



Northern Ireland ESF Programme Investment for Growth and Jobs

2014 to 2020

ESF Promoter's Operating Manual

October 2017

Version Control

Version	Date Published
1	June 2015
2	April 2017
3	May 2017
4	October 2017

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Abbreviations and Terminology

ESF	European Social Fund
EC	European Commission
Commission	European Commission
The Programme	The ESF Programme for Northern Ireland
DfE	Department for Economy
The Department	Department for Economy
MA	Managing Authority
PDB	Project Delivery Branch
The Manual	Promoter's Operating Manual
LoO	Letter of offer
AA	Audit Authority
CA	Certifying Authority
NIAO	Northern Ireland Audit Office
IAS	DfE Internal Audit Services
ETI	Education and Training Inspectorate
JC	Job Centre
JBO	Jobs and Benefits Office
S2S	Steps 2 Success
JSA	Job Seekers Allowance
ESA	Employment Supported Allowance

1. Introduction

1.1. Background

The overall strategic aim of the Northern Ireland ESF Programme 2014-2020 is to:

- combat poverty and enhance social inclusion by reducing economic inactivity; and
- increase the skills base of those currently in work and future potential participants in the workforce.

These aims are realised through three main investment priorities:

- i. Promoting sustainable and quality employment and supporting labour mobility;
- ii. Promoting social inclusion and combating poverty and any discrimination; and
- iii. Investing in education, training and vocational training for skills and life-long learning.

Further information on these thematic objectives and investment priorities can be found in the [Operational Programme](#) on the [Department's website](#).

1.2. The Purpose of the Operating Manual

The Promoter's Operating Manual ("the Manual") has been produced by the ESF Project Delivery Branch (ESF PDB), part of the European Fund Management Division (EFMD) within the Department for the Economy (DfE) to provide advice and guidance to those organisations selected to deliver projects under Priorities i and/or ii (as defined above) following an open call for application in 2014.

The Manual should be read in conjunction with the relevant [Commission Regulations](#), to which the Manual may refer in places. The main [Regulations](#) relating to the Programme are:

- The Common Provisions Regulation (EU) No. 1303/2013 (CPR); and
 - The European Social Fund Regulation (EU) No. 1304/2013 (ESF Regulation).
- There are also various Implementing and Delegated Regulations which have been adopted for specific elements of the programme.

As a general guidance document, the Manual should also be read in conjunction with other more specific guidance documents where appropriate, to which the Manual may refer in places. All Commission guidance relevant to the implementation of the Programme is available on the [Commission's Regional Policy website](#) and all supplementary ESF Managing Authority (ESF MA) guidance is available on the [Department's website](#).

1.2.1. Beneficiaries

Beneficiaries are any bodies, public or private, in receipt of ESF funding and responsible for implementing operations funded by the Programme. The roles and responsibilities of beneficiaries are laid out in a legally binding Letter of Offer, detailing the terms and conditions attached to the funding offered therein and issued by the ESF MA.

1.3. Further Guidance

Should a beneficiary have any queries in relation to the content of this guidance, they should be addressed to the ESF PDB via this e-mail address:

esf@economy-ni.gov.uk.

2. Rules and Conditions of Support

2.1. The Basic Rules for Beneficiaries

A beneficiary's offer of funding, the Letter of Offer (LoO), refers to many terms and conditions for support under the Programme, tailored for the operation being supported. It does not provide a comprehensive list of all of the beneficiary's responsibilities. It is the responsibility of each beneficiary to ensure compliance with all relevant EU and national legislation, policies and directives relating to activities co-financed by ESF and communicated through guidance from the ESF MA and ESF PDB. Compliance with these rules and regulations will be assessed during verification checks.

The basic rules which must be followed by all beneficiaries are summarised below:

- Each beneficiary must comply with the rules and conditions set out in this Manual and any supplementary guidance produced by the ESF MA and/or ESF PDB;
- Each beneficiary that enters into a partnership arrangement with another organisation to deliver the project is responsible for all financial and performance data reported to ESF PDB;
- Each beneficiary must deliver its operation in line with what was described in its initial application for funding, unless changes have been agreed in advance with the ESF PDB;
- Each beneficiary must ensure that it collects reliable and verifiable performance data in relation to the outputs and result indicators stated in its application or subsequently agreed LoO, in the format required by the ESF PDB ;
- Costs are only eligible for ESF support if they are necessary for managing, initiating or implementing the activities and actions approved by the ESF PDB;
- All project activity and expenditure must be legal, eligible and accounted for, complying with all applicable Northern Ireland, UK, EU and international laws;
- All direct costs intended to be declared as eligible must be approved by the ESF PDB;

- Any net revenue generated by the operation must be reported and removed from eligible expenditure, unless that revenue is determined by the ESF PDB to be incidental to the operation;
- Each beneficiary must comply with the general and specific conditions set out in its LoO;
- All relevant accounting records and supporting documents, including both financial and non-financial information, must be retained to demonstrate compliance until 31 December 2030;
- Each beneficiary must maintain an up-to-date record of the name and address of all organisations and points of contact that have been agreed as joint beneficiaries and other delivery partners;
- The audit trail, including accounting records and supporting documents, must be verifiable, readily accessible for verification and audit activities, and held in a format which protects its authenticity and integrity; and
- Beneficiaries must permit and facilitate inspections of their premises/storage facilities (including IT Systems'), and those of any joint beneficiaries or partner organisations, at any reasonable time by Departmental staff or agents, or agents of other bodies responsible for the verification and audit of the Programme, including: the Northern Ireland Audit Office; DfE Internal Audit Services; the Audit Authority; the Certifying Authority; the Education and Training Inspectorate; the European Commission; the European Anti-Fraud Office; the European Court of Auditors; the ESF MA ; and ESF PDB.

The funding made available to all beneficiaries will be on the basis of a non-repayable grant. Provided all rules and conditions of support are met, beneficiaries will not be required to repay any portion of the funding. However, expenditure which does not comply with EU or national rules will be regarded as irregular (an 'irregularity') and will either not be paid (where the irregular expenditure is discovered before payment is made) or will be recovered at a later date (where the irregular expenditure is discovered after the payment is made).

2.1.1. Changes to approved projects

Any significant proposed or anticipated changes to the ESF project, both financial and performance targets, as approved by the Letter of Offer must be notified in writing at an early stage to the Department, together with reasons why the project should still be part-financed by ESF Assistance and Departmental funding and demonstrating both how the project continues to meet the aims and objectives under the selected Priority of the Programme and continues to offer added value. Continuation of assistance will be subject to the written approval of the Department and formal amendment to the Letter of Offer.

Examples of significant changes which must be notified and approved by the Department are:

- Change to the start or end date of the project;
- Change to the content of the project from that set out in the original approved application, for example changing the scope, delivery or aim;
- Change to the course length;
- Change of course venue (this may affect the quality of the course);
- Increase in the number of participants and reduction in the hours of training for each Participant (this may affect the quality of the course);
- A variance of more than 10% against your financial profile;
- A drop by more than 10% in the number of participants;
- Variation by more than 5% over the life of the project in the salary of any individual staff member or post;
- Changes in source(s) and the amounts of funding;
- Change to estimated staff expenditure or revenue;
- Any change in match funding, including who is providing it; or
- Change to the project name or your organisation's name; or
- Changes in key personnel, number of trainers or trainer hours per participant.

The above list is not comprehensive and you should contact the Department if any doubt arises about the need to report proposed changes or actual changes.

2.1.2. Political Activities

Funding approved in the Letter of Offer must not be used for any purposes, which are party political in intention, use or presentation.

2.2. Governance Arrangements

2.2.1. General

All beneficiaries must ensure that acceptable governance arrangements are in place for their co-financed operations. This includes the maintenance of appropriate staffing structures, ensuring all insurance obligations are met, adherence to all relevant employment laws and the maintenance of fit-for-purpose internal procedures for handling complaints.

2.2.2. Project Supervisory Board

All co-financed operations must have a Project Supervisory Board made up of at least the senior administrator (executive director) for the operation and at least two independents, i.e. persons not employed by the beneficiary or by any organisation promoting the operation.

2.2.3. Responsibilities of Directors and Employees

When receiving an offer of funding, two signatories must accept the LoO on behalf of the operation. The signatories by type of organisation are detailed in the table below and they will then be known as the Project Principals.

Type of Organisation	Approved Signatories - Claims	Approved Signatories – Other Certifications
Company (all)	Two Directors or a Director and Company Secretary	Same
Colleges of Further Education	(i) Director of the College and (ii) Chief Finance Officer	(i) Director of the College and (ii) Chairperson of the Governing Body
Charity Voluntary / Community Body	(i) Chairperson and (ii) Director or Chief Executive	Same
Non Departmental Public Body	(i) Chief Executive and (ii) Chief Finance Manager	Same
Local Government Authority	(i) Chief Finance Officer and (ii) Director	(i) Chief Executive and (ii) Director

The Project Principals must jointly sign all subsequent communications to the ESF MA and/or ESF PDB, including claims for payments, and their signatures should act as certification of the accuracy of the information provided. Should a beneficiary wish to replace a Project Principal, notification must be provided to the ESF PDB by the executive director.

