

Employment & Training S106 Obligations: Guidance for Developers

Delivery & Monitoring Toolkit – Part 1

March 2020

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1. Introduction:

In line with the Croydon Local Plan, Social Value Policy, the Economic Growth Strategy and the council's S106 guidance 'Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy', major developments (residential developments of 10 units or more or non-residential developments exceeding 1,000m²) are required to provide employment and training opportunities by means of relevant planning and S106 agreements.

This document provides guidance on how to approach the implementation, ongoing delivery and monitoring of your S106 agreement employment and skills obligations.

2. Supporting documents:

There are two documents to support developers to fulfill their Section 106 obligations for Employment and Skills. These include:-

1. Employment & Training S106 Obligations: Guidance for Developers - Part 1: Delivery & Monitoring Toolkit
2. Employment and Training S106: Obligations Guidance for Developers - Part 2: LETS Template

3. Justification

A key priority for the council is ensuring that local people and businesses benefit from the opportunities arising from economic development across the borough. This is supported through the funding of skills, training and employment programmes from S106 employment and training obligations.

The Croydon Corporate Plan sets out a commitment to ensure that 'everybody has the opportunity to work and build their career.' This means encouraging more businesses to pay the London Living Wage and employ/buy locally. Ensuring that more residents and businesses benefit from the regeneration and investment being made in Croydon and helping to develop their skills through apprenticeships, academic and technical courses.

'The Croydon Promise – Growth for All' is the council's commitment to residents, investors, developers and businesses that the council will do all it can to deliver growth, which is inclusive and sustainable – for all. The document makes a commitment to support Croydon residents, young and old – into employment, and raise the skills of the workforce so that they can access the new jobs being created across the borough.

The Local Plan 2018 commits the council to reducing social, economic and environmental deprivation, particularly where it is spatially concentrated, by taking priority measures to reduce unemployment, improve skills and education and renew housing, community and environmental conditions.

Croydon's Social Value Policy 2019-2023 is a constituent part of the commissioning framework in accordance with the Social Value Act 2012 aiming to deliver improved outcomes for our residents through ethical and sustainable practices. The policy aligns

closely with section 106 to deliver sustainable positive impacts for Croydon's communities and businesses.

4. Employment and Training Outputs

Outputs are dependent on the size of the development, but as a guide they are based on the following minimum obligations:

1. 34% of the total jobs created by the construction phase to be filled by local residents
2. 34% of the total jobs created in the end use phase to be filled by local residents
3. All vacancies to be advertised via the council's job brokerage service, and any other agencies as stipulated by the council
4. One work-based training opportunity or accredited apprenticeship provided to Croydon residents for every 10 construction workers during the construction of the development
5. Provision of training opportunities and health and safety training for all staff based on site
6. 20% of net construction budget to be procured within the London borough of Croydon
7. Commitment to (sign up to or working towards) the Croydon Good Employer Charter
8. All direct employees to be paid the London Living Wage
9. Evidence of working with local education providers, schools and/or colleges to provide curriculum and career support such as work placements/experience, careers events/talks and employability skills

Please note that:

- Obligations will be specific to a site and will be clearly set out in the S106 agreement.
- On occasion a variation may be agreed but this should be done at the planning stage.
- Developments granted planning permission prior to June 2017 would have been subject to previous Section 106 planning guidance.

5. Performance Management

Local Employment and Training Strategy (LETS)

