct Labour, sub-contractors and Supply Contracts in order to establish better value options which also deliver enhanced Employment and Skills Outputs.

Without adoption of these processes it will be difficult to revisit the Employment and Skills commitments originally tendered even though, over the life of the Long-Term Contract, circumstances will change causing the client to expect improvements. These expectations would be reasonable in circumstances where:

- The contractor is receiving more work than originally anticipated
- The contractor becomes more familiar with the client's estate and objectives
- The contractor can place more confidence in data provided by the client
- Greater availability of local sub-contractors and Suppliers
- Changes in the marketplace are resulting in more economically advantageous sub-contract terms
- The main contractor's increased confidence in the work available under the Long-Term Contract translates into more opportunities for sub-contractors and Suppliers

6.6.2 Framework Agreements and Call-Off Contracts

Long-Term Contracts fall into one of the following types:

1. Under a Framework Agreement, though the client may not guarantee work to the main contractor, project contracts can be awarded (over a period up to four years) either directly against agreed prices or by Mini-Competition among a number of contractors to which Framework Agreement(s) have been awarded
2. A Term Contract is a commitment to a scope of work, subject to the ordering of particular quantities being called off. In order for a Long-Term Contract to operate as a Term Contract rather than a Framework Agreement, it must have sufficient clarity as to the brief and the pricing for the client to be able to call-off as if from a shopping list

6.6.3 How Does Supply Chain Re-Engineering Work Under Long-Term Contracts?

The Supply Chain Re-Engineering machinery in any Long-Term Contract should set out in clear contractual commitments events which will trigger Supply Chain Re-Engineering, the steps to implement the process and the timing of each of the activities.

The benefits of Supply Chain Re-Engineering are the opportunities:

- For the main contractor to revisit supply chain arrangements
- For sub-contractors and Suppliers to understand the full extent of the opportunities available to the main contractor and thereby to themselves
- For a limited list of sub-contractors and Suppliers to provide proposals to the main contractor with full visibility to the client
- To assess the Employment and Skills Outputs available from local contractors

6.6.4 How are Long-Term Contracts Relevant to Employment and Skills?

When the client invited Tenders for the Long-Term Contract, it will have stated its Employment and Skills expectations, which will have been reflected in the main contractor's ESP and Method Statement. However, at this time the main contractor will have had little scope to engage with sub-contractors and Suppliers, especially on a local basis.

A controlled process of supply chain reviews under Long-Term Contracts allows the main contractor to enhance its Employment and Skills commitments as well as other Added Value for the client.

6.6.5 Long-Term Contracts and the EU Regulations

The systems for Supply Chain Re-Engineering are unlikely to conflict with the EU Regulations or any other aspect of EU procurement law. They are predicated on the assumption that any accepted proposals will include lower prices and enhanced value as well as enhanced Employment and Skills commitments.

6.6.6 Is There a Commercial Incentive for the Supply Chain?

Supply Chain Re-Engineering also creates a commercial incentive for sub-contractors and Suppliers. Put simply, a sub-contractor/Supplier Tendering to a conditionally appointed main contractor (allowing for three sub-contractor/supplier Tenderers) has a 1 in 3 chance of appointment, whereas a sub-contractor/supplier Tendering to a main contractor that itself remains a Tenderer in relation to the original Long-Term Contract (allowing for six main contractor Tenderers) has a 1 in 18 chance of success.

For the main contractor, it is possible to create significant incentives by linking improved prices and enhanced Employment and Skills Outputs to the extension of a Long-Term Contract, contract award in a Mini-Competition or payments upon achievement of Key Performance Indicators.

6.6.7 Consortia

Where clients are working in a consortium or in an integrated alliance of clients and/or main contractors delivering related works, there are opportunities for the enhanced Outputs to be benchmarked and for best practice to be agreed and implemented.

7.0 Employment and Skills Plan (ESP) Delivery Themes

The Summary column in the client's ESP will contain Benchmarks for each of the Employment and Skills areas for the duration of the project.

It is recognised that the implementation of the ESP can be complex and that it may need management input from the client, the contractor and its supply chain.

The successful implementation of an ESP will require the following:

- Development of the contractor's Method Statement for implementation of the ESP (as outlined above)
- Review of sub-contract order requirements
- Monitoring and support from the client

7.1 Support with Delivery

Delivery of the ESP may require collaboration between a number of agencies and organisations. The client may be in a position to assist with identifying suitable delivery partners. CITB, through their network of Advisors and delivery teams, may also be able to support contractors and their supply chain partners with delivery matters. This support can be identified through a Gap Analysis Report prepared by CITB to meet the specific needs of a client, the contractor and its supply chain.

An outline of key issues relating to delivery of the Employment and Skills areas is set out in Appendix A.

7.2 Monitoring and Support from the Client

The contractor's ESP should set out, on a monthly basis, the anticipated Outputs against each of the Employment and Skills Areas (please see Appendix C for a Template ESP). This document can be used as the main monitoring tool for both the main contractor and the client to review progress.

CITB's Management Information System SPONSA allows tracking of critical Key Performance Indicators on a real time basis. It is recommended that clients review the working of the SPONSA system as it provides many benefits including best practice sharing and benchmarking against other clients and projects. The use of SPONSA is not a pre-requisite to the implementation of the Client-Based Approach but it is sanctioned by NCSAG and is highly recommended to ensure key performance information can be captured.

7.3 Site-Based Facilities and Setting up a Skills Centre

Some site-based facilities will be required for implementing an ESP. These would be used for accommodating school visits, on site assessment inductions and skills audits. On small and medium-sized projects an existing meeting room could potentially be used.

A dedicated Skills Centre could be appropriate for large projects of, say, over £25 million. This could be a site cabin fitted out with tables and chairs, a white board and computer. Establishing facilities on site, such as a Skills Centre, is not a requirement for the Client-Based Approach, but should be considered according to the requirements of individual projects.

7.4 Personnel Responsible for Delivery

The contractor's Method Statement will set out how it intends to manage the implementation of the ESP.

On small and medium-sized projects this could be the responsibility of the Site Manager with Head Office support. Some contractors may have their own personnel who have responsibility within the company for co-ordinating and facilitating activities such as training and school engagement activities.

For larger projects or Framework programmes of over £50 million there could be a case for having a dedicated Project Skills Co-Ordinator. Their role would be to co-ordinate and facilitate the range of Employment and Skills Areas. This would involve liaising with the site team, trade contractors, schools, colleges and training agencies. The cost for this post could be shared between the client and the contractor. Regardless, there is a recommendation that the client would wish to see provision for a dedicated resource costed in any submissions. This will ensure that there is a greater chance of ESP Outcomes being achieved.

7.5 Project Implementation and Review

The Project Manager working on behalf of the client should ensure that it reviews the performance of Employment and Skills Outputs throughout the project or Framework against the ESP and Method Statement.

Continuing support and interest by the client in the Employment and Skills programme will play an important role in ensuring its success. Success should be acknowledged and celebrated. Failure to deliver against the ESP may be taken into account when awarding future projects or additional work under a Framework.

7.6 Inclusion of SMEs and Supply Diversity

SMEs form the core of the construction industry and are likely to employ a higher percentage of trainees and Apprentices (compared to their own headcount) than their larger competitors. However, clients and contractors alike are at risk of inadvertently excluding such small and diverse businesses by opting for a bulk-buy or a Framework approach for their procurement needs and including skills and training requirements which SMEs are (by their nature) too small to compare favourably against larger competitors with established track records and more resources.