No employee of the operation or member of the Project Supervisory Board may enter into any arrangement with the project, in addition to their roles as an employee or board member, to supply goods, facilities or services to the project for payment. Neither should they play any part in the conduct of a recruitment exercise to fill an employee post if he or she is a candidate for that post. If they wish to apply for a post as an employee of the project they must first resign their membership of the Board.

2.2.4. Financial Checking

Each beneficiary must appoint key staff who will have responsibilities for the financial aspects of the operation. These individuals must have oversight of all accounting and financial procedures and ensure that accurate financial records are maintained. All financial transactions should be checked and reconciled on a regular basis and evidence of such checks should be available either through initialled and dated hard copy or electronically. Checking should be independent of those staff carrying out transaction processing.

2.2.5. Insurance Obligations

Beneficiaries must be adequately insured against claims for damages from employees, participants and other individuals who may be injured through the negligence of employees or volunteers. The decision on the need for insurance cover must be justified and fully recorded. Documentary evidence (including the relevant policies and premium receipts) should be maintained and available for inspection as part of the management verification process. Some types of insurance are outlined below.

Employer's Liability Insurance

All employers must be insured by law against claims from employees who are injured or contract diseases in the course of their work. The insurers will provide certificates of insurance which must be displayed in the workplace where all can see it.

Public Liability Insurance

Employer's liability insurance only covers an employer against claims from people employed on an operation. It will also be necessary for beneficiaries to be insured against claims from the general public (including any volunteers working in the organisation) for injuries received or items damaged in the workplace due to the negligence of the beneficiary or its employees.

Vehicle Insurance

All vehicles used by personnel to carry out work in relation to the ESF co-financed operation must be comprehensively insured.

2.2.6. Employment Law and Safe Working Environments

Beneficiaries must comply with all relevant EU and national directives and regulations relating to working conditions, health and safety at work, etc. Beneficiaries should have policies in place to ensure that a safe, neutral working environment is provided for staff, including the promotion of equal opportunities in accordance with Section 75 of the Northern Ireland Act.

2.2.7. Safeguarding and Suicide Awareness

Beneficiaries should ensure that, where appropriate, suitable safeguarding policies are in place for young people and adults at risk. Relevant staff dealing with people at risk must also have undertaken, or be prepared to undertake, suicide awareness training

2.2.8. Training of Staff

All beneficiaries must ensure that all staff involved in the implementation of the project receive appropriate training in ESF requirements and procedures, including eligibility of expenditure, and have access to the information and advice which they need to exercise their responsibilities effectively.

2.2.9. Sustainability

All beneficiaries must undertake to address all aspects of their co-financed operation which have an impact on the environment and use their best endeavours to adopt and implement an appropriate environmental policy. This will normally be covered as part of the application and selection process.

2.2.10. Handling Complaints

All beneficiaries should ensure that they have their own adequate internal complaints procedures for staff and participants. All complaints in relation to the operation of the ESF Programme should be forwarded to the ESF PDB. These complaints will be handled in line with DfE standard complaints procedures.

2.2.11. Freedom of Information

With effect from 1 January 2005, the Freedom of Information (FOI) Act 2000 establishes the rights of access to information held by public authorities which includes Government Departments, District Councils, Further Education Colleges, and Universities etc. The Department is committed to open government and to meeting its responsibilities under the Act. Accordingly, all information submitted to the Department, whether in the future or in the past, may need to be disclosed by the Department in a response to a request for information under the FOI Act. It may also decide to include certain information in the Publication Scheme which it maintains under the Act.

If you consider that any of the information included in your application for ESF funding, or in any subsequent documentation or monitoring return, is commercially sensitive, you should inform the Department immediately. Whilst the Department will consult with you in the event of a request for information being made, you should be aware that, even if you indicate that the information is commercially sensitive, the Department may nevertheless be required to disclose it under the Act. Please note that the receipt of any material marked “confidential” or equivalent by the Department should not be taken to mean that the Department accepts any duty or confidence by virtue of that marking.

Further information on the FOI Act may be obtained from

[Freedom of Information Act 2000](#)

[Information Commissioner's Office](#)

2.3. Procurement

2.3.1. Introduction

The ESF PDB require all beneficiaries to ensure that all goods, services and equipment purchased for the delivery of their ESF operations are purchased on the basis of value for money. Value for money does not necessarily constitute the cheapest option; rather, it is defined as ‘the most advantageous combination of cost, quality and sustainability to meet customer requirements’. In this context:

- *Cost* means consideration of the aggregated cost for the life of the project;
- *Quality* means meeting a specification which is fit for purpose and sufficient to meet the customer’s requirements; and
- *Sustainability* means economic, social and environmental benefits.

All beneficiaries are required to have in place tendering procedures to ensure value for money is achieved. Specific tendering requirements will however differ depending on whether the beneficiary is a public sector body or not.

2.3.2. Requirements for Public Sector Bodies

Beneficiaries defined as ‘public sector bodies’ will be subject to public procurement rules and will be statutorily bound to comply with the relevant Central Procurement Directorate (CPD) guidance and thresholds applicable at the time. Compliance with these rules will be subject to management verifications and audit.

Details on public procurement policy, including a list of public bodies to which it applies, can be found on the [Department of Finance website](#). Detailed guidance on procurement for public procuring authorities is available on the [CPD website](#) and the thresholds applicable are available in [Procurement Guidance Note 04/12](#).

In addition, as the EU rules on procurement apply to contracts financed or co-financed by the Structural Funds, public procuring authorities must also comply with whatever

Commission regulations are applicable at the time. Where EU thresholds are met, contracts must be advertised, and awards of contracts published, in the Official Journal of the European Communities (OJEC). Full details on the most current EU procurement thresholds are available on the [CPD website](#).

2.3.3. Requirements for non-Public Sector Bodies

Many beneficiaries of the ESF Programme are not public sector bodies and are therefore not statutorily bound to follow public procurement rules. However, by virtue of the fact that ESF projects are more than 50% publicly funded, they are obliged to follow public procurement rules in respect of those projects.

To help non-public sector beneficiaries achieve this, the ESF MA has developed the tender thresholds and procedures outlined in the table below.

Estimated Value of Tender (excluding VAT)	Tender Procedure
<£5,000	2 - 3 price checks with competent suppliers to ensure value for money has been achieved. A price check can take the form of an oral or written quote, Internet check, leaflet or similar documented evidence. Details of price checks should be documented and retained on file for audit purposes.
£5,000 to £30,000	A minimum of 2 written tenders sought from competent suppliers or secured through public advertising. Projects should consider not repeatedly favouring particular suppliers.
>£30,000 to EU Thresholds	Tenders should be sourced through public advertising and documentary evidence retained.
>EU Thresholds	Advice and guidance for any procurement above EU Thresholds should be sought from the ESF Managing Authority.

These procedures are modelled on those applicable to public sector bodies and represent the **minimum requirements** for non-public sector bodies.

If non-public sector beneficiaries wish to diverge from the procedures outlined in the above table they should submit their revised procedures for approval by the ESFPDB. Any alternatives must keep faith with these *thresholds*; only the *procedures* themselves may differ.

In all circumstances beneficiaries must apply either the recommended tendering procedures above or alternative procedures which have been approved by the ESFPDB. It is recommended that projects complete the Procurement Checklist template at Annex 1.

2.3.4. Evidencing Tendering

All documentation supporting the tendering process must be retained by both public and non-public bodies in line with general document retention requirements, and be made available for verification and audit purposes. **Non-compliance with all applicable procurement rules will, if identified, result in the related expenditure being deemed ineligible and recovery action may be taken.**

Documented evidence should include the following for tenders above £5,000:

- Copies of invitations sent to tenderers (including tender specifications) or a public advertising notice (whichever is applicable);
- Evidence that all tenders were received within the specific timeframe;
- Evidence of assessment of tenders such as scoring matrices, minutes of discussions and names of the assessment panel members;
- Evidence of correspondence with the successful and unsuccessful tenderers;
- A copy of the contract or equivalent awarded to the winning tender; and
- Changes or addendums to the contract.

2.3.5. Avoidance of Common Errors in Tendering

When developing tender specifications, beneficiaries should take care to ensure that they are clear and non-discriminatory, for example, they should not be written in such a way as to demonstrably favour only certain suppliers.

It is also important that, where the tender specification relates to the provision of a service, specific timescales for that service are provided. The beneficiary may wish to provide a specific timescale with an option to extend the contract for a further period, but this must be clearly outlined in the specification and the possible extension should be factored into the estimated overall value of the contract. No contract extensions should be awarded unless specifically provided for in the initial specification/contract. If this was not the case, a new tendering exercise must be completed.

