

LEAD PARTNER EVENT – 28 FEBRUARY 2018

ESF - PARTICIPANT GUIDANCE AND CLAIMS

PARTICIPANT GUIDANCE

When using the participant guidance and FAQ, take a common sense approach. Many of the lists mentioned in the guidance are not exhaustive – this ensures a flexible approach to any new forms of evidence that may become available. Lead Partners should consider whether audit evidence is eligible and consult the guidance before contacting the MA. The Managing Authority receives high levels of queries from Lead Partners – many of these are queries already covered by the existing guidance (both in the Participant Guidance and the supplementary Employability FAQ). Queries should also be such that they affect a number of participants and should not be simply hypothetical. When Lead Partners are making decisions on eligibility / evidence etc, it is imperative that these decisions are fully evidenced by appropriate documentation and retained for audit purposes.

Guidance updates

The updated guidance is now **clearer and easier** to use. The definitions section is now in alphabetical order and some of the lists of acceptable evidence have been extended, e.g. EU ID Card added to section about 'Right to Live and Work'. The other changes are covered below.

Common Indicators

Annex B and C of the European Commission's *Monitoring & Evaluation* Guidance clearly lists the common indicators that must be reported for every participant supported in an ESF intervention. It is imperative that Lead Partners collect all data relating to the common indicators when registering participants for ESF support, so that this information can be uploaded to EUMIS – this applies even where the data does not necessarily relate directly to the specific type of ESF intervention. Lead Partners should therefore note that, although the collection of common indicators data should form part of the registration process, it is not necessary to physically evidence all this data (e.g. via documentary evidence) but is required when it forms part of the eligibility criteria for that intervention. The Guidance has been updated to clearly show which elements of the participant data relates to the common indicators and therefore must be collected.

Annex A

The MA has experienced some problems with verifying achievements for participants registered in 2015 and 2016. It is clear that some Lead Partners had misinterpreted the guidance and had not collected a full audit trail covering every aspect of participant eligibility. There is recognition that a more common sense approach is required when looking at these files.

Annex A has been added to the guidance to clarify the areas where documentation can be presented that forms a narrative about the participant, thereby allowing the MA to accept some forms of evidence that may not be listed in the 'Eligibility – Evidence' section of the

Participant Guidance e.g. accepting a Driving Licence as proof of address. The Annex also provides more options for 'Self-Certification' where the Lead Partner has made reasonable attempts to obtain that evidence e.g. Address – a signed registration form could be acceptable (provided the postcode is in the correct format).

Annex A was e-mailed to lead partners in October 2017 and was published on our blog as part of the December newsletter (<https://blogs.gov.scot/european-structural-and-investment-funds/wp-content/uploads/sites/37/2017/12/ESF-Participant-Guidance-Annex.pdf>)

Supported/Unsupported Participants

Lead Partners need to ensure they understand the concept of supported / unsupported and how this relates to participant information recorded on EUMIS.

The Commission's *Monitoring & Evaluation Guidance* makes it clear that it is acceptable for each Strategic Intervention to have a '**grand total**' of participants, including those participants whose basic data relating to the common output indicators either could not be collected or is incomplete (Annex D, p.15).

There are a couple of scenarios where a Recipient may be recorded as 'Unsupported' on EUMIS:

- The participant is eligible for support, however, the Lead Partner is unable to produce documentation to evidence their eligibility e.g. sometime it is difficult to verify the date of birth of some individuals within the Roma community. These participants can be entered onto EUMIS after Registration to reflect the work being undertaken with them, but should not be marked as 'Supported';
- Another scenario relates to when a participant has been recorded on EUMIS, however the participant is then found to be ineligible as a result of verification by either the Lead Partner or the Managing Authority. In this instance, the participant should not be deleted from EUMIS, but rather, simply marked as 'Unsupported' by unticking the 'Supported' function on EUMIS. In addition, the 'Notes' field in the 'ESF Recipient' tab of their Participant Record on EUMIS should be updated with 'Ineligible', to distinguish this individual from an eligible Participant whose eligibility could not be fully evidenced.