Furthermore, many SMEs will not have the available resources and experience of Tendering for work under structured, formal procedures and as pre-set Evaluation Criteria often concentrate on capacity and effectiveness requirements, the results tend to lead to the appointment of larger firms.

Supplier diversity via the inclusion of SMEs in a contractor's supply chain can benefit the local community and increase opportunities for employment, skills development and Apprenticeships. Therefore, Supplier diversity in procurement is central to the delivery of sustainable communities and, to overcome the potential problems arising in relation to the inclusion of SMEs, contractors should seek to open up their procurement processes to SMEs in a number of ways including:

- Improving access to Tender opportunities by advertising in the local and trade press and the contractor's website
- Simplifying the administrative processes (i.e. what questions are asked in the PQQ), and present documents in clear and concise language
- Offering coaching or Guidance Notes to all Tenderers on how to complete the documentation and how the process will run, and consider increasing the time-scales so they are long enough for the SMEs (who often have little or no administrative Tender support) to respond
- Encouraging alternative routes into the market (i.e. SMEs acting as sub-contractors to larger firms)
- Dividing a contract into Lots so that SMEs which may only be able to take on a certain level of work or have a particular specialism can Tender for specific Lots
- Encouraging SMEs to Tender for larger contracts as part of a consortium

Appendices

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Appendix A
Summary of the Employment and Skills Areas

The purpose of this section is to provide outline details of the Employment and Skills Areas that are contained within the Employment and Skills Plan (ESP) and the definitions for measuring outputs. Please refer to Appendix C for a Template ESP.

KPI 1: **Work Experience Placements**

This KPI is aimed at providing persons with the opportunity to carry out tasks agreed by their supporting organisation (where applicable) and the employer enabling the individual to gain a meaningful insight into the construction sector.

- This target describes work experience attendance on NSAfC Projects for students from schools, colleges and Universities (14 years plus) who undertake a work-experience placement for a minimum of 5 working (consecutive or non-consecutive) days. *L onger duration traineeships can be counted under KPI 5*. This KPI is aimed at providing students with the opportunity to carry out tasks agreed by the education provider and the employer enabling the learner to gain a meaningful insight into the construction sector.
- This target describes work experience attendance on NSAfC Projects for persons who are not enrolled in a course of education/study and who undertake a work-experience/pre-employment placement for a minimum of 5 working (consecutive or non-consecutive) days. This can include individuals from organisations such as Princes Trust, Probation Service, Job Centre Plus, Women into Construction, Armed Forces re-settlement programmes or local community organisations. It may also be appropriate for individuals seeking a career change.

This target relates to (data reporting lines)

- Work Experience Placement (In Education**)**
- Work Experience Placement (Not In Education)

KPI Measure: 1 completed work placement represents 1 outcome

Evidence:

1. Written confirmation from the learning provider or employer of the student participation in the activity, and;
2. Learner evaluation form

KPI 2: Jobs created by NSAfC Projects (new entrants)

This target describes the creation of new and sustainable job opportunities for new entrants into the sector. And as a result of the project, the successful candidate(s) are required on the project site(s) by the main contractor or subcontractor.

This target relates to (data reporting lines)

- Persons who are employed as Apprentices
- Persons previously unemployed
- Graduates

KPI Measure: 1 individual represents 1 outcome

Evidence:

1. Notification of vacancy on site, and;
2. Copy of offer of employment;
3. Confirmation letter or statement from employer following one month minimum employment (qualifying period)

KPI 3: Construction Careers Information, Advice & Guidance (CCIAG) Events

This target consists of the organisation and delivery of events focused on improving the image of the sector.
Events are aimed at increasing awareness of the o p portunities available within the industry, what it is like to work in Construction and how to get into the sector. To be counted, the activity must be formally structured, agreed by the project and the participating organisation

The key target groups for delivery of this outcome are

- Entrants 14-19: (e.g. persons currently not in education, employment or training, or school students, school leavers, college students)
- Under graduates
- Influencers (e.g. schools/universities, adult influencers, careers advisors, learning providers, community groups)

KPI Measure: 1 event represents 1 outcome.

Evidence:

1. Confirmation from the participating organisation of the student engagement in the activity, and;
2. Completed documentation detailing activity delivered and numbers attended

KPI 4: Training Weeks on Site

This target relates to and counts the number of weeks of formal training being undertaken by trainees/new entrants working on a NSAfC Project. This will involve training following a recognised syllabus of study which has been accredited/certificated by either an awarding body for that qualification or by the recognised issuing organisation. *One training week = 5 working days.*

This target relates to (data reporting lines)

- New entrants undertaking apprenticeships
- New entrants undertaking traineeships (to include regional flexibilities)
- New entrants undertaking technical/higher level qualifications

KPI Measure: Total number of training weeks currently taking place on the project

Suggested Evidence:

1. Registration documents/written confirmation from training provider detailing course of study, duration and qualification, and;

2. Completion certificates

KPI 5: Qualifying the Workforce

This target relates to persons gaining a nationally recognised qualification equivalent to Level 2 or above. Achievements can include vocational awards/diplomas, apprenticeship completions, professional qualifications, leadership and management courses including ILM, Health and Safety, (including IOSH, NEBOSH, SMSTS & SSSTS). Outcomes must be accredited by a nationally recognised professional institution or awarding body

This target further relates to persons gaining industry certification. Achievements can include short duration courses; project specific learning e.g. products, installation, technologies, or may relate to occupational competence, licence to practice or sector specific training e.g. the environment, sustainability, health and safety.
Outcomes must be accredited by public education establishments, employers or other training providers and may be held externally or in-house and must be a minimum duration of 3 hours.

This target relates to (data reporting lines)

- a)Qualifications achieved– main contractor
- b)Qualifications achieved– sub contractors
- c)Short Duration training certification– main contractor
- d)Short Duration training certification– subcontractors

  NB For the client based approach the sub-contractor reporting lines are optional

KPI Measure. 1 Qualification /certification achieved represents 1 outcome

Evidence:

Completion certificates.

KPI 6: Training Plans

This target relates to the annual company plan which details the organisational structured approach to training and developing the workforce. The plan must show the start and end date so that it demonstrates that this is a plan rather than a matrix. This target can included new plans and plans to be renewed.

KPI Measure: 1 new or annually renewed company training plan

Evidence:

A copy of the training plan with start and completion dates

KPI 7: Case Studies Approved

This target consists of completing and submitting a promotional case study which describes either an example of best practice or a significant achievement on the NSAfC project. Case studies counted against this measure must be compliant with the National Skills Academy for Construction case study guidelines.

The completed case study must be approved by a representative of CITB and the client/contractor's internal communications team and be made available for inclusion on the National Skills Academy for Construction webpages and for additional promotional purposes.