2.4. Training Delivery Restrictions

All beneficiaries were required to clearly outline the nature of the training to be delivered on their co-financed operation at the initial application stage for ESF support. Beneficiaries must deliver training in line with their initial application, and approval for any variations from that will be required from the ESF PDB.

Training delivered on operations co-financed under Priorities 1 and 2 will be restricted to level 1 provision and below. The only exception to this relates to those Priority 2 operations targeting people with disabilities, under which provision can extend up to level 2.

2.5. Tutor Qualifications

2.5.1. Minimum Qualifications

Beneficiaries must ensure that tutors delivering training on their ESF co-financed operations hold certain minimum qualifications. These are:

- A level 2 (equivalent to GCSE grades A*-C) or higher qualification in literacy and numeracy; and
- A level 3 (equivalent to AS and A level) or higher qualification in their specialist subject area.

All tutors should hold the level 2 and 3 qualifications noted above **in advance** of delivering training.

In addition, tutors must hold one of the recognised qualifications (listed in Section 2.5.2) – or commit to gaining Ulster University’s level 4 Certificate in Teaching (CIT) by the end of the operation under which they are delivering training. For exemptions to this rule see section 2.5.4.

2.5.2. Recognised Tutor Qualifications

Circular [ES 01/12](#)¹ provides guidance on the Department’s minimum qualification requirements required to teach essential skills.

Circular [FE 01/12](#)² provides guidance on the Department’s minimum qualification requirements to teach courses other than essential skills. In addition to the qualifications listed in FE 01/12, the following qualifications are recognised by the Managing Authority for teaching courses other than essential skills, in ESF operations:

- A Bachelor of Science (BSc) (Honours) in Community Youth Work;
- A Postgraduate Diploma (PgDip) in Community Youth Work; and
- A Diploma in Training and Education in Supported Employment.

¹ Available for download from <https://www.economy-ni.gov.uk/sites/default/files/publications/del/es-01-12-qualifications-required-to-deliver-essential-skills.pdf>

² Available for download from <https://www.economy-ni.gov.uk/sites/default/files/publications/del/FE01-12%20Qualifications%20required%20to%20teach%20in%20institutions%20of%20Further%20Education.pdf>

If a tutor already holds one of the above qualifications, they will not be required to undertake the CIT.

It is recognised that the list above is not exhaustive and there may be other qualifications held by tutors which beneficiaries believe to be equivalent, in particular qualifications obtained outside the UK and Ireland which do not feature on the above list.

Where this is the case, beneficiaries should, in the first instance, satisfy themselves that the alternative qualification is indeed equivalent to those listed. Only when equivalency can be clearly demonstrated should the beneficiary contact the ESF MA to seek approval for the course to be regarded as an acceptable alternative.

2.5.3. Ulster University's Certificate in Teaching

Ulster University has tailored its level 4 CIT for the Department and the bespoke purpose of work based learning. The CIT is therefore the only alternative to the recognised tutor qualifications (detailed in Section 2.5.2) that will be accepted by the Department.

2.5.4. Short Accredited Training Courses

The **only** exemption for tutors delivering training on ESF co-financed operations will be when they are delivering Short Accredited Training Courses (SATCs) **exclusively**.

All SATCs must be approved by the ESF MA. Applications for approval to deliver courses as SATCs must be completed and submitted to the ESF MA using the standardised template attached at **Annex II**.

Courses will be regarded as 'short' only where their minimum duration is no more than 50 guided learning hours. For accredited courses the minimum guided learning hours are set out on the [Register of Regulated Qualifications](#). For non-accredited courses the course duration should be set out in the recognised professional body's framework

or in the training provider's course specification. Applicants will be required to provide evidence of the course duration from independently verifiable sources.

In addition, courses will only be approved for delivery as SATCs where they comprise significant non-classroom based elements and where the beneficiary can outline clear rationale for the delivery of the course within the context of their wider co-financed operation. This rationale may already be laid out in the beneficiary's initial application for ESF support, which may be referred to. Where delivery of the course is not outlined in the beneficiary's initial application, a more robust rationale will be required before approval can be given to deliver the course (as an SATC or otherwise).

The ESF MA will only approve the delivery of whole courses as SATCs. Units within courses will not be approved as SATCs even where they are being delivered on a standalone basis. In these instances, beneficiaries may wish to consider identifying the full course under which the units are normally delivered and submitting it for approval.

Where approval has been granted to a beneficiary to deliver a course as an SATC, that approval will apply **to that beneficiary and to the specific operation under which they made the application**. Other beneficiaries wishing to deliver the same course as an SATC on different co-financed operations must make separate applications. This is primarily because the applications will be assessed against the unique suite of training outlined in each operation's original application for ESF support.

Only where tutors are delivering **SATCs** exclusively will the CIT requirement be waived. The minimum requirements outlined in Section 2.5.1 will not be waived in any other circumstances.

2.5.5. Evidencing Tutor Qualifications – Workforce Development Plans

In order to provide assurance of tutor qualifications either already held or being worked towards, beneficiaries must submit Workforce Development Plans to the ESF MA. These plans must clearly detail the qualifications held by all tutors on the project, for

whom direct costs are being claimed, and all of the associated courses that these tutors deliver. Workforce Development Plans must also indicate which tutors have not yet gained the CIT (or alternative) and demonstrate how they intend to do so by the end of the operation.

The development plan must contain the following information:

- A list of all relevant staff delivering training on the operation;
- Details of staff who already hold qualified teaching status, including the qualifications held; and
- A list of all remaining staff required to undertake the CIT.

For those staff still required to undertake the CIT, the following additional information will also be required:

- Details of those enrolled on the next course being run; and
- Details of when any remaining staff will be enrolled, including an assurance that they will all be enrolled in time to complete the course before the end of the operation.

A template for Workforce Development Plans is attached at **Annex III**. The qualifications declared in these plans will be verified as part of the management verification process. Non-compliance with the tutor training requirements will be treated as an irregularity and may result in a financial correction.

2.6. Audit Trail and Document Retention

2.6.1. The Audit Trail

The audit trail is a comprehensive set of documents which provides a complete history of an operation, including evidence that proper procedures have been applied and all applicable rules and regulations complied with. [Article 72\(g\) CPR](#) requires the ESF

PDB to ensure that an adequate audit trail is available for the entire Operational Programme.

Stemming from this, all individual beneficiaries must ensure that an adequate audit trail is available for all activities carried out in relation to their co-financed operations. Responsibilities in relation to the maintenance of an audit trail are included in the LoO.

2.6.2. Document Retention

The retention of documentary evidence is the means by which an adequate audit trail can be maintained.

In accordance with [Article 140 CPR](#), beneficiaries must ensure that all documents relating to each operation and its implementation and financing are retained until 31 December 2030. This requirement is clearly laid out in the LoO.

These documents may be retained either in the form of:

- Original paper documents;
- Certified true copies of the original paper documents; or
- Commonly accepted data carriers, including electronic versions of the originals or documents existing in electronic versions only (e-documents). Details on this is available at [Guidance on Document Retention and Electronic Data Exchange](#), for 2014 – 2020 Projects.

All copies of original documents must be certified as conforming to the original document. A declaration by the beneficiary along the lines of the example below will satisfy this condition:

I certify that this is a true copy of the original document:

<p>Signed</p> <p>...</p>

Name (Print)
...
Date
...
Position in Organisation
...
Name of Organisation
...

Beneficiaries should also ensure that information kept on commonly accepted data carriers is kept secure and can be relied upon for audit purposes. The underlying computer systems on which they are held must meet accepted security standards.

In the event of the termination or closure of the operation, all documentation must be returned to the ESF PDB. In no circumstances should any of the operation's documentation be disposed of without the written permission of the ESF PDB.

It is the responsibility of each lead beneficiary to ensure that any joint beneficiaries or other delivery partners (including match funders in kind) are aware of, and compliant with, document retention requirements. These should be incorporated into any contracts or agreements made.

2.6.3. Document Availability

All relevant records and documents must be made available upon request to facilitate management verifications, audits, and any related investigations. If records are not made available, the related expenditure could be deemed ineligible.

It is at all times the responsibility of the lead beneficiary – that is, the beneficiary with whom a LoO has been agreed – to ensure that documentation is retained and available on request. Where documents are held at locations other than the lead beneficiary's premises – such as off-site storage facilities or the premises of delivery partners – the beneficiary must ensure that they are retrievable and accessible.

2.6.4. Document Transfer

In accordance with Article 122(3) CPR, all exchanges of information, including documentation, between beneficiaries and relevant Programme authorities will be able to be carried out by means of electronic data exchange. The Department of Finance, in its role as Member State, is in the process of undertaking the procurement of a Database, which is currently anticipated to be fully operational by 2017.

When available, the ESF PDB shall ensure that all beneficiaries are aware of this facility and are given the option to submit all information and documentation using it.

