

WYCC Delivery Partner Toolbox

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Overview

The purpose of this Toolbox is to provide essential information to support you as a Delivery Partner of West Yorkshire Consortium of Colleges Ltd (WYCC). This Toolbox has been produced in accordance with the requirements of the European Social Fund (ESF), The Department for Work and Pensions (DWP), and WYCC to ensure successful delivery of the project. This document should be used in conjunction with both your Service Level Agreement (SLA) and Project Schedule.

Due Diligence

All Delivery Partners who have an SLA are required to refresh their Financial Health Assessment (FHA) on an annual basis. Any changes to the original Selection Questionnaire (SQ)/ Due Diligence information should be communicated via your Contract Manager.

*Public sector organisations are excluded from FHA

Project Schedule

WYCC will issue you with a SLA which sets out the contractual terms that will govern your relationship with WYCC for the lifetime of the project. WYCC will agree with you a Project Schedule in line with your approved application responding to the Partner Brief. It details your planned delivery against a financial and deliverables plan with Contract/ Project specific outputs and results within a proposed timeframe.

Key Milestone Dates

The Project Schedule outlines key dates during the contract. These include: project start date, project activity end date, final submission date and financial completion date.

Delivery Partners will be performance managed in line with DWP (ESF Managing Authority) quarterly periods (Jan-Mar, Apr-June, July-Sept, Oct-Dec). Delivery Partner claims are monitored against the agreed Project Schedule to ensure a 10% tolerance level is maintained and that the project as a whole remains within the tolerance permitted under ESF guidelines. At formal review stage, where possible, we will aim to re-profile delivery in line with any forecast changes, or delays in provision, in order to remain within tolerance.

Procurement

For any activity procured towards the delivery of the Project Schedule, procurement regulations must be met. As Delivery Partners it is your responsibility to document and keep records of the evaluation process. Please ensure that the following thresholds (total value) are adhered to and supported with the necessary documentation. These will need to be made available on request.

£0 - £2,499 – Direct Award

£2,500 - £24,999 – three written quotes or prices sought from relevant suppliers of goods, works and services

£25,000+ – Formal Tender process openly advertised on relevant platforms (Contracts Finder etc.)

For further information, please see ESIF Procurement Guidance at:

<https://www.gov.uk/government/publications/european-structural-and-investment-funds-procurement-documents>

Members Area

The Members Area of the WYCC website <https://www.westyorkshirecolleges.co.uk/members> has a dedicated area specific to the Contract/ Project giving you access to WYCC's latest guidance documents and forms. Login details for this area will be issued via the Marketing Team and your Contract Manager following a successful contracting meeting. It is the Delivery Partner's responsibility to ensure that all documentation used is the most current version.

Eligibility and Evidence Requirements

An Eligibility and Evidence Matrix has been created specific to each Contract/ Project. The matrix outlines the core eligibility required to be met and evidence requirements to satisfy ESF National Eligibility Rules. From the date of entry to the project, participants must show they meet the criteria listed and evidence their eligibility by production of the documents listed. The Eligibility and Evidence Matrix is accessed via the Members Area of the WYCC website. All required evidence must be submitted using the most current documentation available to download in the Members Area.

EEA Nationals - Participant Eligibility

From 1 January 2021 in order to be eligible for ESF support, EEA nationals already in the UK must meet one of the following conditions:

- hold settled status granted under the EU Settlement Scheme (EUSS)
- hold pre-settled status granted under the EUSS

EEA nationals arriving in the UK from the 1st January must hold leave to remain with permission to work granted under the new Points Based Immigration system to be eligible for ESF support.

EEA nationals who are lawfully resident in the UK by 31 December 2020 but have yet to apply for status under the EUSS will have their rights protected during the grace period which ends 30 June 2021. They will therefore be eligible for ESF support.

Non-EEA nationals who hold leave to enter or leave to remain with a permission to work (including status under the EUSS where they are an eligible family member of an EEA national) are also eligible for ESF support whilst in the UK.

Up to 30 June 2021 the current document listing detailed within the Eligibility and Evidence Matrix will remain in place until further notified.

For further information, please refer to ESF National Eligibility Rules - <https://www.gov.uk/government/publications/european-social-fund-eligibility-documents/esf-national-eligibility-rules-and-programme-guidance#participant-eligibility>

Covid-19 current ESIF Relaxations

In response to Covid-19 the following relaxations are applied regarding documentation:

- Wet signatures can be replaced by an E-signature as an interim measure. Please note that whilst the absence of a wet signature will not prevent you from claiming we will require wet signatures to be forthcoming ahead of audit.
- We can also accept claims electronically with the original submission to be submitted when this can be accommodated.

Evidence for Match Funding

As part of all WYCC projects, Delivery Partners are required to provide a minimum 60% Match contribution. This is outlined as part of the Partner Brief and subsequent application submitted for the project. The type and amount of Match is confirmed as part of the contracting process and detailed within your Project Schedule. Match Funding is treated the same as ESF regardless of source with the Eligibility and Evidence Matrix outlining the agreed evidence.