KPI Measure: 1 Case Study approved represents 1 outcome

Evidence:

Copy of approved case study

Appendix B
Benchmarks

1.0 Residential		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placements – persons	3	6	8	11	14	16	20	22	23	25	25	26	26
2	Jobs created by NSAfC	1	4	7	12	14	16	18	19	22	23	25	26	28
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	4	5	6	7	9	10	11	12	12	13	14
4	Training Weeks on site	47	99	167	261	365	522	731	939	1148	1357	1656	1775	1984
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	9	15	20	24	29	32	36	39	43	45	50	51
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	2	5	8	11	13	16	18	20	22	24	26	27
5(c) 5(d)	• Industry certification gained	5	7	10	12	13	16	16	18	19	21	21	24	24
6	Training Plans	4	4	5	5	5	6	6	6	7	7	7	8	8
7	Case Studies	Project Specific – to be agreed pre-approval												

2.0 Retail, sports, leisure and entertainment		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	Band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placements- persons	2	4	5	6	8	9	10	11	12	13	13	14	14
2	Jobs created by NSAfC projects	0	2	4	7	8	9	10	11	11	13	13	14	15
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	1	3	3	4	5	6	7	7	8	8	8	9
4	Training Weeks on site	44	93	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – p roject workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	5	7	11	13	15	19	21	24	26	30	30	33	34
5(a) 5b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	5	6	8	9	10	12	12	13	14
5(c) 5(d)	• Industry certification gained	4	6	8	9	10	13	13	15	16	18	18	20	20
6	Training Plans	2	2	3	3	3	4	4	4	4	4	4	5	5
7	Case Studies	Project Specific – to be agreed pre-approval												

3.0 Highways		band 1	band 2	Band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placements	0	2	2	3	3	4	5	5	6	6	6	6	6
2	Jobs created by NSAfC projects	0	2	4	5	7	7	9	9	11	13	13	14	14
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	0	1	2	2	3	3	4	5	5	5	5	6	6
4	Training Weeks on site	21	45	76	118	166	237	332	426	521	616	711	806	901
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	5	7	11	13	15	18	20	23	25	28	28	31	32
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	5	6	8	9	10	11	11	12	13
5(c) 5(d)	• Industry certification gained	4	6	8	9	10	12	12	14	15	17	17	19	19
6	Training Plans	1	1	2	2	2	2	2	2	2	2	2	2	2
7	Case Studies	Project Specific – to be agreed pre-approval												

4.0 Infrastructure		band 1	band 2	Band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placements - persons	1	2	2	3	3	4	5	5	6	6	6	6	6
2	Jobs created by NSAfC projects	0	3	4	5	7	8	9	10	11	12	13	14	14
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	0	1	2	2	3	3	4	5	5	5	5	6	6
4	Training Weeks on site	21	45	76	118	166	237	332	426	521	616	711	806	901
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	5	7	11	13	15	18	20	23	25	28	28	31	32
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	5	6	8	9	10	11	11	12	13
5(c) 5(d)	• Industry certification gained	4	6	8	9	10	12	12	14	15	17	17	19	19
6	Training Plans	1	1	2	2	2	2	2	2	2	2	2	2	2
7	Case Studies	Project Specific – to be agreed pre-approval												

5.0 Factories		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placements - persons	0	1	1	1	2	2	2	3	3	3	3	3	3
2	Jobs created by NSAfC projects	0	2	3	5	5	6	8	8	9	10	11	11	12
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	0	1	2	2	3	3	4	5	5	5	5	6	6
4	Training Weeks on site	12	26	44	69	97	139	194	250	306	361	417	472	528
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	4	6	9	12	14	17	19	22	23	25	25	28	29
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	5	6	8	9	10	11	11	12	13
5(c) 5(d)	• Industry certification gained	3	5	6	8	9	11	11	13	13	14	14	16	16
6	Training Plans	3	3	4	4	4	5	5	5	6	6	6	6	6
7	Case Studies	Project Specific – to be agreed pre-approval												

6.0 Education		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placements - persons	4	7	9	13	17	20	24	27	528	30	30	31	31
2	Jobs created by NSAfC projects	1	4	5	10	11	12	14	15	18	19	19	21	22
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	5	6	7	8	11	12	13	14	14	16	17
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	9	15	20	23	28	31	35	38	42	44	49	50
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	2	5	8	10	12	15	17	19	21	23	25	26
5(c) 5(d)	• Industry certification gained	5	7	10	12	13	16	16	18	19	21	21	24	24
6	Training Plans	3	3	4	4	4	5	5	5	5	5	5	6	6
7	Case Studies	Project Specific – to be agreed pre-approval												

7.0 Health		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	2	4	5	6	9	10	12	13	13	15	15	16	16
2	Jobs created by NSAfC projects	0	2	4	8	8	10	11	12	14	14	16	16	17
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	3	4	5	6	8	9	9	10	10	11	12
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	9	13	17	20	24	27	30	32	36	37	41	42
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	2	3	5	7	8	11	12	13	15	16	17	18
5(c) 5(d)	• Industry certification gained	5	7	10	12	13	16	16	18	19	21	21	24	24
6	Training Plans	2	2	3	3	3	3	3	3	4	4	4	4	4
7	Case Studies	Project Specific – to be agreed pre-approval												

8.0 Offices		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placements- persons	1	2	2	4	4	5	7	7	8	8	8	8	8
2	Jobs created by NSAfC projects	0	2	4	7	7	9	10	11	11	11	13	13	14
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	1	2	3	4	4	5	6	7	7	7	8	8
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5c) plus 5(d)*	6	9	13	16	19	23	25	27	29	33	34	38	39
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	6	7	9	9	10	12	13	14	15
5(c) 5(d))	• Industry certification gained	5	8	10	12	13	16	16	18	19	21	21	24	24
6	Training Plans	2	2	3	3	3	4	4	4	4	4	4	5	5
7	Case Studies	Project Specific – to be agreed pre-approval												

9.0 Regeneration		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	4	7	9	13	17	20	24	27	28	30	30	31	31
2	Jobs created by NSAfC projects	1	5	9	14	16	19	21	23	27	28	31	32	34
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	3	5	6	8	9	11	13	14	15	15	16	18
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	11	17	22	27	32	36	40	44	49	51	58	59
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	3	6	9	13	15	19	21	24	26	28	31	32
5(c) 5(d)	• Industry certification gained	5	8	11	13	14	17	17	19	20	23	23	27	27
6	Training Plans	4	4	6	6	6	7	7	7	8	8	8	9	9
7	Case Studies	Project Specific – to be agreed pre-approval												

10.0 Refurbishment / Decent Homes		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	2	4	5	7	9	10	12	14	14	16	16	17	17
2	Jobs created by NSAfC projects	1	4	7	11	13	15	16	18	20	20	22	23	25
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	4	5	6	7	9	10	11	12	12	13	14
4	Training Weeks on site	45	95	160	275	350	500	701	901	1101	1301	1502	1702	1902
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	5	7	11	16	20	24	26	28	31	32	35	39	40
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	6	8	10	12	12	14	15	17	18	19
5(b) 5(c)	• Industry certification gained	4	6	8	10	12	14	14	16	17	18	18	21	21
6	Training Plans	2	2	3	3	3	4	4	4	4	4	4	5	5
7	Case Studies	Project Specific – to be agreed pre-approval												

11.0 Water supply and waste disposal		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	1	2	2	3	3	4	5	5	6	6	6	6	6
2	Jobs created by NSAfC projects	0	2	2	5	5	5	7	7	8	9	9	9	11
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	0	1	1	1	2	2	2	3	3	3	3	3	4
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	3	5	6	8	9	11	12	14	14	16	16	18	18
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	0	1	2	3	3	4	5	6	6	7	7	8	8
5(c) 5(d)	• Industry certification gained	3	4	4	5	6	7	7	8	8	9	9	10	10
6	Training Plans	2	2	2	2	2	2	2	2	3	3	3	3	3
7	Case Studies	Project Specific – to be agreed pre-approval												