Prior to the availability of a database, the ESF PDB have agreed with beneficiaries how all relevant documents constituting the audit trail should be returned and made available for inspection.

2.7. Information and Publicity

2.7.1. General

Information and Communication requirements are set out in Articles 115-117 CPR. These Articles require that all EU co-financed Programmes should be transparent and publicised to beneficiaries and the general public. The overall aim of publicity is to highlight and promote the role played by the EU in supporting co-financed operations in Northern Ireland.

2.7.2. Publicity Requirements

The ESF MA is responsible for drawing up a communication strategy and annual plan; maintaining a Programme website; informing potential beneficiaries of funding

opportunities; and publicising the activities and achievements of the Programme to the general public.

Beneficiaries should be aware that the details of their operation, including the amount of funding awarded, will be publicised by the ESF MA on the DfE Programme website.

Beneficiaries must ensure that the EU contribution to their operation is appropriately recognised and publicised. To do this they must:

- Display the Union Emblem with reference to the ESF on their premises;
- Display the ESF and DfE logos on websites;
- Display a poster (at least A3 size) with information about the project at a location readily visible to the public
- Display the ESF and DfE logos and include an acknowledgement of the co-financing in the narrative of any general and course specific literature and publications about co-financed activities, including those displayed on beneficiaries' websites, exhibition stands and information events; and
- Refer to ESF and DfE co-financing in speeches at award ceremonies, open days, meetings, etc.

Where materials were prepared before May 2016 it is acceptable to have the logo for the Department of Employment and Learning (DEL) in place of the DfE logo however any materials prepared after May 2016 must use the DfE logo

The minimum requirements for beneficiaries are set out in the [ESF Programme's Branding and Publicity Requirements](#)³.

2.7.3. Non-compliance

Non-compliance with the information and publicity requirements laid out will be deemed as an irregularity and could result in a financial correction. If beneficiaries are

³ Available for download from <https://www.economy-ni.gov.uk/sites/default/files/publications/economy/ESF-Branding-Publicity-Guidance-2014-2020-amended-June-2016.pdf>

in any doubt about their obligations they should seek further guidance from the ESF PDB.

2.8. State Aid

2.8.1. Definition

State Aid is any advantage granted by public authorities through state resources on a selective basis to any organisations that could potentially distort competition and trade in the European Union. It may be present whenever state resources are used to provide assistance which gives organisations engaged in economic activity an advantage over others. The intention behind that assistance is unimportant, and assistance can be State Aid even if it is designed to benefit society generally and not just specific undertakings.

Given the focus of ESF, co-financed operations will normally fall under the [Block Exemption Regulation](#), under which aid in favour of training aid is deemed permissible.

Articles 107 and 108 of the Treaty on the Functioning of the European Union (TFEU) provide the legal basis for the rules on State Aid.

2.8.2. State Aid and ESF

The ESF MA assessed compliance against State Aid rules as part of the application and selection process for all operations and has determined that the programme constitutes “no state aid”.

If a beneficiary believes that its operation’s State Aid position has changed since the application and selection process, it should alert the ESF MA.

2.8.3. Further Guidance on State Aid

The Department has produced a guide to State Aid rules which can be viewed [here](#).

3. Eligibility

3.1. Participant Eligibility

3.1.1. Introduction

There are two main types of participant eligibility criteria in the Northern Ireland ESF Operational Programme:

- i. Basic eligibility criteria; and
- ii. Specific eligibility criteria.

The basic criteria apply to every single participant on the Programme, no matter which investment priority they are being supported under; the specific eligibility criteria relates to certain investment priorities only.

It is the responsibility of each beneficiary to ensure that its participants are eligible according to the eligibility criteria in force for their particular investment priority. They must also ensure evidence of that eligibility is retained for verification and audit purposes. The following sections will explain the different types of eligibility criteria and indicate the kinds of evidence which can be maintained for each. It should be noted that self declarations from participants that they are eligible will not normally be regarded as satisfactory evidence of eligibility.

3.1.2. The Basic Eligibility Requirements

To be eligible for support from the ESF Programme, under any investment priority, an individual must be legally able to reside and work in the UK.

By virtue of the latter requirement above, there is an effective lower age limit of 16 for the Northern Ireland ESF Programme. There is no upper age limit, but applicants and beneficiaries should bear in mind that the purpose of ESF support under the 2014-

2020 Programme is to help move people closer towards employment or to up-skill the existing workforce.

A National Insurance Number, a full (EU Member State) passport or a birth/adoption certificate are examples of the kinds of evidence which may be retained as proof that a participant meets the basic eligibility criteria.

3.1.3. The Specific Eligibility Requirements

In addition to the basic requirements, individuals must also satisfy the eligibility criteria relevant to the investment priority under which their relevant ESF operation is funded.

The specific eligibility criteria for each individual investment priority of the programme are indicated in Table 2 – Specific Eligibility Criteria by Investment priority on the link attached below. Participants must satisfy these eligibility criteria **at the point of entry**. As such, all evidence of eligibility should be appropriately dated. Detailed guidance on eligibility criteria and acceptable evidence is available at [ESF Promoter Guidance on the Collection, Monitoring and Verification of Participant Project Performance Data](#).

It is the beneficiary's responsibility to verify the eligibility of an individual for ESF provision. Beneficiaries must conduct an early eligibility assessment for each individual in order to determine that they satisfy both the basic eligibility criteria and those specific to their investment priority. Best practice is to obtain evidence of eligibility prior to or at the point of enrolment on the beneficiary's operation. Proof of eligibility should never be obtained subsequent to the individual's enrolment on the programme.

3.1.4. Evidencing Unemployment

'Unemployment' is measured according to international guidelines specified by the International Labour Organisation (ILO). The ILO defines unemployed people as 'those without a job who are able to start work in the next two weeks and had either looked for work in the four weeks prior or were waiting to start a job already obtained;'

i.e. those seeking work. The definition of **'Unemployment'** is not a claimant based count.

Periods of unpaid work, casual or temporary work of not more than four weeks, and part-time work of less than 16 hours a week in total do not affect qualifying periods of unemployment for participants.

To confirm that a participant is unemployed, beneficiaries must ensure that the participant has completed Section 5 of the Participant Enrolment Form. The Enrolment Form should also be signed and dated by the Participant and authorised by the Project Promoter and will be subject to verification checks.

To assist Promoters with the ESF participant eligibility process an updated ESF Participant Evidence of Eligibility Checklist Form is attached at Annex VIII

3.1.5. Evidencing Economic Inactivity

'Economically Inactive' are those not in employment and not unemployed, i.e. those not seeking work or available to work. People can be economically inactive for many reasons, for example due to a long-term illness, caring responsibilities, or simple disinterest in the labour market. Whatever the reason, the defining characteristic of an economically inactive person is always that they are not actively seeking work.⁴

To confirm that a participant is economically inactive, beneficiaries must ensure that the participant has completed Section 5 of the Participant Enrolment Form. The Enrolment Form should also be signed and dated by the Participant and authorised by the Project Promoter.

MA reserves the right to carry out verification exercises of the data provided to the Programme Delivery Body in respect of both unemployment and economically inactive participants and, if necessary, this may involve checks directly with the Department for Communities. For that reason it is important that Projects complete the enrolment form accurately.

⁴ Retirees and students (without jobs), for example, are also defined as economically inactive people.

It remains the responsibility of those individuals receiving benefits to ensure that they are not in breach of benefit conditionality, but this will not form part of the validation of ESF participant eligibility.

3.1.6. Eligibility of Individuals on other Government Training Programmes

All applicants for ESF funding are required to demonstrate how their operation will add value and, specifically, how they will avoid duplication with other government training programmes. This is an integral part of the application and selection process and all successful applicants are therefore regarded to be sufficiently distinctive from other publicly funded provision. With one exception (on which see below), it has not been deemed necessary to preclude individuals participating on other government training programmes from participating in an ESF funded operation.

The one exception relates to individuals on Steps to Success (S2S). S2S is a mandatory government training programme for people in receipt of JSA. Individuals who have been unemployed and in receipt of JSA for a specified period (9 months for those aged 18-24 and 12 months for those aged 25+) are mandated onto S2S, unless their Employment Service Advisor feels there is an appropriate reason to defer their entry for a maximum period of up to 90 days.

As S2S is a mandatory training programme, similar in aim and nature to the ESF Programme, **it is not permissible for an individual to be on S2S and an ESF funded operation at the one time.** Beneficiaries should ensure that individuals they enrol are not already enrolled on S2S. Beneficiaries should also monitor the status of existing participants and ensure appropriate action is taken should they be referred onto S2S.

3.1.7. Eligibility of Individuals in Secondary, Further and Higher Education

Individuals in formal education can participate under any investment priority of the programme where their educational status does not conflict with the relevant eligibility criteria. In effect, this means individuals in any kind of formal education will not be eligible to participate in operations in the NEET (8ii) and CFSP (9ia) investment priorities.