Defrayal

Expenditure is only eligible to be claimed after the costs have been defrayed i.e. once the funds have left the organisation's bank account. All project expenditure should be evidenced down to the level of individual transactions by original purchase orders/contracts, invoices/receipts, bank statements and accounting records. Staff costs must be based on actual salary costs and evidenced by payroll reports, BACS and bank statements.

Frequently asked questions

Who should complete the Participant Record?

The Participant Record should be completed by the participant but it is advisable that it is completed with both the participant and training provider.

The participant is the person undergoing training.

The training provider is the organisation providing training; which may include course tutor, enrolment personnel, or any named organisation personnel.

The employer is the person or organisation whom employs the participant.

WYCC is the Grant Recipient of European Union Social Funding on behalf of the participant, the training provider and the employer.

What is the information collected used for?

The participant data collected is essential for all WYCC projects and provides information which is used to assess the implementation and performance of ESF funded programmes and help the WYCC and partners fulfil the formal reporting requirements set out in ESF Guidelines for 2014-2020 programmes.

Participant contact details provided will be shared with the DWP and retained by WYCC for post activity survey purposes.

All personal data collected will be handled, processed and retained in accordance with the Data Protection Act 2018, the General Data Protection Regulation, DWP and ESF guidelines and WYCC regulations and contract terms.

Data Security

WYCC takes data security seriously. WYCC and all Delivery Partners are required to operate appropriate secure systems and processes, for handling and storing participant details in line with WYCC standards and the Data Protection Act 2018 and the General Data Protection Regulation. Delivery Partners must ensure that they process data in accordance with the provisions of the Data Protection Act and implement appropriate technical and organisational measures to protect the data against unauthorised or unlawful processing, and against accidental loss, destruction, damage, alteration or disclosure.

All participants and Companies/Employers engaged must be shown a copy of the DWP Privacy Notice as held on <https://www.gov.uk/government/organisations/department-for-work-pensions/about/personal-information-charter> and be made aware of how to access both the DWP and the WYCC Privacy Notice which is held on the [WYCC website](#).

Claims Process

All claims must be submitted to WYCC in line with your Project Schedule. All claims are to be submitted using the WYCC Evidence Submission Form specific to your Contract/ Project which can be found within the Members Area. The deadline for submission is the 10th of each month in order for it to be counted against that particular month or quarterly period.

All claims are currently requested to be submitted electronically to your Contract Manager. Please ensure these are returned via a secure cloud such as SharePoint, OneDrive or Google Docs.

Following validation of your claim by WYCC, it will form part of the overall claim uploaded to DWP for that quarterly period. Following DWP's successful validation and release of payment, WYCC will issue a Payment Statement in line with your Project Schedule. This will confirm the 40% agreed funding amount for you to generate an invoice.

Contract Management Process

The WYCC Contract Management Process has been developed to ensure high levels of performance is achieved, outputs and results successfully met alongside financial expenditure targets.

WYCC will achieve consistency of service across Delivery Partners through:

- Contract performance review meetings
- Monthly reporting of progress against Project Schedule
- A performance management framework which will include a RAG rating system and tolerance levels against contract performance
- Supporting providers in delivery and performance
- Regular quality and compliance audits

Contract Performance Review Meetings

Throughout the duration of the Project Schedule, regular contract performance review meetings will take place to discuss performance in line with the project tolerances set out at the contracting meeting.

A formal review of contract performance will take place as a minimum on a quarterly basis. The meetings will be a forum for any concerns from either party to be discussed and for best practice to be shared. The review outcomes will inform any contract variations or performance measures to be put in place.

Project Audit Process

Evidence requirements submitted to WYCC will be checked when submitted, further audits may take place to ensure that all evidence submitted is ESF and DWP compliant and has been claimed correctly. Audit dates will be agreed between WYCC and the key subcontractor contact beforehand. Audit testing will be based upon claims made at project level and the results of any testing will be communicated to all interested parties.

Document Retention

All evidence should be retained in line with clause 13.4 of the Service Level Agreement. WYCC will confirm the specific retention date at the finalisation of the project. Evidence relating to State Aid must be retained for at least 10 years after the last aid is granted.

Marketing, Publicity and Branding

Any organisation developing and/or delivering projects funded by ERDF and ESF must adhere to the guidelines regarding marketing, publicity and branding. A full version of the WYCC marketing and branding guidelines along with a link to the 2014-2020 ESIF Publicity and Branding requirements can be accessed via the Members Area of the WYCC website. Delivery Partners must be familiar with these regulations before commencing delivery.

The standard documentation created by WYCC has been designed to fulfil the criteria for marketing and publicity. It is a contractual requirement that the ESF and WYCC logos are displayed in the correct format. All Delivery Partners are encouraged to use the paperwork issued by WYCC. If you wish to use these logos on any other documentation then guidance on requirements (size, colour, positioning etc.) should be strictly adhered to and sent through to WYCC for approval prior to release.

Please ensure that all marketing, publicity and branding content is signed off by WYCC prior to release, email address: WYCCmarketing@westyorkshirecolleges.ac.uk

Any organisations delivering projects must ensure that provisions are in place that all beneficiaries of the projects are aware that the support is from ESF and the European Union. Participants must be made aware of this at induction and support duly noted in any contracts or paperwork given to participants as part of the project delivery.

