

Durham Social Value Taskforce Report



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Foreword

Durham County Council and the Federation of Small Businesses are delighted to have established the first Social Value Taskforce of its kind in the North East, bringing together the biggest council and the largest representative of small businesses in the North East to work on growing the local economy.

Durham County Council has already made good progress in helping businesses in the County to access contract opportunities. Establishing a Taskforce approach has enabled us to bring together small businesses, social enterprises, the Council and other experts to truly embed the potential of the Social Value Act.

Building upon the good work we have already done and learning from best practice elsewhere in the country, the Taskforce has developed an ambitious action plan to further improve opportunities for businesses in County Durham, which will continue to evolve.

The Taskforce report contains clear recommendations for the County Council and partner organisations, and we hope to see them implemented not just across County Durham, but also within the wider North East region.

Cllr Neil Foster, Portfolioholder for Economic Regeneration, Durham County Council Ted Salmon, North East Regional Chairman, Federation of Small Businesses

1. Introduction

- 1.1 One of Durham County Council's strategic priorities is to support and develop the local and regional economy. In Summer 2013, Durham County Council and the Federation of Small Businesses agreed to launch a Durham Social Value Taskforce to deliver better value (in all its aspects) to the local authority, whilst at the same time to help small businesses and social enterprises win more contract opportunities. Chaired by Councillor Neil Foster, Portfolio-holder for Economic Development and Regeneration, it was agreed that the Taskforce would run from September 2013 to May 2014 to consider and recommend ways that the Public Services (Social Value) Act 2012 (hereinafter referred to as Social Value Act) might be used to help grow the local economy.
- 1.2 As part of the Taskforce's work, Durham County Council was keen to look at ways in which it could embed the principles of the Act across everything the Council does. The County Council has already made good progress in helping businesses in the County to access contract opportunities. In 2012/13, 54.4% of the Council's spend was with County Durham suppliers, and 55.6% of this amount was paid to SMEs in the County (a total value of £286.6m spent in the local economy of which £159m was spent with SMEs). Establishing a Social Value Taskforce provided an opportunity to build upon the good work the Council has already done and to learn from best practice elsewhere in the country to further improve opportunities for businesses in County Durham.
- 1.3 The members of the Taskforce included representatives from Business Durham (the Council's economic development company), Durham County Council's Corporate Procurement, Economic Development, and Children and Adults Commissioning departments, the Federation of Small Businesses, NEPO (the North East Procurement Organisation), County Durham Economic Partnership, Social Enterprise UK, PwC, and The Social Return Company. See Appendix 1 for details of the individual members of the Taskforce.

Case Study 1: Added social value through a timber-framed buildings contract

During 2013 the Council tendered for a contractor to fabricate and erect timber-framed buildings on Gypsy/Roma Traveller Sites around the County.

As the buildings are timber framed, it was made an essential requirement of the contract that all timber used would meet the requirements of the Council's **Sustainable Timber Procurement Policy**. At shortlisting stage, bidders were required to evidence the sustainable timber chain of custody they had in place.

At the pre-procurement stage, an assessment was undertaken to identify any barriers which might be faced by smaller or local potential bidders, to ensure that the tender process was not too onerous for small firms. The winning contractor, **Karlin Timber Frame**, is a local small business based in Newton Aycliffe, County Durham.

As a further measure to support the local economy, a commitment was obtained from Karlin that any job vacancies arising during the duration of the contract would be notified to the Council's employability team, and long-term unemployed or otherwise disadvantaged candidates sought where possible.