3.1.8. Eligibility of Refugees and Asylum Seekers

Asylum seekers are individuals seeking international protection who claim they are unwilling or unable to avail themselves to the protection of the authorities in their home or habitual country of residence. Refugees are people who have been granted international protection and have been given permission to stay.

Refugees are eligible for ESF support, but asylum seekers are only eligible in certain circumstances.

Asylum seekers are not generally allowed to work while their claims are being decided. However, since February 2005 they have been allowed to apply for permission to work if they have waited for over a year for an initial decision on their asylum claim or further submissions. This is the result of a European Union directive on reception conditions for asylum seekers.

Where asylum seekers have been given permission to work they will normally be able to access the full range of ESF support. Where permission to work has not been granted, they may request permission to work if they have made asylum-based further submissions which have been outstanding for more than 12 months.

From 09 September 2010, changes in the Immigration Rules came into effect, confirming that the permission to work rules apply to both initial asylum applications and to fresh claims for asylum. However, the amended rules also introduced new restrictions on all asylum seekers' employment rights. An asylum seeker given permission to work will not be allowed to become self-employed and will only be allowed to take up a job which is included on the list of shortage occupations published by the Home Office.

Asylum seekers who do not have permission to work may be supported through ESF pre-vocational provision which might take the form of:

- Initial English for speakers of other languages and other basic skills (literacy, numeracy and IT) where they are not part of provision that is designed to lead to employment;
- Provision of information about further education and voluntary work which they can take part in; and
- General advice about life in the United Kingdom for those given leave to remain (information about law, culture, housing, welfare, health, education and employment).

Those individuals whose asylum claim is deemed to be unfounded and who have not obtained permission to work may only be supported by the ESF where they have signed up to return home as soon as they can, they are taking all reasonable steps to leave the UK, and they meet one of the following criteria:

- They are unable to leave due to a physical impediment to travel or another medical reason; or
- If, in the opinion of the Secretary of State, there is no safe route of return for them.

3.1.9. Croatian Citizens

From 01 July 2013, as European Economic Area (EEA) nationals, Croatian nationals have been able to move and reside freely in any European Union Member State. However, those wishing to work in the UK need to obtain work authorisation (permission to work) before starting any employment, unless they are exempt from this requirement. Work authorisation is normally in the form of an accession worker authorisation certificate (or 'purple registration certificate').

A Croatian national with an offer of employment in the UK must obtain this document from the Home Office before commencing work. It will contain an endorsement restricting the holder to a particular job or type of employment. Those qualifying will generally be skilled workers who meet the criteria for the issue of a certificate of sponsorship.

Further information can be found on the [Home Office website](#).

3.2. Expenditure Eligibility

3.2.1. Introduction

This section will cover the financing model employed under the Programme and provide guidance regarding the types of costs deemed eligible, including how they should be categorised and evidenced for verification and audit purposes.

3.2.2. The Financing Model

In accordance with [Article 14\(2\) of the ESF Regulation](#), the Northern Ireland Managing Authority has decided to employ a simplified flat rate financing model in respect of all operations funded under the 2014-2020 ESF Programme.

Under this model, the only costs which beneficiaries (and their partner organisations) can claim against will relate to *direct staff costs*. All other categories of eligible costs, called *indirect costs*, will then be calculated by applying a flat rate percentage of 40% to direct staff costs. For example:

Type of Eligible Cost	Example Value	Notes
Direct staff costs	£120,000	The only real costs against which claims are made.

Indirect costs	£48,000	A flat rate of 40% of direct staff costs.
Total eligible costs (direct + indirect)	£168,000	This represents the total eligible project costs against which the beneficiary can claim, calculated by summing direct and indirect costs

Under this model, verification and audit activity will focus on direct staff costs, significantly easing the administrative burden for beneficiaries and the ESF PDB. The simplified costs options, however, do not waive the obligation to fully observe all applicable European Union and National rules, such as those around publicity and procurement.

The use of flat rate financing could result in the overestimation of actual costs incurred and paid for some operations, and the underestimation for others. This is the accepted price of the simplification and flexibility provided by the financing model. The flat rate chosen (40%) for calculating indirect costs is the maximum permitted by the ESF Regulation without the need for further justification.

3.2.3. Eligible Direct Staff Costs

Direct costs are those costs which are directly related to an individual activity of the entity, where the link with this individual activity can be demonstrated (for instance through direct time registration).

Direct staff are therefore those that directly impact on the individual participant and on project outcomes - for example, tutors and mentors.

All costs directly linked to salary payments for direct staff and in line with the employer's usual employment policies can be considered as eligible direct staff costs. These can include: salaries; employers' national insurance contributions; employers' pension contributions; and non-consolidated pay awards.

The costs of providing taxable benefits to employees that form part of the standard employer-wide contractual terms and conditions – for example, childcare costs, crèche

facilities and lunch vouchers – are also eligible. Similarly, if in line with the employer’s general policy or written into an employment contract, the following are eligible: paid sick pay (provided the amounts are not recoverable from the UK Government); maternity and paternity pay (including paid adoption leave); pre-retirement benefits; and other family benefits.

The costs of replacement staff – for example, to cover for an employee temporarily away from the workplace on maternity, paternity or sick leave – are also eligible, but only in the case where costs are not claimed in relation to the member of staff being replaced.

Staff costs during periods of suspension from work – for example through disciplinary procedures, investigations into potential wrongdoing, etc – are not however eligible for support, nor are redundancy costs.

The salaries of external staff – for example, external trainers – are also considered eligible provided they are clearly identifiable in a contract between the beneficiary and the external provider and procured in line with the procedures outlined in section [2.3](#) of this document. A contract must be agreed between the beneficiary and the external staff clearly setting out the salary costs and separating them from any other costs included in the contract. **Only salary costs will be reimbursed.**

For all direct staff costs claimed, there must be evidence that amounts have already been paid out by the beneficiary or their partner organisation. This evidence must include: staff pay records; receipted invoices for external staff; or equivalent documents which prove the reality of the declared costs. Beneficiaries will need to provide an expenditure list for each claim period which reconciles with the amounts declared in the claim.

3.2.4. Salary Caps

Staff must be remunerated in accordance with each beneficiary’s established pay, grading and related HR terms and conditions. For newly established organisations (for

example those set up purely to implement an ESF supported operation) pay rates must be set following the principle of value for money, particularly in relation to only paying reasonable market rates necessary to attract staff with the requisite skills and expertise. In all cases, remuneration paid to staff should not be significantly more than prevailing market rates for the nature of the work performed.

A value for money assessment was conducted as part of the application process for all ESF supported operations, and this included an assessment of proposed salary scales. In all cases beneficiaries will be bound to the salary scales put forward in their initial application for ESF support and subsequently approved through an offer of funding.

Direct staff costs for senior staff (for example, Chief Executives, Deputy Chief Executives, Directors and Deputy Directors) working on an ESF supported operation will normally only be paid up to a maximum of 15% of salary costs, unless the beneficiary can provide to ESF PDB, in writing, a robust rationale for a higher rate.

3.2.5. Salary Increases

Salary increases during the lifespan of the operation will normally only be permitted where they were approved as part of the application process, are part of staff contracts or are demonstrably in line with cost of living increases. The approval of the ESF PDB will be required.

3.2.6. Hourly Rate Calculations and Timesheets

If a staff member is spending all of their contracted time on ESF activity, the beneficiary must ensure that this is evidenced in their letter of appointment and job description. Provided this is the case, the staff member will not be required to record their working hours on a time sheet as a basis for justifying their costs. The beneficiary should claim total salary costs for the period they are employed on the operation.

If, however, a member of staff is not spending all of their contracted time on ESF activity, beneficiaries will be required to calculate the eligible portion of their salary.

This must be achieved using an hourly rate and time spent on ESF activity must be evidenced through time sheets.

For full-time staff working part time on an ESF project, the hourly rate must be calculated using the following formula:

$$\text{Hourly rate} = \text{Latest documented annual gross employment costs} / 1,720 \text{ hours}^5$$

For example, an employer pays to an employee:

- gross monthly salary costs of £2,083;
- employer National Insurance contributions of £206; and
- employer pension contributions of £50.

The monthly gross employment costs are therefore £2,339 and the annual gross employment costs are £28,069. The calculation of an hourly rate is as follows:

$$\text{Hourly rate} = £28,069 / 1,720 = £16.31$$

This hourly rate can then be used to calculate the eligible direct staff costs of the employee based on their hours spent working on the ESF activity. The time spent on the ESF activity must be properly recorded using a standardised timesheet, which should be signed and authorised by the employee themselves and their supervisor at least monthly but preferably on a weekly basis. Timesheets must be available as part of the supporting documentation accompanying each claim to allow for the identification of actual time spent on the project, and should be retained for verification and audit purposes. A template for timesheets is attached at **Annex IV**.