12.0 Off-site structures		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	1	2	2	3	4	5	6	6	7	7	7	7	7
2	Jobs created by NSAfC projects	0	2	3	5	6	6	8	8	9	10	10	11	12
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	1	3	4	4	5	6	7	8	8	8	9	10
4	Training Weeks on site	48	100	168	263	369	527	738	949	1160	1371	1581	1792	2003
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	3	3	7	8	9	12	14	15	16	17	18	21	21
5(a) 5b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	5	6	8	8	9	10	11	12	12
5(c) 5(d)	• Industry certification gained	2	2	4	4	4	6	6	7	7	7	7	9	9
6	Training Plans	1	1	2	2	2	2	2	2	2	2	2	2	2
7	Case Studies	Project Specific – to be agreed pre-approval												

13.0 Judicial

13.1 Courts – New Build		band 1	band 2	Band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	4	7	9	12	15	18	21	24	25	27	27	28	28
2	Jobs created by NSAfC projects	1	4	5	10	11	12	14	15	18	19	19	21	22
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	4	5	6	7	9	10	11	12	12	13	14
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	8	14	19	22	27	29	33	35	39	42	47	48
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	2	4	7	9	11	14	16	18	20	21	23	24
5(c) 5(d)	• Industry certification gained	5	6	10	12	13	16	15	17	17	19	21	24	24
6	Training Plans	3	3	4	4	4	5	5	5	5	5	5	6	6
7	Case Studies	Project Specific – to be agreed pre-approval												

13.2 Young Offenders – New Build		band 1	band 2	Band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1- 3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	3	5	6	8	10	12	14	16	17	18	18	19	19
2	Jobs created by NSAfC projects	1	3	5	9	10	12	13	14	17	17	18	20	21
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	1	2	3	4	4	5	6	7	7	7	8	8
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	9	14	19	22	27	30	33	36	40	42	47	48
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	2	4	7	9	11	14	15	17	19	21	23	24
5(c) 5(d)	• Industry certification gained	5	7	10	12	13	16	16	18	19	21	21	24	24
6	Training Plans	3	3	4	4	4	5	5	5	5	5	5	6	6
7	Case Studies	Project Specific – to be agreed pre-approval												

13.3 Prisons – New Build		band 1	band 2	Band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1- 3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	2	4	6	7	9	10	13	14	15	16	16	17	17
2	Jobs created by NSAfC projects	1	3	4	8	9	11	12	13	16	16	17	18	19
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	1	2	3	3	4	5	5	6	6	6	7	7
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	9	14	18	22	26	29	33	36	40	41	46	47
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	2	4	6	9	10	13	15	17	19	20	22	23
5(c) 5(d)	• Industry certification gained	5	7	10	12	13	16	16	18	19	21	21	24	24
6	Training Plans	3	3	4	4	4	5	5	5	5	5	5	6	6
7	Case Studies	Project Specific – to be agreed pre-approval												

14.0 Housing repairs and maintenance		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1-3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	3	4	6	9	10	12	16	17	18	19	19	20	20
2	Jobs created by NSAfC projects	0	3	4	8	8	9	11	12	13	14	15	16	17
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	4	5	6	7	9	10	11	12	12	13	14
4	Training Weeks on site	45	95	160	275	350	500	701	901	1101	1301	1502	1702	1902
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	2	3	6	8	10	12	13	15	15	16	17	20	20
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	0	1	3	4	5	6	7	9	9	10	11	12	12
5(c) 5(d)	• Industry certification gained	2	2	3	4	5	6	6	6	6	6	6	8	8
6	Training Plans	1	1	2	2	2	2	2	2	2	2	2	2	2
7	Case Studies	Project Specific – to be agreed pre-approval												

15.0 Non-housing repairs and maintenance		band 1 £1 - 3.5m	band 2 £3.6 – 6m	band 3 £6.1 - 10m	band 4 £10.1 - 15m	band 5 £15.1 - 20m	band 6 £20.1 – 30m	band 7 £30.1 - 40m	band 8 £40.1 – 50m	band 9 £50.1 – 60m	band 10 £60.1 - £70m	band 11 £70.1 – 80m	band 12 £80.1 – 90m	band 13 £90.1 - £100m
1	Work Placement - persons	2	4	5	7	9	10	13	15	15	16	16	17	17
2	Jobs created by NSAfC projects	0	1	3	6	6	8	8	9	11	11	12	12	14
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	1	2	3	4	4	5	6	7	7	7	8	8
4	Training Weeks on site	50	106	179	279	391	558	782	1005	1229	1452	1676	1899	2123
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus5(c) plus 5(d)*	2	2	5	7	8	11	11	11	12	12	13	16	16
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	0	0	2	3	3	5	5	5	6	6	7	8	8
5(c) 5(d)	• Industry certification gained	2	2	3	4	5	6	6	6	6	6	6	8	8
6	Training Plans	1	1	1	1	1	2	2	2	2	2	2	2	2
7	Case Studies	Project Specific – to be agreed pre-approval												

16. Highways maintenance

16.0 All categories		band 1 £1 - 3.5m	band 2 £3.6 – 6m	band 3 £6.1 - 10m	band 4 £10.1 - 15m	band 5 £15.1 - 20m	band 6 £20.1 – 30m	band 7 £30.1 - 40m	band 8 £40.1 – 50m	band 9 £50.1 – 60m
1	Work Placement - persons	2	3	4	5	6	7	8	9	10
2	Jobs created by NSAfC projects	1	1	3	4	5	7	8	9	10
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	3	4	5	6	7	7	7
4	Training Weeks on site	25	52	89	139	194	277	388	499	610
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	10	13	17	21	26	28	32	36
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	0	0	1	3	5	7	8	10	12
5(c) 5(d)	• Industry certification gained	6	10	12	14	16	19	20	22	24
6	Training Plans	1	2	2	3	3	4	4	4	5
7	Case Studies	Project Specific – to be agreed pre-approval								

16.1 Highways structural maintenance		band 1 £1 - 3.5m	band 2 £3.6 – 6m	band 3 £6.1 - 10m	band 4 £10.1 - 15m	band 5 £15.1 - 20m	band 6 £20.1 – 30m	band 7 £30.1 - 40m	band 8 £40.1 – 50m	band 9 £50.1 – 60m
1	Work Placement - persons	2	3	4	5	6	7	8	9	10
2	Jobs created by NSAfC projects	0	1	4	5	6	6	8	8	11
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	1	2	2	3	3	3	4	4
4	Training Weeks on site	25	52	89	139	194	277	388	499	610
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	5	7	10	14	17	22	24	28	32
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	0	0	1	3	4	7	8	10	12
5(c) 5(d)	• Industry certification gained	5	7	9	11	13	15	16	18	20
6	Training Plans	1	1	1	2	2	3	3	3	4
7	Case Studies	Project Specific – to be agreed pre-approval								

16.2 Highways routine cyclical maintenance		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9
		£1 - 3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - 15m	£15.1 - 20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m
1	Work Placement - persons	2	3	4	5	6	7	8	9	10
2	Jobs created by NSAfC projects	1	1	2	2	4	7	7	8	10
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	2	3	4	5	5	6	6
4	Training Weeks on site	25	52	89	139	194	277	388	499	610
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	5	11	14	18	23	26	28	32	36
5(a) 5b)	• Qualifications gained (equiv. NVQ2 and above)	0	0	1	3	6	7	8	10	12
5(c) 5(d)	• Industry certification gained	5	11	13	15	17	19	20	22	24
6	Training Plans	1	2	2	4	4	5	5	5	6
7	Case Studies	Project Specific – to be agreed pre-approval								