2. Background to Social Value Act

- 2.1 The Social Value Act came into force on 31st January 2013 and places a duty on public bodies to consider social value before procuring goods and services. This means that public bodies must consider how what is being procured can help improve economic, social and environmental well-being. In combination with the Localism Act 2011, it permits public bodies to focus on the Gross Value Added (GVA) locally. As well as local authorities, the Act applies to government departments, NHS Trusts, NHS Commissioners, fire and rescue services, and housing associations. No definition of "economic, social and environmental well-being" is provided by the Act this is left up to each public body to determine.
- 2.2 The Act applies only to **services** contracts above the relevant EU threshold (£172,512). However, Durham County Council has taken the decision to apply the principles of the Act to **goods** and **works** contracts as well, and to apply the principles, and in many cases the practice, of the act to procurement of much lower contract value than the EU threshold.
- 2.3 The Social Value Act allows considerable local interpretation. Social Value can be measured in terms of economic, social and/or environmental impacts, and may be qualitative or quantitative or both. Therefore Durham County Council is keen to ensure that its application of the legislation can make a real difference locally. Durham County Council is the first local authority in the North East to work with the Federation of Small Businesses in this way, and the Durham Social Value Taskforce could establish principles for other local authorities to follow.

Case Study 2: Added social value through a housing works contract

In 2012-13 the Council tendered for a framework for capital works to housing stock owned by the Council and two partner housing associations. The contract, worth around £100m, was awarded to three contractors, **Wates Construction**, **Keepmoat** and local contractor **Esh Construction**.

The construction sector has a strong track record in supporting apprenticeships, and the Council looked to harness this by making bidders' experience in delivering apprenticeships and other training outcomes an important part of the shortlisting criteria used to select which bidders would proceed to the final tender stage. At final tender stage, the three winning bidders committed to create and support a minimum of **37 new apprenticeships**.

In addition, a commitment was obtained from all three contractors that they would support **community recycling** initiatives by offering them waste furniture and materials, arising from the works, which would be of use to them. All three contractors are now actively supporting the work of the **County Durham Furniture Help Scheme**, a non-profit community group based in Chilton.

In terms of further environmental sustainability, the works will involve the use of timber materials, and all three bidders have committed to using only certified sustainable timber that can be traced back to the forest where it was harvested.

3. Council Priorities & Policy Context

- 3.1 The council has a vision and priorities which are shared together with partners and which are based on consultation with local people and Area Action Partnerships. This vision developed by the council reflects the views and aspirations of the community and opportunities for improvement. It focuses around an altogether better Durham and comprises two components; to have an altogether better place which is altogether better for people.
- 3.2 This vision provides a framework which guides all of the Council's detailed plans and programmes, and is set out in the County's Sustainable Community Strategy, achieved through organising improvement actions into a structure comprised of five priority themes:

Altogether wealthier - focusing on creating a vibrant economy and putting regeneration and economic development at the heart of all our plans

Altogether better for children and young people - ensuring children and young people are kept safe from harm and that they can 'believe, achieve and succeed'

Altogether healthier - improving health and wellbeing

Altogether safer - creating a safer and more cohesive county

Altogether greener - ensuring an attractive and 'liveable' local environment, and contributing to tackling global environmental challenges

- 3.3 The County Council's strategic plans were already in place before the Social Value Act came into force. However, the Council's five priorities fit well with the aims of the Social Value Act.
- 3.4 The Council has a clear focus on economic growth and this is recognised as a priority within its plan for 2014-2017. The Council's top priority is to drive forward the economy of the County in order to create 23,000 new jobs by 2030. 96% of County Durham businesses currently employ less than 50 people, and creating opportunities for more of these businesses to supply the Council, either directly or through supply chain opportunities will have a significant impact on the economy.

Case Study 3: Added social value through a school meals contract

In 2013 the Council tendered for a contractor to provide school meals in over 200 primary schools.

Key to the tender process was an assessment of the added value that could be offered by bidders – over and above the core provision of healthy meals for pupils at a competitive price. There was a particular focus on seeking commitments to use local produce, reduce food waste, and create and support targeted employment and training opportunities.