For part-time staff, the hourly rate should be calculated in a similar way but the denominator (1,720) should be prorated to the staff member's work intensity in relation to their full-time equivalent. For example, if the staff member works 3 out of 5 (full)

⁵ The 1,720 hours is the standard annual 'working time' which the Commission permits without any further qualification from the Member State. It assumes a working week of 33 hours to compensate for annual leave costs.

days then they are working at an intensity of 60% in relation to their full-time equivalent, and the hourly rate should be calculated by dividing their gross employment costs by 1,032 (60% of 1,720). If their annual gross employment costs were, say, £18,792, the hourly rate for this employee would be calculated as follows:

$$\text{Hourly rate} = \text{£}18,792 / 1,032 = \text{£}18.20$$

If an individual works on more than one ESF supported operation run by the same beneficiary, eligible expenditure will need to be claimed against each operation separately and the time spent on each operation will need to be clearly distinguished in the time sheets.

3.2.7. Indirect Costs

Indirect costs are usually costs which are not or cannot be connected directly to an individual activity of the entity in question. Such costs would include administrative expenses, for which it is difficult to determine precisely the amount attributable to a specific activity (typical administrative/staff expenditure, such as: management costs, recruitment expenses, costs for the accountant or the cleaner, etc.; telephone, water or electricity expenses).

All eligible costs associated with the delivery of the operation which does not fit within the definition of direct staff costs should be considered as indirect costs. Examples may include:

- Finance staff;
- general corporate supplies such as furniture, consumables and stationary;
- office rent;
- materials and equipment rental or leasing;
- utilities such as electricity, heating and water;
- maintenance, cleaning, repairs and security services;
- ICT systems, WIFI and Broadband connections;
- other communications such as phone, fax and postal services;

- general insurances such as property insurance, public liability and life insurance;
- participant allowances;
- staff training;
- staff travel;
- cleaners; and
- consultancy and professional services.

This list is not exhaustive.

As stated above, a flat rate of 40% of direct staff costs will be paid to beneficiaries to cover all indirect costs. Indirect staff costs that were approved as part of the project application should be claimed in the same manner as direct staff costs. *Beneficiaries should not include any other indirect costs in their claims.* If indirect non staff costs are included in claims, they will be removed and the beneficiary asked to resubmit.

3.2.8. Revenue Generation

Article 61(2) CPR requires that the eligible expenditure of an operation to be co-financed under the Programme should be reduced to take into account the potential of the operation to generate net revenue. Therefore, if a beneficiary's operation is generating revenue this must be declared to the ESF PDB and removed from the eligible expenditure to be claimed.

The reduction of eligible expenditure to account for revenue generation will normally be undertaken **in advance** as part of the application and selection process. However, if revenue generation is identified at a later stage, the beneficiary should declare this to ESF PDB.

When declared, the ESF MA will consider whether or not the revenue generated by the operation should be regarded as **incidental to the operation**. If so, the revenue

need not be removed from the eligible expenditure to be claimed. If it is not considered as incidental, the revenue will be removed from eligible expenditure to be claimed.

Revenue generating activities will be considered incidental to the operation where they are happening as a minor accompaniment to, rather than as a fundamental component of, the operation.

ESF PDB will consider whether revenue raising activities declared by beneficiaries may be considered incidental on a case-by-case basis and provide recommendations to the ESF MA along with supporting rationale. The ESF MA will provide final approval for all revenue raising activities which are to be regarded as incidental.

4. The Claims Process

4.1. General

Under Priority Axes 1 and 2, the ESF PDB, will be responsible for receiving and paying all claims for reimbursement from beneficiaries. This guidance lays out the general parameters under which claims for reimbursement should be received and paid by ESF PDB.

4.2. General Parameters for Receiving and Paying Claims

4.2.1. Advance Payments

For each financial year (commencing 01 April) under which funding is awarded, beneficiaries have the option to claim an advance payment of 5% of the funding awarded in their LoO. The payment may be claimed where the project has provided the following documentation;

- A signed and completed Form of Acceptance attached to the Letter of Offer,
- Match Funding Commitment Certificate/s confirming the public and/or private match funding up to the required proportion of net eligible project costs for the year for which the advance has been claimed,
- An annual financial profile in respect of the year for which the advance has been claimed,
- An advance claim request (this can be indicated on the financial profile or requested separately, and
- Confirmation in writing that the project has commenced (this is provided at the beginning of the project).

The advance will be recouped in the same financial year as it is paid.

4.2.2. Submission of Interim Claims

All claims for reimbursement must include expenditure which has actually been **incurred and paid**. 'Paid' means **eligible project costs disbursed by the beneficiary and/or delivery partner organisations and debited from the beneficiary's and/or delivery partner organisations' bank account/s.** If the beneficiary or partner organisation makes a payment or internal transfer to another part of the organisation, either on a notional or accounting entry basis (e.g. book-keeping entries between different cost centres) or through an 'actual cost' payment transaction between separate bank accounts and supported by internal invoices, these transactions should be recognised as 'paid' only when funds leave the organisation's bank account(s). The points at which different payment types can be regarded as 'paid' are illustrated below.

Type of Payment	Point at which 'paid'
Electronic or automated payments, e.g. direct debits, standing orders, BACS and fund transfers	When the debit transaction is posted to the beneficiary's bank account
Cheque	When the debit transaction is posted to the beneficiary's bank account
Debit card	When the debit transaction is posted to the beneficiary's bank account
Corporate / organisational credit card	When the transaction is posted to the credit card account (regardless of when the credit card balance is eventually paid)

The electronic submission of claims will be facilitated. All claims must be supported by an expenditure list which aligns with expenditure claimed. Similarly, if a co-financed operation generates income then an income list, detailing all income transactions, must be maintained and provided with every claim submitted.

Any variances between claims and originally profiled budgets of more than 15% should be explained.

4.2.3. Timing of Claims

Interim claims should be submitted by beneficiaries in line with the schedule outlined in their Letter of Offer. This will normally be on either monthly (at the end of each month) or quarterly (at the end of June, September, December and March) intervals. Interim claims must be submitted to ESF PDB within 4 weeks of the end of the period they cover. As stated in the Letter of Offer there shall be no obligation on the Department to make payment in respect of claims which are received more than 3 months after the final date of that period.

4.2.4. Payment of Claims

Claims will be paid only once they have been checked for completeness and accuracy and all supporting documentation and other information relevant to the preparation of the claim has been provided and verified, in line with the administrative verification requirements outlined in [Chapter 6](#).

4.2.5. Payment Systems

In accordance with Article 125(4)(b) CPR, each beneficiary must set up and maintain a separate accounting system or an adequate accounting code for all transactions relating to their operation, including the receipt of financial assistance and the disbursement of eligible expenditure. All monies received for the co-financed operation, including ESF and match funding, must be lodged in full to this accounting system.

Beneficiaries involved in the delivery of multiple co-financed operations may already have financial systems using cost centres rather than multiple bank accounts. It is permissible for these beneficiaries to retain these systems for the purposes of managing their co-financed operations provided that they facilitate clear and separate audit trails for each operation.

5. Match Funding

5.1. General

The contribution from the ESF will finance only a specified percentage of any operation. This percentage is normally determined by the category of the region as either 'less developed', 'more developed' or 'transitional'. For the Northern Ireland ESF Programme 2014-2020 the specified percentage is 40%.

The remaining 60% is known as match funding. It is a fundamental principle of all EU Structural Fund programmes that operations are co-financed and, without the requisite match funding, an operation cannot receive support through ESF. The capability of beneficiaries to secure match funding will be assessed at the point of application for ESF support and, subsequently, on an ongoing basis throughout the lifespan of their operations.

5.2. Sources of Match Funding

5.2.1. Match Funding Arrangements for Priorities 1 and 2

For operations selected for support a portion (25%) of the total costs of each operation has been awarded by DfE. When combined with the ESF contribution (40%), a LoO under Priorities 1 and 2 equates to an offer of funding for 65% of the total costs of the operation.

The remaining 35% represents the beneficiary's contribution to the match funding required. It must be sourced by the beneficiary and the ESF MA will have sought assurances during the application and selection stage that the beneficiary is capable of making this contribution. The ESF MA / ESF PDB will play no role in helping beneficiaries secure their contribution to match funding. In the Northern Ireland ESF Programme 2014-2020, match funding can come from both public and private sources and can be provided by the project organisation itself.

5.2.2. In Cash and In Kind

The 35% Match funding can be provided either:

- In cash; or
- In kind (non-financial resources made available free of charge to the operation from third parties).

If the funding is to be provided in cash, the beneficiary must ensure that this money has not been declared for other operations as a basis of receiving financial support from EU funds. In addition, it must not have originated from any other EU funding source and it must not contain funds from government programmes which may be funded from EU funds. There must at all times be a clear audit trail to evidence the payment of match funding into the beneficiary's accounting system. Self-match funding is also acceptable.