16.3 Highways routine structures		band 1	band 2	band 3	band 4	band 5	band 6	band 7	band 8	band 9
		£1 - 3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - 15m	£15.1 - 20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m
1	Work Placement - persons	2	3	4	5	6	7	8	9	10
2	Jobs created by NSAfC projects	1	1	3	5	6	8	10	10	12
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	2	3	5	7	9	10	10	12	12
4	Training Weeks on site	25	52	89	139	194	277	388	499	610
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	10	13	17	21	26	28	32	36
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	0	0	1	3	5	7	8	10	12
5(c) 5(d)	• Industry certification gained	6	10	12	14	16	19	20	22	24
6	Training Plans	1	2	2	3	3	4	4	4	6
7	Case Studies	Project Specific – to be agreed pre-approval								

17.1 Courts – Refurbishment		band 1	band 2	Band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1- 3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	2	3	4	6	7	8	9	10	11	12	12	13	13
2	Jobs created by NSAfC projects	0	2	4	7	7	9	10	11	12	12	14	14	15
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	1	2	3	4	4	5	6	7	7	7	8	8
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5.	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	6	9	13	16	19	23	25	27	29	33	34	38	39
5a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	6	7	9	9	10	12	13	14	15
5(c) 5(d)	• Industry certification gained	5	8	10	12	13	16	16	18	19	21	21	24	24
6	Training Plans	2	2	3	3	3	4	4	4	4	4	4	5	5
7	Case Studies	Project Specific – to be agreed pre-approval												

17.2 Young Offenders - Refurbishment		band 1	band 2	Band 3	band 4	band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1- 3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	1	2	3	4	4	5	6	7	8	8	8	8	8
2	Jobs created by NSAfC projects	0	2	4	6	7	8	9	9	11	12	12	14	14
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	1	2	4	5	6	7	9	10	11	12	12	13	14
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	5	8	11	14	16	20	22	24	25	28	29	33	33
5(a 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	5	6	8	8	9	10	11	12	12
5(c) 5(d)	• Industry certification gained	4	7	8	10	11	14	14	16	16	18	18	21	21
6	Training Plans	2	2	3	3	3		4	4	4	4	4	5	5
7	Case Studies	Project Specific – to be agreed pre-approval												

17.3 Prisons – Refurbishment		band 1	band 2	band 3	band 4	Band 5	band 6	band 7	band 8	band 9	band 10	band 11	band 12	band 13
		£1- 3.5m	£3.6 – 6m	£6.1 - 10m	£10.1 - £15m	£15.1 £20m	£20.1 – 30m	£30.1 - 40m	£40.1 – 50m	£50.1 – 60m	£60.1 - £70m	£70.1 – 80m	£80.1 – 90m	£90.1 - £100m
1	Work Placement - persons	1	2	2	3	3	4	5	5	6	6	6	6	6
2	Jobs created by NSAfC projects	0	2	4	5	7	7	9	9	10	12	12	13	13
3	Construction Careers Information, Advice & Guidance (CCIAG) Events	0	1	1	2	2	2	3	3	3	4	4	4	4
4	Training Weeks on site	44	94	157	246	345	492	690	887	1084	1281	1478	1675	1872
5	Qualifying the Workforce – project workforce *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*	5	7	11	14	17	19	21	24	26	28	29	33	33
5(a) 5(b)	• Qualifications gained (equiv. NVQ2 and above)	1	1	3	4	5	5	7	8	9	10	11	12	12
5(c) 5(d)	• Industry certification gained	4	6	8	10	12	14	14	16	17	18	18	21	21
6	Training Plans	2	2	3	3	3	4	4	4	4	4	4	5	5
7	Case Studies	Project Specific – to be agreed pre-approval												

Appendix C
Template Employment and Skills Plan (ESP)

Employment and Skills areas		Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12	Summary. No
1	**Work Placements – Persons** *Total of 1(a) plus 1(b)*													
1(a)	Work Placements (In education)-persons													
1(b)	Work Placements (Not in Education) - persons													
2	**Jobs created by NSAfC projects** *Total of 2(a) plus 2(b) plus 2(c)*													
2(a).	Jobs created by NSAfC projects (Apprentices)													
2(b)	Jobs created by NSAfC projects (New Entrants)													
2(c)	Jobs created by NSAfC projects (Graduates)													
3	**Construction Careers Information, Advice & Guidance (CCIAG) Events**													
4	**Training Weeks on site** *Total of 4(a) plus 4(b) plus4(c)*													
4(a)	Training Weeks on site (Apprenticeships)													
4(b)	Training Weeks on site (Traineeships)													
4(c)	Training Weeks on site (New entrants)													
5	**Qualifying the Workforce – project workforce** *Total of 5(a) plus 5(b)plus 5(c) plus 5(d)*													
5(a)	Qualifications gained(equiv. NVQ2 and above) (Main contractor)													
5(b)	Qualifications gained (equiv. NVQ2 and above) (Sub-contractor)													
5(c)	Industry certification gained (main contractor)													
5(d)	Industry certification gained (Sub-Contractor)													
6	**Training Plans**													
7	**Case Studies**													

Appendix D
Template Sub-Contract Clauses

1.0 Building Contracts

- **ACA Standard Form of Contract for Partnering - PPC2000 (Amended 2013)**
- **NEC3 Engineering and Construction Contract (3rd Edition June 2005, Updated April 2013)**
- **JCT Design and Build Contract 2011**

2.0 Bespoke Framework Agreement

The authors cannot accept liability for the use of these Clauses.

1.0 Building Contracts

1.1 ACA Standard Form of Contract for Project Partnering - PPC2000 (amended 2013)

For inclusion as a Special Term in the Project Partnering Agreement by reference to Clause 28 of PPC2000 (amended 2013).

Clause	
28.1	***Employment and Skills*** *In Appendix 1 the following definitions shall be inserted: "**Employment and Skills Strategy** – the Client's Employment and Skills Strategy forming part of the Project Brief* ***ESP** - the Project-Specific Employment and Skills Plan produced by the Constructor and forming part of the Project Proposals to be complied with and implemented by the Constructor in order to execute the Employment and Skills Strategy* ***Method Statement** - the Project-Specific Method Statement produced by the Constructor and forming part of the Project Proposals which sets out in detail how the Constructor shall implement the ESP"*
28.2	*Clause 14.1 shall be amended by the insertion of the following at the end of the Clause:* *"(xiii) Development and finalisation by the Constructor of the ESP and the Method Statement"*
28.3	*Pursuant to Clause 7.6 the Constructor shall comply with and implement the ESP and Method Statement in accordance with the Employment and Skills Strategy.*
28.4	*The Constructor shall nominate an individual to liaise with the Client Representative and provide the Client Representative with information as required to demonstrate the Constructor's compliance with the ESP and Method Statement.*