The successful contractor, **Taylor Shaw**, committed to several added social value initiatives including:

- Subsidising the cost of meals for nursery pupils, and working with schools to increase school meal uptake, seeking to ensure that all young children sit down to a healthy, cooked meal during their school day.
- Supporting a minimum of 12 apprenticeships and a large number of shorter work
 placements, and working with the Council's Employability Team to increase this
 number.
- Setting a target for 30% of all job vacancies to be filled by a candidate from a disadvantaged group (including people with disabilities, long term unemployed, and young people in the NEET category)
- A requirement that all meals would be based on fresh food from raw ingredients, cooked daily on site.
- A commitment to a year-on-year increase in the proportion of local produce being used.
- Establishing and implementing a clear carbon reduction plan to reduce the CO2 impact of the contract.
- A commitment to reduce the amount of waste sent to landfill by 60% over the lifetime of the contract.

The Council has also recently tendered for a framework contract for school meals in our **secondary schools**, incorporating a similar approach to social value.

4. What has been done so far?

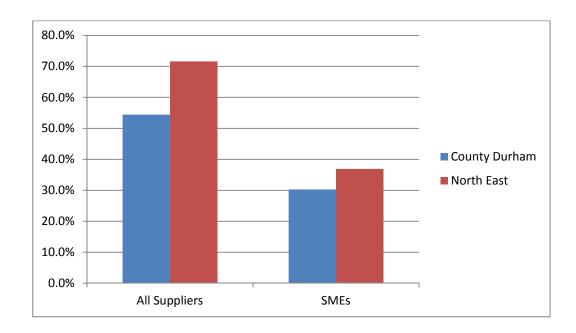
- 4.1 In 2011, Durham County Council introduced a 'Buy Local, Buy Durham' scheme to demonstrate its commitment to creating opportunities for SMEs and local suppliers, and address concerns from the business community that the Council's procurement procedures disadvantages smaller businesses. The scheme includes a quotation based system 'Quick Quote', which ensures that all buyers within Durham County Council seek two quotations from companies based in County Durham when the procurement has an estimated value between £5,001 and £50,000. One-off purchases below £5,000 in value, where the Council does not have a corporate contract arrangement in place, are entirely at the discretion of the purchasing Service Area. One of the main drivers for this is to enable small one-off items of spend to be channelled directly to local SMEs, where appropriate, without forcing them to negotiate a formal electronic tender or quotation process.
- 4.2 Following the implementation of the Social Value Act in January 2013, Durham County Council took the decision that the "social value" test would be applied to all contracts over its £50,000 tender threshold¹ including contracts for works and goods as well as services.
- 4.3 This decision provided an opportunity for the Council to further embed the work it had already been doing under its Sustainable Commissioning and Procurement Policy. Examples of social, economic and environmental considerations covered in Council contracts are:
 - Creating and supporting employment and training opportunities for young people, the long-term unemployed, people with disabilities and ex-offenders.
 - Increasing opportunities for local SMEs to be part of the supply chain.
 - Increasing recycling and diverting waste from landfill.
 - Reducing the carbon emissions associated with contracts.
- 4.4 The Council's Corporate Procurement service also developed a Social Value Options Appraisal which came into use in April 2013 and is now a requirement for all tenders over £50,000 in likely value. This ensures that the delivery of social value is made a part of all major contracts, over and above the delivery of the specified goods, services or works.
- 4.5 Durham County Council has also been taking steps to increase opportunities for local SMEs, voluntary and community organisations and social enterprises to win business from the Council. As part of the introduction of the 'Buy Local, Buy Durham' scheme, other actions to date have included:
 - Holding supplier engagement workshops to help potential suppliers understand the procurement process and how to bid effectively.

¹ As set out in the Council's Standing Orders

- Carrying out market testing ahead of major procurements to make sure the Council takes on board the views of potential providers and is open to any innovative approaches they may offer.
- Making it easier for small organisations to come together to bid in consortia or in partnership, through the provision of information and practical advice.
- 4.6 The Council analyses all spend in order to monitor the level of expenditure with local and regional suppliers. In 2012/13, 71.6% of the Council's total expenditure was with North East suppliers and 54.4% was with County Durham suppliers (see Table 1).