CLAIMS

Format of Evidence

The sample is issued in numerical order and we expect the evidence to be submitted against the item number from the sample. We are required to hold all the documentation relating to costs and achievements and this documentation will be submitted to us via our File Transfer Protocol (FTP). If submitted against the item number it makes it easier for us to download onto our systems and for our team to undertake the check. In addition, the naming convention (issued by the Managing Authority to all Lead Partners) must be used when the files are transferred on to the FTP.

Stricter Timescales

Where items not available at verification they will be rejected from the claim. They can be resubmitted once evidence is available.

Common Errors - Costs

BACS

There should be a clear link between the cost and the bank statement. Excel downloads are generally not acceptable. The net pay on the BACS list and the BACS list total should be provided. If have a report covers a number of members of staff or participants, the lead partner can submit one report with the names of the individuals clearly highlighted and referenced. Generally the MA require the first page, the page(s) linked to the particular cost and the totals page (generally the final page) of the BACs. Lead Partners must be able to demonstrate that these pages can be clearly linked in some way.

Defrayal

Evidence of actual defrayal is required, not just the payment being sent to the bank for authorisation. Ensure all defrayal information is clearly legible. For wage subsidy wage rates, wages should comply with minimum wage requirements unless you have prior approval of the MA. The hourly rate for NMW is dependent on age or whether a young person is an apprentice. An employer can choose to pay above the apprentice NMW but this should be at the rate for the young person as per HMRC guidelines. You cannot use an 'up to' rate of pay, for example, more than the apprentice rate but up to the actual rate for the participant. It is either one or the other.

Achievements

There is a requirement as per the offer of grant for lead partners to undertake a series of checks of the evidence and audit trail before the information goes on Eumis.

The **employment status** being entered incorrectly is the main error we are uncovering when undertaking the verification checks.

On a number of forms individuals have been recorded as Registered Unemployed, however on closer inspection of the form it is apparent that they should have the employment status of Economically Inactivity as they are not in receipt of JSA or ESA (Employ Support Allowance).

It is clear from this that the participant does not understand what they are ticking and if the forms were checked some of this would be clarified.

On a number of registration forms the barrier of **underemployed** has been selected but individuals are also recorded as registered unemployed. They cannot be both. Under-employed is defined in the participant guidance as an employment situation that is insufficient in some important way for the worker. For example being in part time employment but desiring full time work or skills under-utilisation – where the employee has education, experience or skills beyond the requirements of the job.

Please ensure the **Barriers/Disadvantages** selected are consistent with the data on file / EUMIS.

Logos - Please ensure you use the correct ESF logo. We have identified a large number of forms being used with the incorrect logos. We have even seen forms with the English programme logos. Please check what you are using and confirm with the MA if in doubt. Be careful when photocopying or scanning documentation – this documentation needs to be legible.

Signed Registration Forms - Registration Forms should be signed by both the participant and Project Worker prior to any significant activity being undertaken with the participant (e.g. training courses), although it is accepted that some minor forms of activity can be undertaken. An example with a Poverty and Social Inclusion project would be assisting the participant with registering with a GP.

It should be noted that it is not necessary to collect all evidence relating to eligibility before signing the Registration Form.

However, in the case of Wage Subsidies, participants must be registered with the Pipeline / YEI project before they are matched to a wage subsidy opportunity with an employer – this ensures that the individual is eligible for support (i.e. has multiple barriers to employment, is NEET on entry, fits the age and geographic location of YEI and has the right to live and work in the UK etc.), has an appropriate action plan in place and are aware that they are receiving ESF support. An employer cannot approach the LP asking for someone to be on a wage subsidy.

No Project Worker Assessment – evidence should be retained to demonstrate that a project worker has assessed whether the information contained in the registration form is correct. All you need to do is ask the participant about the information contained in the form and complete a short description of the participant's circumstances as part of a detailed assessment.

Other common errors include:

- Not providing evidence of employment status
- Milestone, e.g. Progression Milestone evidence is required for participant eligibility. The eligibility evidence is not just required at registration.
- Forms not being signed
- No action plans provided – we need to see that there has been some kind of action plan that meets the needs of the participants and a record of case notes and progress with the participant
- Identification documents not current or valid. Have to be in date at the time of registration. Also if you are retrospectively collecting data from the participants please ensure that when you sign it that it is signed on the date you collected the data.
- Disclosure Forms cannot be submitted as evidence.