28.5	*The Client Representative shall provide to the Constructor information it has available to enable the Constructor to comply with and implement the ESP and Method Statement, including the details listed in the Employment and Skills Strategy[1].*
28.6	*The Constructor shall provide to the Client Representative on a monthly basis, in accordance with the Partnering Timetable and the Project Timetable [2], a report outlining the achievements during the previous month against the ESP and Method Statement and the employment and skills KPI and Targets contained in Appendix 8, and provide details of the various Employment and Skills activities delivered in the month. The Client Representative shall be responsible for monitoring the Constructor's compliance with and implementation of the ESP and Method Statement, and such monitoring shall form part of the Client's assessment of the Employment and Skills KPI and Targets[3].*
28.7	*Insert in Clause 23.6 (Post-Project Completion Review), after the words, "KPI and Targets," the following words: "(including the Employment and Skills KPI and Targets), and its compliance with and implementation of the ESP and the Method Statement".*
28.8	*Any and all costs relating to compliance with and implementation of the ESP and Method Statement by the Constructor are included in the Price Framework[4].*
28.9	*Insert new Clause 17.9:* *"Where any Change agreed or established in accordance with this Clause 17 has the effect of substantially increasing or decreasing the Agreed Maximum Price, the Constructor may propose a corresponding and proportionate amendment to the Employment and Skills Output figures contained in the ESP, the Method Statement and any relevant KPIs and Targets. The Client and the Client Representative shall consider any such proposal made by the Constructor and shall seek to agree any amendments with the Constructor."*

1.2 NEC3 Engineering and Construction Contract 2005 (Updated April 2013)

Option Z Clause for inclusion in the NEC3 Engineering and Construction Contract 2005 (updated April 2013) (Note: NEC propose the alternative of equivalent wording in the Works Information).

[1] (PPC2000) The Client should be satisfied that the Project specific information Skills Strategy is consistent with the PPC2000 Appendix 6 and the Project Timetable annexed to the Contracting Authority's form appended to the Targets,
[2] (PPC2000) The ESP should ensure that the Project specific information Skills Strategy is consistent with the PPC2000 Appendix 6 and the Project Timetable annexed to the Contracting Authority's form appended to the Targets,
[3] (PPC2000) In order to effectively monitor and continually incentivise the Constructor's achievement of the ESP and Method Statement, a suitable KPI and relevant Targets directly referring to both should be inserted into Appendix 8 ('KPIs and Targets'). Achievement of a KPI and Targets can be linked to a share of Profit in order to motivate the Constructor towards full implementation. Any KPI linked to termination must be referred to in the termination provisions at Clause 26 of the Partnering Terms.
[4] (PPC2000) The Client should be satisfied that the Constructor has included in the Price Framework all costs in relation to the implementation of the ESP and Method Statement.

Z1 Employment and Skills

Z1.1 The following new definitions shall be added to Core Clause 11

"11.20 The Employment and Skills Strategy is the Employer's Employment and Skills Strategy forming part of the Works Information

11.21 The ESP is the works-specific Employment and Skills Plan produced by the Contractor and forming part of the Works Information to be complied with and implemented by the Contractor in order to execute the Employment and Skills Strategy

11.22 The Method Statement is the works-specific Method Statement produced by the Contractor and forming part of the Works Information which sets out in detail how the Contractor shall implement the ESP;"

Z1.2 The Contractor complies with and implements the ESP and Method Statement in accordance with the Employment and Skills Strategy.

Z1.3 The Contractor nominates an individual to liaise with the Project Manager and provides the Project Manager with information as required to demonstrate the Contractor's compliance with the ESP and Method Statement.

Z1.4 The Project Manager provides to the Contractor information it has available to enable the Contractor to comply with and implement the ESP and Method Statement, including the details listed in the Employment and Skills Strategy[5].

Z1.5 The Contractor provides to the Project Manager on a monthly basis, in accordance with the relevant Key Dates[6], a report outlining the achievements during the previous month against the ESP and Method Statement and the employment and skills Key Performance Indicator contained in the [Schedule of Partners] [Incentive Schedule][7], and provides details of the various employment and skills activities delivered in the month. The Project Manager is responsible for monitoring the Contractor's compliance with and implementation of the ESP and Method Statement, and such monitoring forms part of the Employer's assessment of the employment and skills Key Performance Indicator[8].

Z1.6 The Contractor and the Project Manager attend a meeting (convened by the Project Manager) after Completion to review the completed works and the Contractor's performance against the Key Performance Indicators (including performance against the employment and skills Key Performance Indicator), and its compliance with and implementation of the ESP and Method Statement, and to consider the scope for further improvement on future projects.

ensure that the work is carried out in accordance with the Employer's Employment and Skills Strategy forming part of the Works Information. The ESP and Method Statement is contained in the Employment and Skills Strategy.

[5] (NEC3) The Employer should list the

[6] (NEC3) To ensure regular monitoring of the Contractor's achievement of the ESP and Method Statement, dates for reviews should be included as Key Dates.

[7] (NEC3) The conditions are drafted in the anticipation that a Key Performance Indicator to cover employment and skills is included in relation to either Option X12 (Partnering) or Option X20 (Key Performance Indicators). The Key Performance Indicator should be set out either in the Schedule of Partners (in relation to Option X12) or the Incentive Schedule (in relation to Option X20).

[8] (NEC3) In order to effectively monitor and continually incentivise the Contractor's achievement of the ESP and Method Statement, a relevant Key Performance Indicator should be inserted into either the 'Schedule of Partners' (in relation to Option X-12) or the 'Incentive Schedule' (in relation to Option X-20). Achievement of Key Performance Indicator and targets can be linked to share of profit in order to motivate the Contractor towards full implementation. Any Key Performance Indicators linked to termination must be referred to in the termination provisions in the contract.

Z1.7 Any and all costs relating to compliance with and implementation of the ESP and Method Statement by the Contractor are included in the [relevant contract pricing Option][9].
Z1.8 Where a compensation event set out in Clause 60.1 and agreed or established in accordance with Clauses 60 to 65 substantially increases or decreases the Price, the Contractor may propose a corresponding and proportionate amendment to the employment and skills output figures contained in the ESP, the Method Statement and any relevant Key Performance Indicators. The Employer and the Project consider any such proposal made by the Contractor and seek to agree any amendments with the Contractor.

1.3 JCT Design and Build Contract 2011

Supplemental Provision 13 for inclusion in Part 2 of Schedule 2 of the JCT Design and Build Contract 2011.

13. Employment and Skills

13.1 Insert in Clause 1.1:
"Employment and Skills Strategy: *The Employer's Employment and Skills Strategy forming part of the Employer's Requirements*
ESP: *The Works-specific Employment and Skills Plan produced by the Contractor and forming part of the Contractor's Proposals to be complied with and implemented by the Contractor in order to execute the Employment and Skills Strategy*
Method Statement: *The Works-specific Method Statement produced by the Contractor and forming part of the Contractor's Proposals which sets out in detail how the Contractor shall implement the ESP"*
13.2 The Contractor shall comply with and implement the ESP and Method Statement in accordance with the Employment and Skills Strategy.
13.3 The Contractor shall nominate an individual to liaise with the Employer's Agent and provide the Employer's Agent with information as required to demonstrate the Contractor's compliance with the ESP and Method Statement.
13.4 The Employer's Agent shall provide to the Contractor information it has available to enable the Contractor to comply with and implement the ESP and Method Statement, including the details listed in the Employment and Skills Strategy[10].