Table 1: Percentage of Spend in 2012/132

	All Suppliers		SMEs	
Location	Spend	%	Spend	%
County Durham	£286,647,715	54.4%	£159,447,272	30.3%
North East	£377,228,999	71.6%	£194,407,013	36.9%

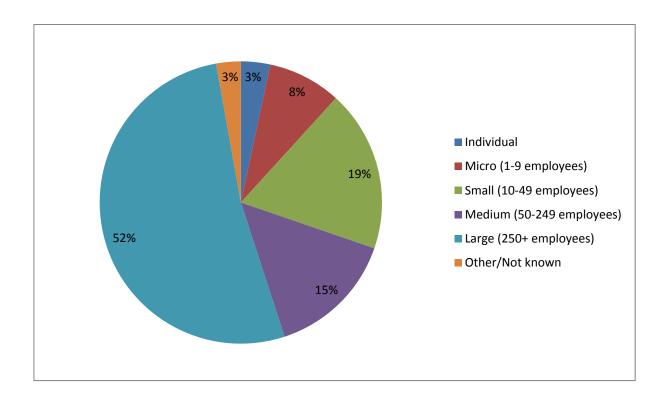


4.7 With regard to supplier size, SMEs made up 45% of the total spend in 2012/13, with 19% of the spend going to small businesses (10-49 employees) and 8% of total spend being with micro businesses (1-9 employees) (see Table 2).

² Source: Keeping it Local, DCC Corporate Procurement

Table 2: Breakdown of Supplier Size in 2012/13³

Supplier Size	Spend	Percentage
Individual	£17,707,666	3%
Micro (1-9 employees)	£44,241,745	8%
Small (10-49 employees)	£97,495,158	19%
Medium (50-249 employees)	£77,495,419	15%
Large (250+ employees)	£274,929,771	52%
Other/Not known	£14,845,111	3%
Total	£526,714,870	100%

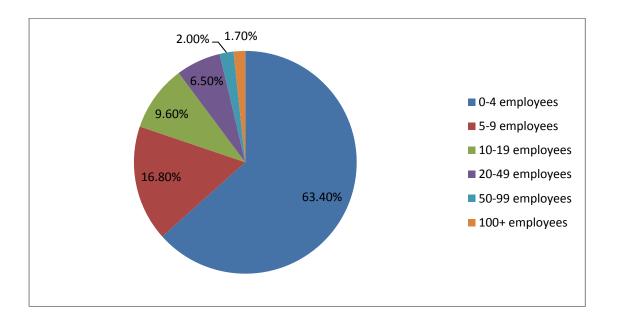


4.8 Whilst these figures represent good progress, 96% of County Durham businesses currently employ less than 50 people (see Table 3). Therefore, the Council is keen to use the Social Value Act to create opportunities to further increase spend with local suppliers, small businesses and social enterprises, and to learn from the experience of other places and public bodies to explore how innovative approaches to implementing social value during the specification and procurement process can help to achieve this.

³ Source: Keeping it Local, DCC Corporate Procurement

Table 3: Breakdown of Business Size in County Durham⁴

Business Size	Percentage
0-4 employees	63.4%
5-9 employees	16.8%
10-19 employees	9.6%
20-49 employees	6.5%
50-99 employees	2.0%
100+ employees	1.7%
Total	100%