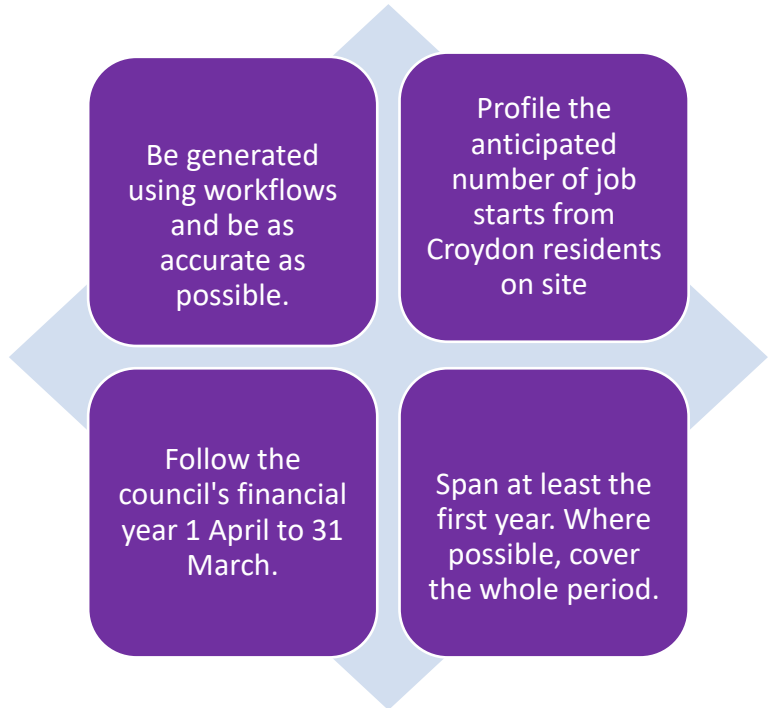
The Local Employment and Training Strategy (LETS) is completed by the developer at least 3 months prior to commencement on site. It sets out detailed and agreed S106 outcomes and the method developers will use to achieve those targets. The developer should seek final sign off of the LETS with the Economic Development Team and Croydon Works. The LETS should be submitted to joanne.cavey@croydon.gov.uk (policy manager) and peter.wallace@croydon.gov.uk (monitoring officer) at least 3 months prior to construction commencement.

Performance Monitoring Forms

Each site is given its own bespoke performance monitoring form.

In order to generate this, developers need to provide the monitoring officer at Croydon Works with a quarterly profile showing workflow, profile of jobs and the number of outputs that will be achieved over the course of the development.

This profile will then be used to monitor performance on site on a quarterly basis. A quarterly profile should:



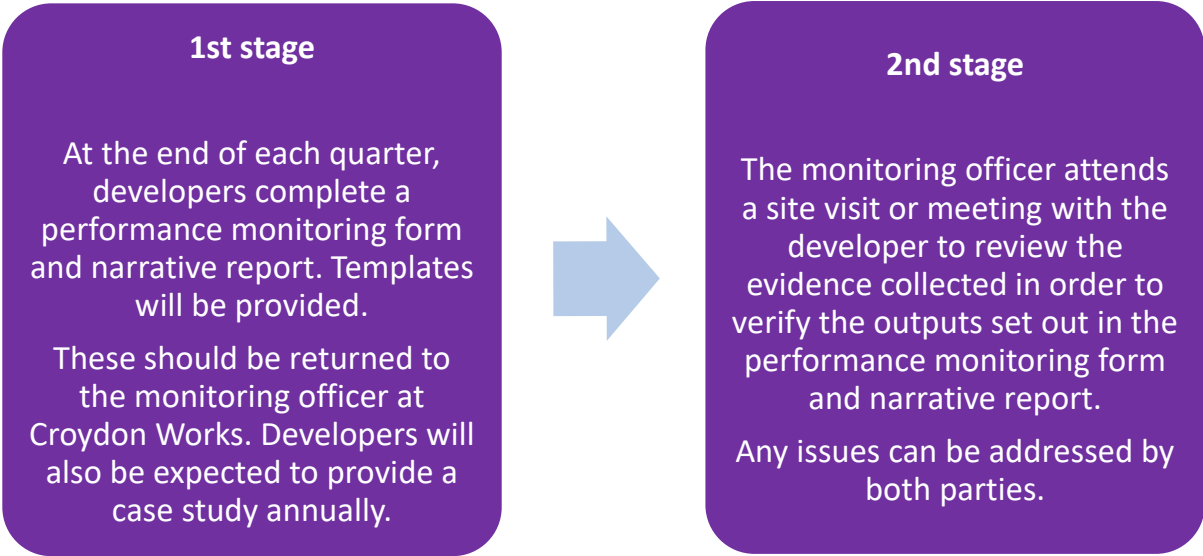
The Council understands that in some instances, there may be variance from these profiles due to delays on site or circumstances outside of the developer's control. The council can accommodate changes to or variances from the profile provided that they are communicated and agreed with the monitoring officer at Croydon Works as early as possible.

If developers cannot create a profile, then the council's monitoring officer will generate one based on the estimated build period and the targets for the site. Performance on site will be monitored against this.