[9] (NEC3) The Employer should be satisfied that the Contractor's costs in relation to the implementation of the ESP and Method Statement are included in the relevant NEC 3 contract pricing Option a

[10] (JCT) The Employer should ensure that the Works-specific information to assist the Contractor with the implementation of the ESP and Method Statement is contained in the Employment and Skills Strategy forming part of the Employer's Requirements.

13.5 Pursuant to Paragraph 11 of Part 2 of Schedule 2, the Contractor shall provide to the Employer's Agent on a monthly basis, in accordance with the relevant dates set out in the Employment and Skills Strategy[11], a report outlining the achievements during the previous month against the ESP and Method Statement and the employment and skills performance indicator contained in the Contract Documents, and provide details of the various employment and skills activities delivered in the month. The Employer's Agent shall be responsible for monitoring the Contractor's compliance with and implementation of the ESP and the Method Statement and such monitoring shall form part of the Employer's assessment of the employment and skills performance indicator[12].

13.6 The Contractor and the Employer's Agent shall attend a meeting (to be convened by the Employer's Agent) after Practical Completion of the Works to review the completed Works and the Contractor's performance against the performance indicators (including performance against the employment and skills performance indicator) and its compliance with and implementation of the ESP and Method Statement, and to consider the scope for further improvement on future projects.

13.7 Any and all costs relating to compliance with and implementation of the ESP and Method Statement by the Contractor are included in the Contract Sum Analysis[13]."

13.8 Insert new Clause 5.8: "Where any Change agreed or established in accordance with this Clause 5 has the effect of substantially increasing or decreasing the Contract Sum, the Contractor may propose a corresponding and proportionate amendment to the employment and skills output figures contained in the ESP, the Method Statement and any relevant performance indicators. The Employer and Employer's Agent shall consider any such proposal made by the Contractor and shall seek to agree any amendments with the Contractor.

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[11] (JCT) To ensure regular monitoring of the Contractor's achievement of the ESP and Method Statement, dates for reviews should be included in the Employer's Requirements.

[12] (JCT) The contract provides for the use of performance indicators to measure the Contractor's performance against relevant targets at Paragraph 11 of Part 2 of Schedule 2 (Supplemental Provisions). The Employer should be satisfied the Employer's Requirements contain employment and skills performance indicators and any relevant incentives or consequences of not achieving the stated targets. Any performance indicators linked to termination must be referred to in the termination provisions in the contract.

[13] (JCT) The Employer should be satisfied that the Contractor has included in the relevant Contract Sum Analysis all costs in relation to compliance with and implementation of the ESP.

2.0 Bespoke Framework Agreement

Note: Defined terms such as "Brief", "Client", "Contractor", "Employment and Skills Manager", "KPI", "Practical Completion", "Programme", "Project" and "Site" may need to be amended to use the appropriate defined Terms in the Framework Agreement.

Definition	Meaning
Employment and Skills Manager	[Details of Employment and Skills Manager] nominated by the Client who shall assist with the release of opportunities by the Contractor into the labour and supplier market and whose role shall include the promotion of Employment and Skills opportunities
Employment and Skills Strategy	The Client's Employment and Skills Strategy as set out inSchedule [ ] to this Agreement
KPIs	The Key Performance Indicators as set out in Schedule [ ] to this Agreement
Programme	The Programme of Projects governed by this Agreement comprising [ ]
Programme-Specific ESP	The Employment and Skills Plan produced by the Contractor relating to the entire Programme as set out in Schedule [ ] to this Agreement to be complied with and implemented by the Contractor in order to execute the Employment and Skills Strategy[14]
Programme-Specific Method Statement	The Programme-Specific Method Statement produced by the Contractor relating to the entire Programme as set out in Schedule [ ] to this Agreement to be developed by the Contractor into Project-Specific Method Statements, which sets out in detail how the Contractor shall implement each Project-specific ESP
Project	A Project forming part of the Programme
Project Contract	A Contract entered into between the Client and Contractor for the carrying out of each Project pursuant to this Agreement
Project-Specific ESP	The Employment and Skills Plan relating to each Project, to be developed by the Contractor based on the Programme-specific ESP to be complied with and implemented by the Contractor in order to execute the Employment and Skills Strategy throughout that Project
Project-Specific Method Statement	The Method Statement relating to each Project to be developed by the Contractor based on the Programme-Specific Method Statement which sets out in detail how the Contractor shall implement the ESP throughout that Project

14 (Framework) These template Framework Agreement Clauses are drafted on the assumption that the ESP and Method Statement have been developed by the Contractor on the basis of a fully scoped Programme. The Client's Employment and Skills Strategy, the key performance indicators (KPIs) and the Contractor's ESP and Method Statement should be appended as schedules to the Agreement.

Operative Clauses

1 Prior to commencement of a Project on Site, the Employment and Skills Manager shall be satisfied that the Programme-specific ESP and Programme-specific Method Statement have been sufficiently developed into a Project-specific ESP and Project-specific Method Statement respectively, to enable effective implementation on Site, including provision for monthly monitoring in accordance with Clause [5][15].

2 The Contractor shall comply with and implement the Project-Specific ESP and the Project-Specific Method Statement in accordance with the Employment and Skills Strategy.

3 The Contractor shall nominate an individual to liaise with the Employment and Skills Manager and provide the Employment and Skills Manager with information as required to demonstrate the Contractor's compliance with the Programme-Specific ESP, the Programme-Specific Method Statement, each Project-Specific ESP and each Project-Specific Method Statement.

4 The Employment and Skills Manager shall provide to the Contractor information it has available to enable the Contractor to comply with and implement the Project-Specific ESP and Project-Specific Method Statement, including the details listed in the Employment and Skills Strategy.

5 The Contractor shall provide to the Employment and Skills Manager on a monthly basis[16], in accordance with the dates set out in the Employment and Skills Strategy a report outlining the achievements during the previous month against the Programme-Specific ESP and Programme-Specific Method Statement and the Employment and Skills KPI, and provide details of the various employment and skills activities delivered in the month. The Employment and Skills Manager shall be responsible for monitoring the Contractor's compliance with and implementation of the Programme-Specific ESP and Programme-Specific Method Statement, and such monitoring shall form part of the Client's assessment of the Employment and Skills KPI[17].

[15] (Framework) This is a pre-condition to start on Site that the ESP and Method Statement are developed to the Employer's satisfaction. If the agreement contains other pre-conditions, this can be added to them rather than as a stand-alone Clause.

[16] (Framework) To ensure regular monitoring of the Contractor's achievement of the ESP, Method Statement, KPIs, targets and dates for reviews should be included in the Employment and Skills Strategy.

[17] (Framework) In order to effectively monitor and continually incentivise the Contractor's achievement of the ESP and Method Statement, a Key Performance Indicator (KPI) should be inserted into an appended schedule of KPIs. Achievement of KPIs and targets can be linked to share of profit/award of further Projects in order to motivate the Contractor towards full implementation.

6 The Contractor and the Employment and Skills Manager shall attend a meeting (to be convened by the Employment and Skills Manager) after Practical Completion of each Project to review the completed Project and the Contractor's performance against the KPIs (including performance against the Employment and Skills KPI) and its compliance with and implementation of the relevant Project-Specific ESP and Project-Specific Method Statement, and to consider the scope for further improvement on future Projects.

7 Any and all costs relating to compliance with and implementation of the Programme-Specific ESP and Programme-Specific Method Statement by the Contractor over the duration of the Programme and any and all amounts relating to the implementation of the Project-Specific ESP and Project-Specific Method Statement must be included in [Project pricing documents][18]."