State Aid

Where the beneficiary (generally the organisation employing the participant(s)) has received a significant amount of aid, the subcontractor should be aware that State Aid rules may apply. Guidance regarding State Aid, General Block Exemption Rules (GBER) and De Minimis rules can be found within the Members Area. The Company Level Data Capture Form Part 1, used to evidence State Aid can be found within the Members Area. Your Project Schedule will contain details of any applicable State Aid.

More information on State Aid can be accessed via - <https://www.gov.uk/guidance/state-aid>

General Block Exemption Regulation (GBER)

This regulation pre-authorises aid in favour of several specified activities, including:

- Aid for Research and Development and Innovation
- Training aid
- Recruitment and Employment aid for disadvantaged workers and workers with disabilities.

De Minimis

The De Minimis regulation allows small amounts of aid (less than €200,000 over three years) to be given to an undertaking for a wide range of purposes. Records of aid granted must be kept and all the rules of the De Minimis regulation must be followed.

Review and Evaluation

WYCC's evaluation framework is used to assess the impact of its ESF funded projects. Centralised evaluation activities will be conducted by WYCC to assess and measure progress and performance in achieving the objectives of each project.

Delivery Partners will be expected to contribute to this body of evidence regarding what works well, enabling the identification of best practice models and areas of differentiation, co-operating with WYCC both during and after the project itself. This will include, as a minimum:

- Responding to calls for information and monitoring questions
- Completion of a Lessons Learned Report (supplied by WYCC)
- Completion of a Mid-Point Review
- Completion of a Project Closure Report (supplied by WYCC)

Delivery Partners will need to provide their own written evaluation of the overall training against the stated aim of the project in a format to be agreed with WYCC.

Cross Cutting Themes

There are two regulatory cross cutting themes for all ESF funded programmes, gender equality and equal opportunities; and sustainable development (which incorporate environmental sustainability). EU regulations require these themes to be promoted during the implementation and delivery of ESF programmes.

Review and evaluation of cross cutting themes will form part of regular monitoring and reporting under this contract.

Equality, Inclusion and Diversity

Effective policies must be in place as a provider of education and training to comply with statutory obligations under the Equality Act 2010. It must be demonstrable that all Delivery Partners:

- Promote Equality of Opportunity within all aspects of engagement and delivery
- Ensure that within all practices and services they do not discriminate directly or indirectly on the grounds of age, sex, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, sexual orientation and their religion or belief
- Have efficient strategies to attract under-represented participant groups such as Black and Minority Ethnic (BME), female participants or participants who have disabilities or learning difficulties.

Sustainable Development

WYCC have a firm commitment to promoting sustainable development and compliance with relevant environmental legislation. Sustainable development in the European Social Fund Programme has an environmental focus – to help provide some balance to the European Social Fund's strong social and economic focus (its main mission). All projects, whether they have an environmental focus or not, must take the environment into account when delivering their services. WYCC is aware that sustainable development is a regulatory theme and is therefore subject to monitoring, audit and evaluation.

Health and Safety

It is the responsibility of all Delivery Partners to ensure that participants of projects are within an environment free of risks to their Health and Safety as far as reasonably practical. Site visits and risk assessments must take place for all training venues prior to activity and insurances adequately verified and in place. It is expected that relevant Health and Safety related to the activity taking place will be included at induction stage.

Safeguarding

All Delivery Partners will be required to comply with legislative responsibilities for safeguarding and must have effective policies, procedures and partnerships in place to safeguard and support children, young people and vulnerable adults, ensuring that the following can be demonstrated:

- A safeguarding policy and procedure is in place setting out the responsibilities of staff and volunteers with regard to responding to a safeguarding concern or disclosure
- The safeguarding policy and procedure must be central and accessible to all staff and volunteers
- A named senior person in the organisation who is the lead for safeguarding children, young people and vulnerable adults
- A named senior person or person in a position of responsibility who ensures allegations against members of staff are passed to the Local Authority Designated Officer (LADO)
- Have a safer recruitment policy in line with regulatory requirements, the disclosure and barring service (and for services for children, the local safeguarding children's board policy)

Prevent

Where applicable, Delivery Partners will be expected to demonstrate that they understand their responsibilities under the 'Prevent' duty within the Counter Terrorism and Security Act 2015. They must also promote the fundamentals of British values of: democracy, liberty, mutual respect for other faiths and beliefs and respect for the rule of law.

Further guidance regarding the 'Prevent' duty can be accessed via - <https://www.gov.uk/government/publications/prevent-duty-guidance>

Provider Support

WYCC are committed to support the delivery and successful performance of this project. The successful delivery, provider management and support of the programme will be provided by the following members of the WYCC Team:

1. Project Manager – key contact to DWP with overall responsibility of project delivery
2. Contract Manager – Delivery Partners key contact for the duration of the Project Schedule
3. Contract Officer – key point of contact who will administer your evidence claims
4. Marketing Team – to support in the marketing and publicity of the project

Contact Details for the WYCC team can be found here [WYCC Contact us.](#)