If the match funding is to be provided in kind it must relate to actual expenditure incurred by the match funder towards ESF eligible expenditure and it can *only* be in the form of direct staff costs (i.e. staff salaries), including publicly procured external tutors. Documentation of match funding agreements must be retained and include details of how the proposed in kind funding was calculated.

All in kind match funding must be verified in the same way as other direct costs. Beneficiaries should therefore ensure in kind match funders are aware of the verification requirements of the ESF PDB, including the requirement to vouch claims against relevant supporting documentation. It is the beneficiary's responsibility to ensure that, where records are held in locations other than its own premises, the records are retrievable and accessible for verification and audit purposes. However if a project receives in kind funding from a public body ESF PDB will seek assurance from the public body's Head of Internal Audit seeking assurance on systems and payment of monies in place of vouching payroll to a bank statement. This new process aims to streamline the process and ensure minimum disruption to the projects

and in-kind providers. This will not reduce the level of assurance but will recognise the responsibilities of the organisations and the assurance provided by their internal mechanisms. Projects impacted by this should contact their Claims Inspector.

5.2.3. Sources of Match Funding for Further Education Colleges

Where a beneficiary is a further education college, other sources of government funding may not be used as the beneficiary's contribution to match funding. This is in order to ensure that the DfE contribution to match funding remains capped at 25%.

5.2.4. Match Funding Commitments and Contributions

To provide assurances on the availability of match funding, beneficiaries must submit a Match Funding Commitment Certificate to ESF PDB at the **beginning** of each financial year, indicating the level of support which the match funder intends to provide to the operation over the course of the year to come. A template for this Certificate is attached at **Annex V**.

In addition, to provide assurances that the match funding actually received at the end of a financial year reconciles with the match funding committed at the beginning, beneficiaries must also submit a Match Funding Contribution Certificate to ESF PDB at the end of each financial year, covering the year just passed before final payment can be made. A template for this Certificate is attached at **Annex VI**.

6. Management Verifications

6.1. General

Management verifications are part of the internal control system of any well managed organisation. They are the normal day-to-day controls made by management within an organisation to ensure that the processes for which it is responsible are being properly carried out and are compliant with all relevant rules and regulations. All government funded operations will entail some degree of management verification.

[Article 125 CPR lays out the](#) regulatory responsibilities with regard to management verifications. The ESF PDB must verify that the co-financed products and services have been delivered, that expenditure declared by the beneficiaries has been paid and that the expenditure complies with any applicable law, with the operational programme and with the conditions for support of the operation.

These verifications must comprise both:

- administrative verifications in respect of each application for reimbursement by beneficiaries; and
- on-the-spot verifications of operations.

Administrative verifications must be carried out in respect of all applications for reimbursement and will entail the examination of the claim and relevant supporting documentation (e.g. invoices, bank statements, progress reports and timesheets). These verifications may be either desk-based or carried out on-site.

On-the-spot verifications, by contrast, must always be carried out on-site and will seek to verify compliance more broadly. They will check in particular:

- the reality of the operation i.e. that the project exists in the form and location specified in the application;
- the delivery of the agreed products and/or services in full compliance with the terms and conditions of support;

- physical progress against performance targets;
- compliance with Community rules; and
- compliance with specified tendering procedures.

ESF PDB will carry out a combination of both admin checks by requesting information to be submitted and by conducting on the spot checks. ESF MA will also carry out second level verifications.

6.2. The Role of Beneficiaries

It is a standard clause of all LoO's issued to beneficiaries that they (and any partner organisations including those providing match funding in-kind) facilitate management verifications at any reasonable time during the lifespan of their co-financed operation. Beneficiaries will be notified in advance of any planned visits and will be responsible for ensuring that all relevant records and documents are accessible during the visit.

Where verifications are undertaken off-site (desk-based), beneficiaries are responsible for supplying all relevant information and documentation in a timely manner.

7. Performance Monitoring and Evaluation

7.1. General Responsibilities

All publicly funded operations and programmes require some element of performance monitoring and evaluation in order to provide assurance that they continue to represent a good use of public funds. The ESF Programme is not an exception and the regulatory requirements for performance monitoring are outlined in Article 50 and Article 111 CPR.

The ESF PDB is responsible for performance monitoring of each individual operation under Investment Priorities 1 and 2. Actual performance will be measured against the stated performance targets outlined in Section 6 of the beneficiary's application, Appendix 2 of their LoO or subsequent agreed revisions in amendments to the LoO.

Beneficiaries will at all times be responsible for ensuring that they can gather and report on reliable data in relation to the performance indicators specified in the [ESF Promoter Guidance on the Collection, Monitoring and Verification of Participant Project Performance Data](#).

7.2. Operation-level Reporting Requirements

7.2.1. Beneficiary Responsibilities

Beneficiaries must promptly submit Participant Project Monitoring Forms on a quarterly basis to the ESF PDB within requested deadlines. It is imperative that all cells in the Participant Project Monitoring Form are completed by beneficiaries. Incomplete recorded participant data will result in the participant not being able to be counted on the Programme and included in reporting to the EC.

7.2.2. Dealing with Underperformance

The ESF PDB will assess the performance of each beneficiary against the objectives and targets set out in its initial application for ESF support on an ongoing basis. Any significant issues arising in meeting those targets should be signalled by the beneficiary at an early stage; a detailed explanation for the under-performance must be provided.

Where significant underperformance (either actual or projected) is determined, beneficiaries may seek formal amendments to the targets outlined in their LoOs'. Such amendments should be made **only when commensurate amendments are made to the funding awarded**. This will ensure that the value for money (unit costs) outlined at application stage, on which the award of funding was predicated, is either maintained or reduced. All amendments should be agreed by the beneficiary and approved by the ESF PDB.

In addition, where a reduction to funding is requested, an associated reduction in targets should not automatically be granted. This will only be granted where a robust justification is provided by the beneficiary outlining why the reduced project costs will impact upon the delivery of planned targets.

In this way underperformance will initially be managed via day-to-day contract and performance management activities. However, should underperformance remain an issue by the end of a project's LoO period, the ESF MA and ESF PDB may consider financial penalties. The need for such penalties will be considered on a case-by-case basis.

8. Community Family Support Programme (CFSP)

8.1. Aim

The aim of the CFSP will be to support families with a high level of need to develop their capacity to reach their full potential by addressing the employment, educational, training, health, social and economic issues that impact on their daily lives.

The three components of the programme will be to provide:-

- an employability mentoring support service to address family members (of 16+ years) educational, employment and training needs;
- a family support and referral service to address family members' health, social and economic needs; and
- a mentoring support service to address family members aged 13 to 16 educational needs to help prevent them falling into the Not in Education, Employment or Training (NEET) category.

8.2. Eligibility

- Each family participating on the programme must have at least one family member aged 16 or over in the not in education, employment or training (NEET) category.
- A typical profile of a family is one with multiple needs to be addressed (employment, educational, training, health, social and economic) and is volunteering to develop their capacity to improve their lives.

8.3. Support Provision

The CFSP will support families and family members:-

- address issues that are preventing participants finding and sustaining employment, for example essential skills, self confidence, motivation, lack of

social skills, qualifications and experience. Develop solutions to overcome these issues;

- develop skills to find work, for example completing CVs, job-searching and preparation for job interviews;
- access suitable education, employment and training opportunities;
- address family health, social and economic issues, for example parenting skills, alcohol and drug misuse, healthy eating, stress, money management and isolation. Referral to other organisations for specialist support; and
- address the educational needs of young people aged 13 to 16 years in partnership with schools, parents and educational welfare officers to improve for example punctuality, school attendance and homework routine.

8.4. Contract Areas

There are 6 separate contract areas to deliver the programme in 2015/16, 2016/17 and 2017/18:-

- **Area 1** – Belfast District Councils Area
- **Area 2**– Antrim & Newtownabbey District Council Area and Mid & East Antrim District Council Area
- **Area 3** – Mid Ulster District Council Area and Fermanagh & Omagh District Council Area
- **Area 4** – Derry & Strabane District Council Area and Causeway Coast & Glens District Council Area
- **Area 5** – Armagh, Banbridge & Craigavon District Council Area and Newry, Mourne & Down District Council Area
- **Area 6** – Lisburn & Castlereagh District Council Area and North Down & Ards District Area

8.5. Delivery – Families Supported

- Each project promoter will be required to caseload and support a minimum of 130 families per year in their respective contract areas.
- In contract areas with two district council areas the project promoter will be required to caseload and support equally a minimum of 65 families per year in each district council area.

8.6. Project Promoter Staff for CFSP

Project promoters must ensure that staff members delivering CFSP are fully qualified and are in possession of a qualification at or above OCR Level 3 NVQ or equivalent in the following:

- Advice and Guidance (to deliver the employability element of the CFSP)
- Health and Social Care (to deliver the family support element of the CFSP)

8.7. Services to Participants

Project promoters must carry out pre-assessments of families during the recruitment stage of the CFSP in advance of case-loading to ensure families meet the eligibility criteria and are committed to participating on the programme.