⁴ Source: ONS

5. Purpose of Taskforce and work undertaken

- 5.1 The Terms of Reference agreed for the Taskforce were as follows:
 - 1. To understand what the Social Value Act can do to help stimulate local economic and business growth
 - 2. To identify best practice from other parts of the UK which might be applied in County Durham
 - 3. To develop an action plan to address the following points:
 - a. Embed the principles of the Social Value Act within the County's economic, procurement and provider strategies.
 - b. Provide better guidance on how social value will be measured and how small businesses and social enterprises can meet this
 - c. Encourage small businesses and social enterprises to compete for work in the public sector through a variety of models.
 - d. Include more social enterprises in supply chain opportunities
 - e. Improve market engagement with small business
 - f. Improve economic, social and environmental well-being in County Durham
 - g. Learn from and share our experience.
 - 4. To prepare a report and action plan for consideration by the County Council's Corporate Management Team and Cabinet.
- 5.2 The Taskforce met on four occasions between September 2013 and January 2014. Members of the Taskforce shared their knowledge of approaches being taken in other areas, and reviewed the various reports and guidance which have been produced to help public bodies implement the Social Value Act.
- 5.3 Key points arising from this include:
 - The Council needs to make it a clear priority to incorporate the delivery of additional social value in all of its activities and procurement.
 - Measuring social value is more straightforward if the Council is clear about the outcomes it wants to achieve across a range of priorities.
 - Social value offered at the tender stage of procurement won't be delivered unless
 it is explicitly measured and monitored during contract delivery contracts need
 to be explicit that the additional value is a part of the service delivery.
 - Best value can be obtained by building strong relationships with local suppliers and undertaking robust engagement, being prepared to listen and learn.
 - Support from senior management and political leaders is critical
 - On one hand, potential suppliers seek clarity a 'hot list' of priority areas where they can contribute to social value creation in addition to the specified

goods/services/works. On the other hand, the specification and procurement stages need a mechanism to put a value on imaginative and innovative solutions which are not on the 'hot list'.

 Recognition that the County Durham business base is primarily made up of small businesses, and even within that cohort, the preponderance is at the very small end of the business base. Therefore, measures to increase the number and value of contracts awarded to more closely reflect this business demography, will be extremely important in delivering additional social value.

Case Study 4: Added social value through a community learning contract

The Council recently tendered for the provision of community-based learning for adults who were finding it difficult to engage with mainstream forms of education.

The service has social and economic value for the community at its heart, supporting the local skills base, promoting social renewal, and seeking to maximise the community benefit of learning and achievement.

To make the tender accessible to smaller organisations, which may specialise in particular forms of training and education, the contract was split into **lots**, allowing organisations to bid only for those elements of the contract they were interested in or felt best suited them.

In another step to ensure smaller organisations had the best possible opportunity to bid, the Council opted not to apply a financial turnover threshold or credit score to this tender, as this is often a barrier to small firms and newly-formed social enterprises.

To harness the benefits which can be offered by third sector organisations and social enterprises, the award criteria for this tender included an evaluation of the bidders' approaches to **promoting equality and diversity** and engagement with **local stakeholders**.

As a result of the Council's approach, of the 13 successful organisations, the majority were small local organisations, community groups and social enterprises, including:

- Northern Rights CIC a local social enterprise.
- Cornforth Partnership a local third sector organisation
- Coundon & Leeholme Community Partnership a local third sector organisation
- Northern Learning Trust a North East third sector organisation
- Nigel Brough Bespoke Training a local SME
- FANE Ltd a local SME
- **SkillShare North East** a North East social enterprise.
- TIN Arts a local social enterprise.

6. Proposed Action Plan

- 6.1 Based on the key points listed above, the Taskforce has developed a detailed action plan, attached as Appendix 2, with actions identified to address each of the following seven areas:
 - a. Embed the principles of the Social Value Act within the County's economic, procurement and provider strategies.
 - b. Provide better guidance on how social value will be measured and how small businesses, social enterprises and VCS organisations can meet this.
 - c. Encourage small businesses, social enterprises and VCS organisations to compete for work in the public sector through a variety of models.
 - d. Include more social enterprises in supply chain opportunities
 - Improve market engagement with small businesses, social enterprises, and VCS organisations.
 - f. Improve economic, social and environmental well-being in County Durham
 - g. Learn from and share our experience.
- 6.2 The action plan identifies what the Council will do and also identifies what it needs other partners in the County to do, in order to implement these actions, in effect a 'call to action' for other partners to engage in this agenda.

Case Study 5: Added social value through a bus service contract

The Council has recently re-tendered for the provision of the "Cathedral Bus" service, linking Durham Cathedral and Castle with the rail station, coach park, market place and other locations.