Developers must notify the monitoring officer at Croydon Works as soon as construction commences on site.

Performance Monitoring Process

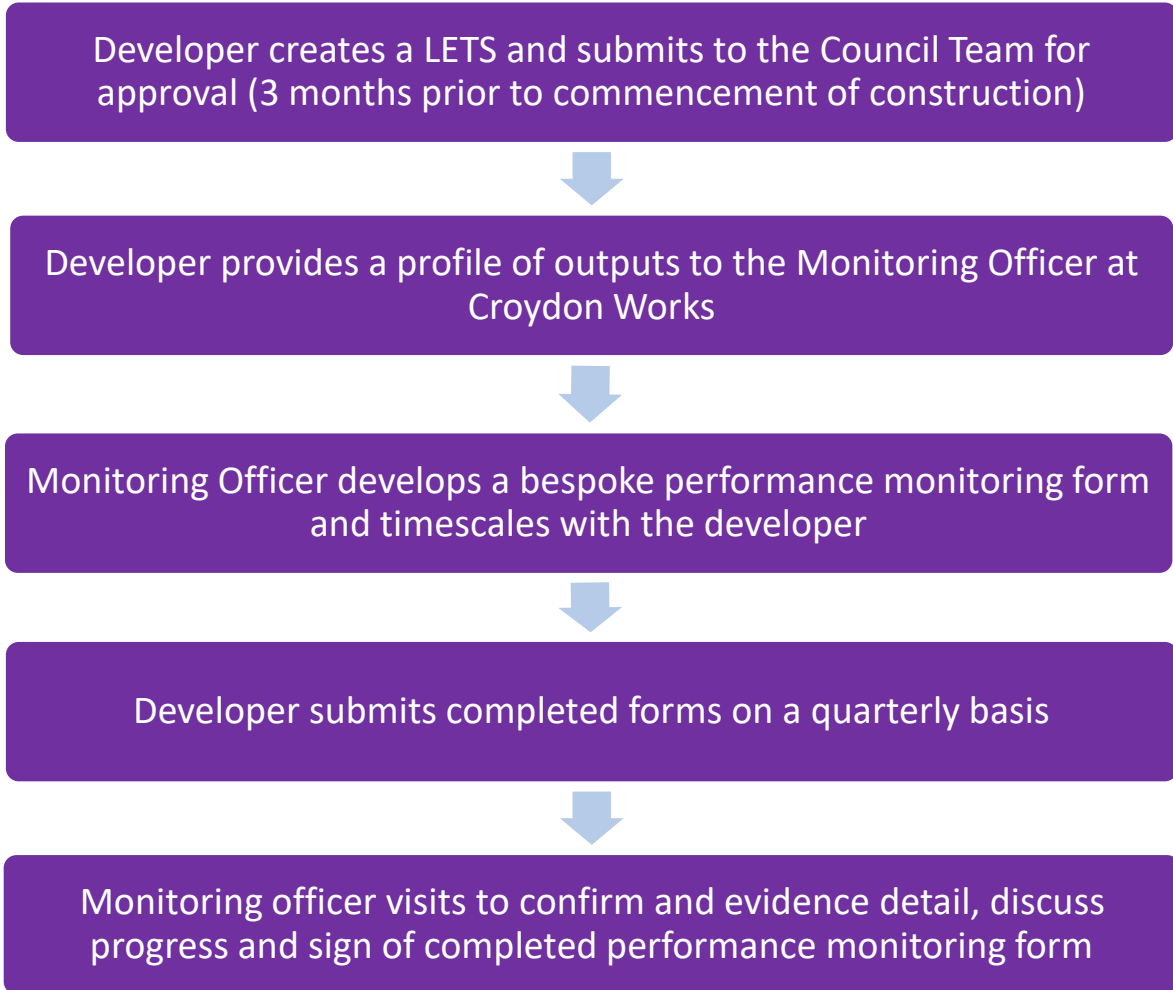
As stated, the targets agreed for each site will be monitored quarterly and the council follows a two stage monitoring process:



The council follows the financial year (April-March) and will provide developers with a list of dates for the submission of monitoring forms at the beginning of the year. Once the monitoring officer has conducted a site visit and final outputs have been confirmed the monitoring process will commence.