8 Where any variation to the Client's Brief has the effect of substantially increasing or decreasing the [contract sum], the Contractor may propose a corresponding and proportionate amendment to the Employment and Skills output figures contained in the ESP, the Method Statement and any relevant KPIs. The Client and Employment and Skills Manager shall consider any such proposal made by the Contractor and shall seek to agree any amendments with the Contractor.

~~relevant contract pricing document all~~ [18] (Framework) The Client should be satisfied that the Contractor has included in the costs in relation to the implementation of the ESPs and Method Statements.

Appendix E

Glossary

Term	Meaning
Client-Based Approach	The Client-Based Approach is a National Skills Academy for Construction product and provides Clients with clarity as to what is permissible in an EU-compliant procurement and comfort that their Employment and Skills requirements when procuring construction projects are proportionate and achievable. It is an alternative to the Project-Based Approach.
Employment and Skills Areas	The suggested areas for development, as further defined in Appendix B.
Employment and Skills Strategy	The Client's Project or Framework-Specific Strategy outlining the Client's Employment and Skills goals and key deliverables, to be included as a Tender and Contract document.
ESP	The Contractor's Employment and Skills Plan created as part of the Contractor's Tender return, setting out how the Employment and Skills Strategy will be implemented. It is based on the Template provided by the Client in the Employment and Skills Strategy and will become a Contract document.
Method Statement	The Contractor's detailed description of how the ESP will be implemented on site. It should be created as part of a Tender return and become a Contract document.
NCSAG	National Construction Skills Academy Group is an established body of Contractor representatives from across the construction industry which form part of the governance structure of the National Skills Academy for Construction.
OJEU	The Official Journal of the European Union, where all procurements by Public Sector Clients over the Public Contracts Regulations 2015 Value Thresholds must be advertised.
SPONSA	The Skills Plans and Outcomes of the National Skills Academy, a management information system developed by CITB, which allows tracking of Key Performance Indicators on a real time basis.

Appendix F
The Authors

CITB

CITB is the Construction Industry Training Board, and a partner in the Sector Skills Council for the construction industry in England, Scotland and Wales. We have a clear focus – to work to ensure that the construction industry has the right skills, in the right place, at the right time. The Strategic Partnerships Team is the department of CITB that works closely with clients, developers and contractors and is conversant in the development and implementation of Employment and Skills Strategies and Employment and Skills Plans. CITB covers the whole of Great Britain and can provide support to clients, developers and contractors in how best to utilise this Guide in conjunction with existing good practice.

CITB facilitates and supports the contractor-led National Skills Academy for Construction. The Client Based Approach is a product of the Academy and presents an industry solution to embedding employment, skills, and Apprenticeships into the procurement and planning of construction works.

Trowers & Hamlins LLP

Trowers & Hamlins LLP, the city and international law firm, was commissioned by CITB to provide legal input into the drafting of this National Skills Academy for Construction Client-Based Approach Guidance for clients, as well as the equivalent guidance for Central Government and contractors.

Trowers & Hamlins LLP has unparalleled expertise in the delivery of innovative and commercial EU procurement and state aid advice, acting for Local Authorities, registered providers, central Government, contractors, service providers and suppliers.

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Named as a "Leader in the Field for Public Procurement (UK-wide)" by the Chambers and Partners' Guide to the Legal Profession 2015, Rebecca specialises in advising commercial clients, Local Authorities and Housing Associations on non-contentious construction law, EU procurement and State Aid issues. Rebecca specialises in providing practical advice on complex procurement issues and advises on tendering procedures, procurement structures and evaluation/qualification criteria and processes. Rebecca has significant experience of advising on all aspects of EU procurement regulation to numerous private and public sector clients and has advised, presented seminars, written articles and co-authored/edited various publications on the EU procurement regime and the associated UK Regulations.

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Employment and Skills Plan – Application Ref

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Lead Contact			
Telephone			
Email			
Reference			
Build value			
NSAfC Benchmark			
Planned start		**Planned completion**	
First Quarterly Review Date			

1. Project Outline

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2. Objectives of the Plan

The Arun Local Plan 2018 contains strategic objective for Employment and Enterprise which is to: "Strengthen Arun's economic base and provide local job opportunities by increasing, diversifying and improving the quality of employment within the District through the provision of appropriate employment sites, quality affordable accommodation and the development of business support and partnerships."

The Arun Local Plan, section 8.9 Employment and Skills, further details the ambitions of the Council;

"Development can help to enable to the challenge of meeting the Local Plan's Strategic objective for employment and underpin the Economic Strategy for Arun by helping to meet district-wide requirements for skill enhancement. In particular the Council wishes to introduce Employment and Skills Plans for major developments in the District in order to use the opportunities presented by development to improve local employment and training."

This plan will seek to incorporate Policy SKILLS SP1;

Policy SKILLS SP1

Employment and Skills

The Council will encourage development proposals that support the following:

a. Raise skills levels and increase employability;
b. Tackle skills shortages in existing and potential business sector clusters that are, or have the potential to be, strengths in the local economy;
c. Promote skills on strategic housing and employment sites particularly with regard to construction skills;
d. Address barriers to employment for economically inactive people; and
e. Provide for the development of childcare facilities within or close proximity to employment sites.

Construction Employment and Skills Plans play an important role in supporting the council to deliver on these plans by securing quality employment, training and apprenticeship opportunities for local residents and increasing awareness of construction industry roles and opportunities.

If appropriate - This employment and skills plan follows the National Skills Academy for Construction (NSAfC) programme in partnership with the Construction Industry Training Board (CITB). This provides a framework for public sector

organisations with responsibility for procuring construction work to embed employment and skills interventions; including Apprenticeships, work placements, job creation and upskilling opportunities that are relevant and proportionate to the construction activity. It ensures that all tiers of the construction supply chain can grow their business by supporting employment, skills and Apprenticeships.

3. KPI Summary			
KPI	**Description**	**Target**	**Weeks**
1	Work Placements		
2	Jobs created by NSAfC projects (new entrants)		
3	Construction Careers Information, Advice and Guidance (CCIAG) Events		
4	Training Weeks on site		
5	Qualifying the Workforce		
6	Training Plans		
7	Case Studies Approved		
Total			

4. KPIs						
KPI 1	**Work Placements**					
	NSAfC Benchmark:		Agreed Target:			
Activity						
Partner/Contact						

KPI 2	Jobs created by NSAfC projects (new entrants)					
	NSAfC Benchmark:		Agreed Target:			
Activity						
Partner/Contact						

KPI 3	Construction Careers Information, Advice and Guidance (CCIAG) Events			
	NSAfC Benchmark:		Agreed Target:	
Activity				
Partner/Contact				

KPI 4	Training Weeks on site			
	NSAfC Benchmark:		Agreed Target:	
Activity				
Partner/Contact				

KPI 5	Qualifying the Workforce			
	NSAfC Benchmark:		Agreed Target:	
Activity				
Partner/Contact				

KPI 6	Training Plans			
	NSAfC Benchmark:		Agreed Target:	
Activity				
Partner/Contact				

KPI 7	Case Studies Approved
Activity	

Partner/Contact	

Appendix 1: Summary of CITB Key Performance Indicator Definitions

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Appendix 2: Employment and Skills Plan Monthly Targets (Year 1)														
Employment and Skills Areas														Total