Environmental sustainability is at the heart of the contract, with the Council specifying that the buses used must be **electric vehicles**, reducing both emissions and noise pollution.

In addition, feedback from previous public transport tenders suggested that smaller, local transport firms often felt excluded by overly complex tender processes. In this exercise, the Council took steps to make the tender documents as simple as possible, and took the decision not to apply a financial turnover threshold or credit score, to make the opportunity more accessible to smaller firms.

The contract was subsequently won by **Stanley Taxis**, a local SME.

7. Recommendations for taking forward

- i) Durham County Council to approve the report and agree to the implementation of the action plan
- ii) Durham County Council to share the report with members of the County Durham Partnership, and encourage other public bodies in the County to look at how their approach to social value can help to stimulate economic and business growth
- iii) Social Value Taskforce to continue to meet during the next 12 months to monitor progress in implementing the action plan, and continue to identify best practice to inform this work.
- iv) Durham County Council to publish case studies to share examples of approaches being taken with partners and stakeholders.
- v) Social Value Task Force to produce annual report of progress made and actions taken, and communicate this to partners including representatives of the public, private, social enterprise, voluntary and community sectors.

Appendix 1

Durham Social Value Taskforce Members

Councillor Neil Foster Durham County Council (Chair)
Simon Hanson Federation of Small Businesses
Ted Salmon Federation of Small Businesses
Martin McTague Federation of Small Businesses

Sarah Slaven Business Durham Andrea McGuigan Business Durham

Peter Faill DCC Corporate Procurement
Darren Knowd DCC Corporate Procurement

Nick Whitton DCC Head of Commissioning, CAS

Graham Wood DCC Economic Development

Diane Nielson NEPO

Peter Holbrook Social Enterprise UK

Sue Parkinson Chair, CDEP Business Enterprise & Skills Working Group

Dr Hugo Minney The Social Return Company

David Smith PWC, Social Enterprise & Local Government

Acti	on	What we will do	What we need others to do
Α.	Embed the principles of the Social Value Act within the County's economic, procurement and provider strategies.	 Prepare an executive summary to the DCC Sustainable Commissioning and Procurement Policy to highlight the Council's approach to Social Value Publish the Council's definition of Social Value Review the Regeneration Strategy to ensure that it reflects the Council's agreed definition of social value Develop an awareness raising programme to engage with heads of service and service managers throughout the Council about the principles of social value and their role in implementing the Council's approach. 	Encourage members of the County Durham Partnership to embed the principles of the Social Value Act in their economic, procurement and provider strategies
В.	Provide better guidance on how social value will be measured and how small businesses, social enterprises, and VCS organisations can meet this.	 Work with partners to develop practical and proportionate methods to enable providers to evidence the social value outcomes they have achieved and to ensure that these methods are cost-effective for both providers and the Council as purchaser Identify 'hot topics' (key strategic intentions) which can apply to any procurement exercise, with contributions to the hot topics by potential suppliers scoring points as part of the evaluation Monitor actual value delivered on a hot topic in the course of delivering the contracted services, goods or works, with failure to deliver being construed as failure to deliver part of the contract Consider how to measure contributed value in a consistent manner to achieve repeatable results, and consider appointing an independent arbiter Routinely ask questions within procurement exercises as a 'signal of intent' to gather information about social value offered and develop benchmarks/baselines 	 Market test the effectiveness of the guidance provided Small businesses, social enterprises and VCS organisations to provide feedback on how the guidance might be improved Engage with the Council in suggesting ways in which social value can be demonstrated and measured