The ethnicity and diversity questions on the performance monitoring form must be completed prior to submission.

6. Summary of process



7. Example activities and evidence

The monitoring officer will expect to see the following range of example evidence for S106 employment, training monitoring and Social Value agreed measures.

Confirmation of the employee's name address and signature must be sought in all appropriate instances.

Key Outputs	Example activities/evidence
London Living Wage	<p>Evidence: Evidence of accreditation as a Living Wage employer or evidence of registered interest. Anonymised evidence of staff pay levels for direct employees or access to staff payslips for audit at monitoring meetings.</p>
Local employment / job starts	<p>Activities: Engagement with Croydon Works to develop and advertise job vacancies Engagement with local JCPs</p> <p>Evidence: Copy of signed SLA with Croydon Works. Site induction form with employee's name, address (incl. postcode) and signature. Copy of the employment contract. Confirmation of employment on letter headed paper/formal email address.</p>
Sustained jobs (26 weeks)	<p>Evidence: Evidence of start date (induction form, employment contract). Confirmation of employment from the employer on letter headed paper/formal email address. Most recent time sheet records.</p>
Apprenticeships	<p>Activities: Engagement with Croydon Works to develop and advertise apprenticeship vacancies Engagement with local training providers to develop apprenticeship opportunities Vacancies advertised with the National Apprenticeship Service</p> <p>Evidence: Written confirmation from employer that has taken on apprentice (copy or contract or written confirmation on letter headed paper/formal email address). Confirmation from college/accrediting body of enrolment.</p>
Work based training and short courses (including Health and Safety)	<p>Activities: Engagement with local training providers to develop work based training opportunities and register on courses</p> <p>Evidence: Copy of pass certificate. Confirmation from the training provider/accrediting body of participation and completion/pass mark.</p>
NVQ level 1 or 2*	<p>Evidence: Copy of pass certificate. Confirmation from the test centre/accrediting body/college of pass mark.</p>
Work placements and internships	<p>Activities: Engagement with local training providers to develop work placements for students Engagement with local employment support services such as Croydon Works and Better Working Futures to develop work placements for students</p> <p>Evidence: Registration form with employee's name. Confirmation of employment on letter headed paper/formal email address. Confirmation of activity from school/college on letter headed paper/formal email address.</p>
Local supply chain	<p>Activities: Engagement with Supply Chain Management Team, sourcing from Croydon Business Directory via Value Croydon website, local business networks and</p>

	<p>Business Improvement Districts to engage with local supply chain contractors</p> <p>Evidence: Evidence of spend with local contractors compared to overall construction costs. Evidence of advertising for local contractors on Value Croydon through supplychain@croydon.gov.uk Evidence of any other agreed Social Value targets being met</p>
<p>Engagement with schools and education providers</p>	<p>Activities: Engagement with EPIC to work with schools and colleges to develop bespoke curriculum activities, attend career sessions, offer work experience to students and sponsorship.</p> <p>Evidence: Confirmation from school/provider on letter headed paper/formal email address that an activity has taken place. Confirmation from EPIC that activity has taken place</p>
<p>Good Employer Croydon</p>	<p>Activities: Engagement with Business Support Service to work towards the charter requirements</p> <p>Evidence: Evidence of registration on council website. Monitoring via Good Employer Croydon process where not already evidenced above.</p>

8. Support Services

The council provides a number of services which can support the delivery of your S106 employment and training obligations and there are a number of benefits of using these council services:

- Close links to the supply chain, enabling good quality and suitable vacancies to be identified and created;
- A bespoke and responsive service ensuring that clients are matched with the right candidates;
- Candidates are supported on a one-to-one basis and both pre and post-employment, so they are well prepared and well supported once employed.
- Flexibility to offer candidates the training and support they most need, where and when they need it;
- Ability to influence recruitment, training and employment practices in favour of under-represented groups, leading to an increased supply of labour and good, lasting results.