Key to the ultimate success of CFSP lies in the relationship developed between participants and their Employment Engagement Officer (EEO) and Family Liaison Officer (FLO).

8.7.1. Employability

The EEO must perform an individual assessment of a participant's (16+ years) educational, employment and training needs, current skill levels, educational, training & employment history, aspirations and personal barriers to employment.

The EEO engaging with the participant (16+ years) must develop an Employability Action Plan to support the individual. The Employability Action Plan must be completed within 4 weeks of the participant starting the programme. This action plan is a living document and must be reviewed and updated as required during the family member's participation on the programme.

The EEO must provide a professional advice and mentoring service to assist participants (16+ years) access appropriate education, employment and training opportunities.

The EEO must proactively engage with employers, education and training organisations to identify appropriate opportunities for participants (16+ years).

The EEO must regularly meet and keep close contact with participants (16+ years) and maintain comprehensive records of engagement, job search, progress, development and positive milestones.

8.7.2. Family Support

The FLO must perform appropriate family centred assessments to identify family's health, social and economic issues.

The FLO, in partnership with the family, will develop a Family Support Action Plan specific to the family's needs, requirements and aspirations. The Family Support Action Plan must be completed within 4 weeks of the family starting the programme. This Action Plan is a living document and must be reviewed and updated as required during the family's participation on the programme.

The FLO must regularly meet and keep close contact with families and maintain comprehensive records of family engagement, progress and development as they reach positive milestones.

The FLO should when appropriate refer family members to specialist support organisations to address health, social and economic issues.

8.7.3. Educational Support (13-16 Years)

The EEO or FLO must perform an individual assessment of a participant's (13 – 16 years) educational needs that has the potential of falling into the NEET category.

The EEO or FLO engaging with the participant (13 - 16 years) must develop an Educational Improvement Action Plan to support the individual. The Educational Improvement Action Plan must be completed within 4 weeks of the participant starting the programme. This action plan is a living document and must be reviewed and updated as required during the family member's participation on the programme.

The EEO or FLO must provide a professional advice and mentoring service to assist participants improve school punctuality, attendance, motivation, confidence, routine and academic performance.

The EEO must regularly meet and keep close contact with participants (13 -16 years) and maintain comprehensive records of engagement, progress, development and positive milestones.

The EEO or FLO must liaise and work with schools, education and welfare officer and other organisations to support participants (13-16 years) improve at school.

The EEO or FLO should when appropriate refer participants to specialist support organisations to address educational issues.

8.8. Family Record File

Each family must have a dedicated Family Record File where all records relating to the family must be stored. These files must be held on the project promoter's premises and be available for inspection by DfE staff during and 7 years beyond the programme end date.

Family Record Files must include copies of:

- Original referral documentation.
- Original Participant Enrolment Forms.
- Original Family Assessment Documentation.
- Original Employability Assessment Documentation. (Participants 16+ years)
- Original Educational Improvement Assessment Documentation. (Participants 13 -16 years)
- Original Family Support Action Plan.
- Original Family Engagement Record Forms.
- Original Employability Action Plan. (16+ participants)
- Original Employability Engagement Record Forms. (16+ participants)
- Original Educational Improvement Action Plan. (13-16 participants)
- Original Educational Improvement Record Forms. (13-16 participants)
- Original verifiable evidence in relation to Performance Result Indicators.
- Any other original documentation relating to the families' CFSP participation.

Project promoters must ensure that documentation and computer records relating to participants, including Family Record Files are securely stored and not accessible to the public at any time. All such documentation and information must be stored and securely locked each evening and weekends.

8.9. Programme Performance Result Indicators

- 50% engaged in job searching

- 10% entering employment upon leaving
- 20% engaged in education / training upon leaving
- 20% gaining a qualification upon leaving

8.10. Family Support Performance Results Indicators:-

In addition to the monitoring of employability performance result indicators specific to the CFSP, family support performance result indicators will also be monitored:-

- increased social inclusion and participation in community provision (e.g. joining a local sport club, band, dance, cookery, or art class, healthy walking group, library volunteering group, , neighbourhood watch group, housing association group, Police Community Safety Partnership);
- improved family relationship and positive parent interaction;
- engagement with specialist support provision (e.g. Advice NI, Citizen Advice Bureau, Child and Adolescent Mental Health Service (CAMHS), drug/alcohol services and disability services) ; and
- improvement in young people aged 13 to 16 years school punctuality, attendance and performance.

8.11. Linkages with Support Agencies

An essential element of CFSP is the relationship between them and those organisations providing support to families experiencing health, social, economic, educational, employment and training issues. These arrangements will allow project promoters to look to these organisations to provide specialist services for participants and families.

8.12. Protection of Children and Adults at Risk

It is vital that project promoters familiarise themselves with their responsibilities under the Vetting and Barring Scheme, established under the Safeguarding Vulnerable Groups legislation.

Project promoters must ensure that staff involved in the consultation with young people and adults at risk must have the necessary Access NI clearance.

Further information is available by accessing the following link:
<http://www.accessni.gov.uk/home/services/disclosures/>

Project promoters must have in place safeguarding arrangements and clear policy for the protection of children and adults at risk for the delivery of CFSP.

8.13. Evidence Based Family Support Declaration

Project promoters must confirm that they will adhere to the 11 principles of Evidence Based Family Support by signing a declaration form – See **Annex VII**.

Annex I - Tender Thresholds and Procedures for Non-Public Sector Bodies

Procurement Checklist

(Issued by the Managing Authority to **assist** with the procurement of goods/services)

Contracting Body _____

Goods/services procured _____

Value of goods/services procured _____

Complete the appropriate box

Procurement of goods/services: < **£5,000**

Has a price-check from a minimum of 2 suppliers?	YES	NO
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Is there a written record?	YES	NO
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Provide rationale/explanation to questions answered with **No** and written evidence of the quotes/price checks received

Procurement of goods/services: > £5,000 - £30,000

Were 2 written tenders were sought and received?	YES	NO
Has a Terms of Reference/Specification been produced?	YES	NO
Are all tenders/quotes received within specified timeframe? (Date stamped)	YES	NO
Was an assessment panel arranged?	YES	NO
Was there a scoring matrix prepared and signed?	YES	NO
Are there adequate reasons for rejection/acceptance of Tenderers?	YES	NO
Have the decisions been communicated to all bidders by post?	YES	NO

Procurement of goods/services: > £30,000

Were all tenders sourced through public advertising and documentary evidence retained.	YES	NO
Has a Terms of Reference/Specification been produced?	YES	NO
Were all tenders/quotes received within specified timeframe? (Date stamped)	YES	NO
Was an assessment panel arranged?	YES	NO
Was there a scoring matrix prepared and signed?	YES	NO
Are there adequate reasons for rejection/acceptance of Tenderers?	YES	NO
Have the decisions been communicated to all bidders by post?	YES	NO

SIGNED:

POSITION:

DATE:

Annex II – Template for Short Accredited Training Course Applications



SATC Application
Template.XLSX

Annex III – Workforce Development Plan Template



Workforce
Development Plan -

Annex IV – Timesheet Template



ESF Timesheet - DfE
- Weekly.XLSX



ESF Timesheet - DfE
- Monthly.XLS

Annex V – Match Funding Commitment Certificate



Public Private Match
Funding Commitment

Annex VI – Match Funding Contribution Certificate



Match Funding
Contribution Certifica

Annex VII – Community Family Support Programme - Evidence Based Family Support Principles Declaration

- a. Service design and development is based on children’s rights.
- b. Service design promotes a strength-based perspective which recognises resilience as a characteristic of many children’s and families lives.
- c. Services aim to build the capacity of children, young people, families and communities to identify and promote their own well-being.
- d. Services enable the participation of children, young people, families and communities in the planning, delivery and evaluation of the services.
- e. Services endeavour to deliver effective change through developing a focus on outcomes, evaluation and evidence of what is known to work.
- f. Services promote social inclusion and equality by providing information and developing accessible services that are available to all those who need them.
- g. Services ensure particular attention is paid to the needs of children and families who are known to be at particular risk of social exclusion. An understanding and respect for issues of race, linguistic, culture and special needs will be central to this principle.
- h. Services are responsive to the changing needs of children, young people, families and communities.
- i. Services develop a whole-child perspective that is aware of the interacting relationships between child, family and community.
- j. Services are built in partnership working collectively across organisational boundaries on the principles of inter-agency and inter-disciplinary co-operation.

- k. Service development is driven by planning based on needs identified by children and young people, parents, communities and professionals.

I can confirm our organisation will adhere to the above principles when delivering the Community Family Support Programme (Thematic Objective 9 IPi (b) of the Northern Ireland European Social Fund Programme 2014-2020).

Signature: _____

Name (Print): _____

Position in Organisation: _____

Name of Organisation: _____

Date: _____

Annex VIII – ESF Participant Evidence of Eligibility Checklist Form



Revised Participant
- Evidence Eligibility