Acti	on	What we will do	What we need others to do
C.	Encourage small businesses, social enterprises and VCS organisations to compete for work in the public sector through a variety of models.	 Identify blocks which prevent SMEs, social enterprises and VCS organisations from tendering for work, and review processes which can remove these blocks Build on the current VCS provider engagement opportunities and Compact arrangements to encourage collaborative tendering. Encourage SMEs, social enterprises and VCS organisations to understand what they can provide and what their limits are, and consider the specification of requirements so as to make it possible for individual SMEs or small consortia to tender. Support SMEs to build consortia and to participate in frameworks. This is often difficult and can be daunting, as well as raising issues of partnering versus being competitive. However, these issues have been addressed by successful consortia, and this learning could be shared. Continue providing awareness and training events to encourage SMEs, social enterprises and VCS organisations to register and respond to local authority procurement opportunities, and create opportunities for suppliers to network. Explore the opportunities provided by the new EU regulations to encourage different models, such as mutuals and the community right to challenge. 	 Engage with the Council to provide feedback on blocks in current processes and ways in which these might be removed Utilise their networks to promote tender opportunities to small businesses, social enterprises and VCS organisations, and encourage participation in training events, awareness raising sessions and networking. Share and publicise examples of successful consortia & collaborative tendering.
D.	Include more social enterprises in supply chain opportunities	 Provide structured opportunities for SMEs and social enterprises to network with prime contractors / larger organisations which may include them in the supply chain. Include criteria in the evaluation process to recognise the additional value that Social Enterprises can bring, recognising their Asset Locks, where applicable, and contribution to social value according to their authorised Terms of Reference. Develop links with the social enterprise sector in order to improve market intelligence. Build upon model developed for targeted recruitment and training in order to identify supply chain opportunities. 	Engage with the Council to share market intelligence and supply chain opportunities

Acti	on	What we will do	What we need others to do
E.	Improve market engagement with small businesses, social enterprises and VCS organisations	 Make more effective use of existing networks which engage with SMEs, social enterprises & VCS organisations on daily basis, e.g. Business Durham, enterprise agencies, engineering forums, business clubs & networks, Visit County Durham, membership organisations such as FSB, NECC, and Community Action Durham/local CVS. Exploit scope to increase local suppliers for procurement of items under £5k – what is the value of this in (say) a month, and what percentage of that value goes to (a) County Durham companies and (b) SMEs. Provide better & more useful feedback to unsuccessful tenderers, and develop a process to capture market intelligence from this, such as sectors or activities where the business base is strong and those where it is less so, in order to help inform where our business interventions could best be applied. Publish statistics on the procurement process to raise confidence in SME, social enterprise and VCS suppliers that they are being treated fairly. Work with partners to develop a greater understanding of the County's business community, and use this to guide goods, services and works to be procured. Specifically highlight opportunities to SMEs, social enterprises & VCS organisations, in addition to the NEPO portal, for example through the business support network in the County. Develop and maintain a Market Position Statement (MPS) for Children and Adult Services (CAS) which identifies the direction of travel enabling providers to build their business accordingly. Share information and best practice through regular dialogue with provider i.e. CAS provider forum model. Develop the opportunity for an E- marketplace to open up the market, expand personalisation and deliver the requirements of the Care Bill. Identify and publicise a single point of contact for businesses wanting to find out about doing business with the Council. 	 Utilise their networks to share information on the procurement process, statistics, and to highlight opportunities to small businesses, social enterprises and VCS organisations. Actively engage with the Council to increase knowledge and understanding of the County's business base.

Action		What we will do	What we need others to do
F.	Improve economic, social and environmental well-being in County Durham	 Continue to analyse and monitor the level of Council spend with local suppliers, SMEs, social enterprises and VCS organisations. Monitor and report on Social Value created on all contracts of £50k and over. Report a summary of the social value outcomes achieved through commissioning and procurement activities across the authority quarterly and annually. 	Encourage members of the County Durham Partnership to monitor and report on their level of spend with local suppliers, SMEs, social enterprises and voluntary & community organisations.
G.	Learn from and share our experience.	 Publish case studies of successful approaches taken by the County Council. Document the changes to processes and the resulting processes for specification, inclusion of social value creation, procurement and monitoring, and make these available to other public bodies. Continue to monitor what other Councils are doing, and to learn from best practice. Review and learn from cases where measures taken or approaches to social value creation didn't work. 	Share examples of best practice and case studies of successful approaches, and make these widely available to other public bodies and organisations in County Durham.