The services offered are as follows: -

1. Croydon Works – recruitment, job brokerage, bespoke training

www.croydonworks.co.uk

A free, tailored job brokerage service to support your business to recruit skilled employees. Providing pre and post-employment support for candidates, soft skills and identifying industry-specific training requirements. Job brokerage for a range of job types including apprenticeships and work experience. Specifically Croydon Works can provide or commission:

- Identifying skills needs and ensure recruitment/training are timetabled to meet your needs;
- Training for prospective construction employees, including basic training leading to Construction Skills Certification Scheme (CSCS) accreditation;
- Customised pre-employment training to ensure applicants understand the nature of your jobs and have the skills required;
- Recruitment of individuals to pre-employment training via training providers, colleges, Jobcentre Plus, site walk-ups or community agencies;
- On-going provision to individuals placed into employment or work placement opportunities to ensure they are properly supported and support employers in preparing individual's training/career plans.

2. CALAT (Croydon Adult Learning and Training)

www.calat.ac.uk/

Providing a variety of academic, vocational, pre-vocational and recreational courses across Croydon. With the opportunity to develop courses to meet businesses recruitment and workforce development needs.

3. EPIC (Employment Pathways in Croydon) - work experience and school engagement

<https://www.croydon.gov.uk/business/epic-employment-pathways-in-croydon/epic-employment-pathways-in-croydon>

The service can connect you with schools and colleges and help you to develop activities for careers events and workshops. The service will also support you to develop work experience opportunities for young people. Introducing them to the world of work, helping you achieve your social values and creating a pipeline of talent for your business.

4. Economic Development Team – Business Support

www.croydon.gov.uk/business/support or Planning.apps@croydon.gov.uk

This service can offer you a range of support and advice about managing and growing your business, finding premises, financing, networking and accessing new business and market opportunities.

5. Supply Chain Team – Ethical and Sustainable Procurement

<http://valuecroydon.com/>

Value Croydon is Croydon Council's local brand for delivering social value, and supporting the local market to access tender and sub-contracting opportunities with the Council and its partners.

The Value Croydon website aims to be the single point of access for all resources and information that help maximise social value delivery locally and to support developers in competing for business opportunities with the Council and its partners. Developers can access the Council's policies that include the refreshed Commissioning Framework, Social Value Policy and Tenders and Contracts Regulations. The website also provides links to funding opportunities and links to the Business Directory listing local businesses together.

9. Key Contacts:

Function	Contact
Local Employment and Training Strategy (LETS) Employment and Skills s106 obligations Policy Lead	Joanne Cavey, Economic Development Manager (Employment & Skills) Email: joanne.cavey@croydon.gov.uk Telephone: 020 8726 6000 (62422)
Economic Development Policy Procurement Business Support	Carol Squires, Economic Development Manager (Business Support) Email: carol.squires@croydon.gov.uk Telephone: 020 8726 6000 (Ext 18302)
Value Croydon Local Procurement Social Value	Supply Chain Team (Commissioning & Procurement) supplychain@croydon.gov.uk 0208 760 5584
Recruitment Job brokerage	Adhnan Ahmed, Croydon Works Manager Email: Adhnan.ahmed@croydon.gov.uk Telephone: 020 8604 7471
Recruitment Job brokerage Monitoring Officer	Peter Wallace, Construction Lead, Croydon Works Email: peter.wallace@croydon.gov.uk Telephone: 020 8255 2725
Croydon Good Employer Charter	Tufael Aliahmed, Economic Development Officer Tufael.Aliahmed@croydon.gov.uk Telephone: 0208760 5526
Training provider	Sidra Hill-Reid, Service Manager (CALAT) Email: sidra.hill-reid@croydon.gov.uk Telephone: 020 8604 7447
EPIC Engagement with schools Work experience	Tyrone Irish, Employment Pathways Officer Email: epic@croydon.gov.uk Telephone: 07809 230897
Jobcentre Plus	Mo Yartey, Employer Engagement Manager Email: modressa.yartey@dpw.gsi.gov.uk Tel: 07824 897285
Croydon Apprenticeship Academy	Email: katie.compton@croydon.gov.uk

10. FAQs

1. What is a LETS?

A Local Employment and Training Strategy (LETS) is compiled by the developer and describes how the S106 obligations for employment and skills will be delivered. A template is available in chapter 11. The LETS should be submitted to Planning.apps@croydon.gov.uk at least 3 months prior to construction commencement.

