

Employment & Training S106 Obligations

Part 1: Delivery & Monitoring Toolkit

October 2018

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1. Introduction

In line with the Croydon Local Plan 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 key employment and training opportunities by means of relevant planning and S106 agreements.

This document provides guidance for developers on how to approach the implementation, ongoing delivery and monitoring of their S106 agreements.

Key supporting documents are:

- The accompanying document Employment and Training S106 Obligations Part 2: Monitoring Templates
- The report 'Section 106 Planning Obligations in Croydon and their Relationship to the Community Infrastructure Levy' available on the council's website
- The S106 agreement specific to a development stating the targets and commitments
- The Local Employment and Training Strategy (LETS) completed by the developer that is required at least 3 months prior to commencement on site and which sets out detailed targets and the method developers intend to use to achieve those targets

2. Justification

A key priority for the council is helping local people and businesses benefit from the opportunities arising from development. This can be supported through the funding of skills, training and employment programmes and local employment and training obligations.

‘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.

3. Key targets

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

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

Targets and obligations will be specific to a site and all obligations will be clearly set out in the S106 agreement. On occasion a variation may be agreed at the planning stage.

Developments granted planning permission prior to June 2017 would have been subject to previous Section 106 planning guidance.

4. Links to other council initiatives

Croydon Council's approach to Employment and Training S106 obligations contributes to the strategic objectives of the Croydon Promise and Skills and Employment Action Plan by ensuring that regeneration and development in the borough provides opportunities for residents to improve their skills and access sustainable jobs.

The council provides a number of services to support developers to achieve their employment and training S106 obligations.

Croydon Works

www.croydonworks.co.uk

A free, tailored recruitment service to support your business to recruit Croydon residents. 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:

- Free job brokerage service, identifying employers' skills needs and ensuring recruitment/training are timetabled to meet employers' labour requirements;
- Training for prospective construction employees including basic training leading to Construction Skills Certification Scheme (CSCS) accreditation;
- Customised pre-employment training in conjunction with employers to ensure applicants understand the nature of the job 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.

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.

EPIC (Employment Pathways in Croydon)

Connecting businesses, schools and colleges to expose young people to the world of work and support businesses to achieve their social value objectives. Providing engagement opportunities and supporting business and school led activities such as careers events, work experience and employability workshops.

Business support

www.croydon.gov.uk/business/support

A range of business support and advice regarding managing and growing your business, finding premises, financing, networking and accessing new business and market opportunities.

There are a number of benefits for developers using council services:

- Close links to the supply chain, enabling vacancies to be identified and created;
- Beneficiaries are supported on a one-to-one basis, ensuring that each receives relevant support leading to employment;
- Support for beneficiaries both pre- and post-employment, working to ensure advancement of their careers and significantly reducing drop-out rates;
- Flexibility to offer clients 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 and lasting results.

5. Key contacts

Economic Growth, Croydon Council	Sarah Randall, Economic Development Manager (Employment & Skills) Email: sarah.randall2@croydon.gov.uk Telephone: 020 8726 6000 (Ext 60331)
	Carol Squires, Economic Development Manager (Business Support) Email: carol.squires@croydon.gov.uk Telephone: 020 8726 6000 (Ext 18302)
Croydon Works, Croydon Council	Adhnan Ahmed, Croydon Works Manager Email: Adhnan.ahmed@croydon.gov.uk Telephone: 020 8604 7471
	Peter Wallace, Construction Lead, Croydon Works Email: peter.wallace@croydon.gov.uk Telephone: 020 8255 2725
CALAT, Croydon Council	Sidra Hill-Reid, Service Manager Email: sidra.hill-reid@croydon.gov.uk Telephone: 020 8604 7447
EPIC, Croydon Council	Tyrone Irish, Employment Pathways Officer Email: tyrone.irish@croydon.gov.uk Telephone: 07809 230897
Jobcentre Plus	Mo Yartey, Employer Engagement Manager Email: modressa.yartey@dwp.gsi.gov.uk Tel: 07824 897285

6. Monitoring process

Targets for each site will be monitored quarterly. The council follows a two stage monitoring process:

1. At the end of the quarter, developers are expected to complete the performance monitoring form and narrative report (templates provided) and return them to the monitoring officer in the council, based with Croydon Works. At least once a year, the developer will also be expected to provide a case study.
2. The monitoring officer attends a site visit or meeting with the developer to inspect the evidence collected in order to verify the outputs claimed in the performance monitoring form and narrative report and, if necessary, address any issues of underperformance.

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

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

How to create a quarterly profile

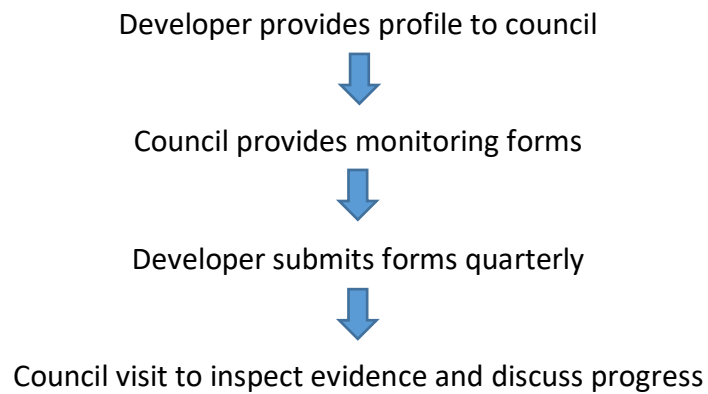
Each site is given their own bespoke performance monitoring form. In order to generate this, the developer will need to provide a quarterly profile showing how many outputs will be achieved over the course of the development. This profile will then be used to monitor performance on site on a quarterly basis.

A quarterly profile should:

- Be generated using projected work flows and be as accurate as possible. However, it is understood that there may be variance from these profiles in some instances due to delays on site or circumstances outside of the developer's control. The council understands this and can accommodate changes to or variances from the profile provided that they are communicated as early as possible.
- Profile the anticipated number of job starts from Croydon residents on site.
- Follow the financial year.
- Span at least the first year of the build period. For developments lasting 18 months, the profile should cover the entire build period. Where possible on sites lasting over 18 months, a profile for every year of the development should be submitted.

If the developer fails to appoint 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 monitored against this.

Summary of process



7. Example evidence

Example evidence for S106 employment and training monitoring.

Key Outputs	Accepted evidence
London Living Wage	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.
Local employment / job starts	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.
Sustained jobs (26 weeks)*	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.
Apprenticeships	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.
Work based training and short courses (including Health and Safety)	Copy of pass certificate. Confirmation from the training provider/accrediting body of participation and completion/pass mark.
NVQ level 1 or 2*	Copy of pass certificate. Confirmation from the test centre/accrediting body/college of pass mark.
Work placements and internships	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.
Local supply chain	Evidence of spend with local contractors compared to overall construction costs.
Engagement with schools and education providers	Confirmation from school/provider on letter headed paper/formal email address that an activity has taken place.
Good Employer Croydon	Evidence of registration on council website. Monitoring via Good Employer Croydon process where not already evidenced above.

*Not currently included in targets but measured for monitoring purposes.

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

8. FAQs

What is a profile?

A quarterly profile is written at the beginning of the year by the developer with support from Croydon Works, it should predict how many job starts, training outputs, and apprentices 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).

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.

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.

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. .

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.

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.

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.

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.

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.

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.

How many times can one person count towards each output?

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.

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.

Who do I contact for brokerage?

Croydon Works is the council's employment brokerage service. S106 agreements should 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.

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.