2. What is a profile?

A quarterly profile is written at the beginning of the year by the developer with support from the monitoring officer at Croydon Works. It should predict how all of the agreed S106 obligations for employment and skills will be achieved. Including how many job starts, training outputs, and apprentices/work based training opportunities will be achieved each quarter. The profile should be based on the labour profile for the site and be achievable and realistic. The profile should follow the financial year (April to March).

3. What are outputs?

Outputs are the amount achieved against a target, for example the number of people who have either started a job or apprenticeship or undertaken short course training within the quarter.

4. What information should I put on the monitoring form?

All targeted outputs relating to employment, training and apprenticeships should be entered into the form. The forms have a separate sheet for each quarter. Only the outputs achieved in the quarter should be added to the monitoring form. It is not necessary to count project or yearly totals, the monitoring form will do this automatically.

5. What are the grey cells for in the monitoring sheet?

The grey cells are the cells which indicate your targets for each quarter; the monitoring form has space to record both the targets and the outputs achieved. .

6. How do I monitor outputs and gather evidence?

You monitor outputs by tracking every Croydon resident that starts work, a short course or apprenticeship. You can gather evidence by checking their personal files or CV profile or something that indicates that they are a Croydon resident. You can keep this evidence stored in a folder if it helps for our visits so you know where everything is.

7. What is a short course?

A short course is usually 'on the job' training that is industry approved or accredited, courses like CSCS, MEWPS and abrasive wheels qualify for short courses. These can be delivered pre or post-employment.

8. What happens if the project is underperforming?

Underperformance should be identified as early as possible and communicated to the council. We will ask the developer to write an action plan to address underperformance. The project will then be closely monitored to ensure that performance is improved. In

cases of significant underperformance, the council will follow the underperformance clauses set out in the individual S106 agreement.

9. Do we have to fill in the equalities part if they are not our targets?

Yes, we would like you to provide information on equalities so that we have a better picture of activity on sites across the borough.

10. Do apprentices count as an output?

Yes, apprentices count as an output and we encourage you to monitor these outputs. Also apprentices usually are better employees for a case study story.

11. Can we track outputs from a previous job?

The 26 weeks of sustained employment is a key measure but we recognise contract packages can be shorter than that, if someone starts work on these developments for a few months but then moves on to another job and completes 26 weeks of work that is counted as an outcome.

12. How many times can one person count towards each outputs?

One person can be recorded against all targets, so if someone gets a job as an apprentice, completes some short courses and a CSCS test then they could be counted against each target. However, one person can only be counted once against each target. So if an individual gets a job leaves work and then get another job on the project that is still only one job outcome. If an individual completes 4 short courses, that is still only one training outcome.

13. What does local employment mean and who can we count towards the local employment target?

Local employment for S106 purposes means current residents of Croydon borough. They could be unemployed or be moving from a job elsewhere to one newly created by the development.

14. Who do I contact for job brokerage and recruitment?

Croydon Works is the council's employment brokerage service. All S106 agreements will include a requirement for developers to work with Croydon Works in the first instance to fill any vacancies. Contact details can be found on the key contacts list within this document.

15. Who do I contact for work experience?

The EPIC service is the council's employment pathways service. S106 agreements should include a requirement for developers to work with local schools and colleges to develop work experience and career enhancement activities. The EPIC service can broker engagement with local schools and colleges and offer advice on delivery. Contact details can be found on the key contacts list within this document.

16. What counts as an apprenticeship?

An apprenticeship is a job which is accompanied by training recognised by the Institute of Apprenticeships. Apprentices are employed on a formal employment contract and provided with training that lasts for a minimum duration of 12 months. The training provision must be delivered by a provider that is registered on the government's Register of Training Providers (RoTP).

An apprentice will gain the technical knowledge, practical experience and wider skills and behaviours they need for their immediate job and future career. The apprentice gains this through formal off-the-job training and the opportunity to practice these new skills in a real work environment.

17. Who do I contact for apprenticeships?

There are a range of training providers in the borough that offer apprenticeships across a breadth of industries. Croydon Apprenticeship Academy can sign post you to a suitable provider. Contact details can be found on the key contacts list within this document.

18. What are construction costs?

Expenditure on labour, materials, plant, equipment and site incurred as a direct result of the construction intervention and fit-out. It is the total price payable for work normally included in contract to construct a building. It also includes all temporary works required to undertake the construction works.