

Building Better Opportunities



Guide to delivering European funding

Section six: Participants

About the Guide

This is just one section in a series of guidance documents that make up the Guide to delivering European funding (the 'Guide'). These documents are designed to support you to manage your Building Better Opportunities grant and should be used in conjunction with guidance produced by the Managing Authority and European Commission and does not replace it. This is guidance only and cannot cover all scenarios that grant holders will encounter.

This version of section six replaces all those we have previously published.

For the full contents visit our website [here](#)

Summary of changes

July 2019 - for section six v11.0 the following changes have been made:

- ✓ Branding updated to reflect our name change from the Big Lottery Fund to The National Lottery Community Fund.
- ✓ **Section 6.1** the document retention date has been updated due to programme extension.
- ✓ **Section 6.5** additional details added on output definitions and minor change to paragraph structure to improve readability. This includes moving some information into **section 6.6**.
- ✓ **Section 6.6** right to work guidance for young people under the age of 18 updated to align with annex H v11.1 and guidance added for young people with no National Insurance Number.
- ✓ **Section 6.7** additional detail added to preferred evidence for demonstrating participants' status as economically inactive or unemployed in line with [ESF Data Evidence Requirements - Eligibility and Results](#) Guidance.
- ✓ **Section 6.10** the document retention date and DWP email address have been updated and an email address for The National Lottery Community Fund added.

Sections re-numbered from 6.11 onwards:

- ✓ **Section 6.11** is now **Disengaged and deceased participants**. It includes guidance issued in May 2019 regarding exit dates for these participants.
- ✓ **Section 6.12** is now **Collating participant information**. Additional information added on data validations.
- ✓ **Section 6.13** is now **Deletion of participant records**. Guidance added on removing an ineligible participant from annex L.
- ✓ **Section 6.14** is now **Category of region**.
- ✓ **Section 6.15** is now **Participant Data**.
- ✓ **Section 6.16** is now **Data Protection**.

November 2018 - for section six v10.0 the following changes have been made:

- ✓ **About this Guide** has been updated to reflect recent changes in section one, in addition reference to the retired annex K has been removed and annex G, annex L data schema and annex R have been included.
- ✓ **Section 6.1** an update has been made to reflect recent guidance that results evidence is no longer required and the evidence retention date has been updated.
- ✓ **Section 6.2** Reference to the participant's status within 4 weeks of exit has been added.
- ✓ **Section 6.3** the information on refugees and asylum seekers has been transferred from the FAQs along with further information on geographic eligibility.
- ✓ **Section 6.4** reference to results evidence has been removed.
- ✓ **Section 6.5** changes include the removal of the requirement to gather a participant's sexual orientation, emphasis has been placed on the requirement to carry out a needs assessment and it has been updated to reflect annex H v10.
- ✓ **Section 6.6** the evidence of right to live and work in the UK has been updated in line with ESF Data Evidence Requirements, including the use of short form birth certificates. Grant holders are requested to look directly at the ESF Data Evidence and Requirements and Data Retention guidance. Information on the use

of alternative credible evidence and no credible evidence has been included and reference to an NI number evidencing right to work has been removed.

- ✓ **Section 6.7** reference to the ESF Data Evidence Requirements document has been added, this includes the reference to zero hour contracts being removed and more information added on Universal Credit. In addition revisions have been made to reflect the updated annex H and guidance on certification of evidence.

Sections re-ordered from 6.8 onwards:

- ✓ **Section 6.8** is now **Evidencing progress**
- ✓ **Section 6.9** is now **Exit and results** and contains reference to the provision of in-work support, information on evidencing of results has been replaced with information about declaring results, and the emphasis on obtaining the participant's new employment status has been increased. More details have been included on the training and education result. Information on participants receiving support from more than one project has been added.
- ✓ **Section 6.10** is now **Closing the participant file** and reference to annex K - example participant file has been removed. More detail on data retention has also been added.
- ✓ **Section 6.11** is now **Collating participant information**. Additional guidance has been added on changing participant details, participants with no home address and vulnerable participants. In addition, information on data validation has been added.
- ✓ **Participants already receiving support** has been removed. Current information is now included in section 6.9.
- ✓ **Section 6.12** is now **Category of region**.
- ✓ **Section 6.13** is now **Participant definitions** where reference to the MA's Output and Result Indicator Definitions Guidance has been added.
- ✓ **Section 6.14** is now **Data protection** which has been updated following GDPR.

June 2017 - The link to Migration Watch UK in part 6.3 was removed, as being redundant. Part 6.5 contains clarification as to whether the

content of the "needs assessment" means it can be taken as the start date for use in Annex H.

May 2017 - Lottery logo updated; addition of specific questions that should be answered concerning cross cutting themes and evaluation progress updates in "What have you learned?"

March 2017 - Delayed quarterly update, including updated logo, clarification of "no recourse to public funds" eligibility in part 6.5, four week rule and participants achieving more than one result/returning to project both clarified in part 6.10, eligibility of young people clarified in part 6.3, pointer to section 14: FAQs for further detail on eligibility and time constraints on refugees and asylum seekers.

September 2016 - Quarterly update, with use of National Insurance number for participant ID, updated Annex K, new Annex Q and revised annexes in Oct/Nov.

June 2016 - This version of the Guide incorporates appropriate comments gained from the consultation review in April 2016.

Any changes to the Guide will be:

- ✓ communicated on our website and on the inside page of each section.
- ✓ emailed to current grant holders and highlighted in our programme e-bulletin.

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6.1 Who is a participant?

We call anyone who will directly benefit from the project a 'participant'. Each participant must be eligible to receive support and you will need to report a range of personal information about that participant.

Someone is eligible to receive support if:

- ✓ they are within the scope of the project outline you are delivering
- ✓ they are legally resident in the UK and able to take paid employment in European Union member states, and
- ✓ they are unemployed or economically inactive.
- ✓ However, for the participant to 'count' you will need to:
 - ✓ collect a set of standard information about the participant, using the forms and templates provided in the annexes to this Guide
 - ✓ maintain a comprehensive and accurate record of the individual's journey through the project, using a participant file
 - ✓ retain evidence of the participant's eligibility and progress, and
 - ✓ collate this information using the participant monitoring spreadsheet (Annex L).

Grant money can only be spent on an individual if **all** of the eligibility criteria are met and this information is collected, checked and retained. A participant can be counted only once within a LEP area.

Note that lead organisations must retain all documentation associated with the project, including participant data, until at least 31 March 2034, after then please check with us before destroying any BBO related documentation. This is because projects may be audited at any point up to this date.

For further details on participant eligibility see: [National Eligibility Rules](#)

6.2 What is participant information?

The European Commission sets the framework for the participant information that must be recorded by projects. This will involve collecting a set of **outputs and results**.

Several of the outputs and all of the results link directly to the targets your project must achieve throughout its lifetime (see **Section five: Targets and project outcomes**).

➤ What are outputs?

Outputs include things like employment status, age, education and household situation. Outputs are only recorded once, even if the participant's situation changes during the time they are engaged on the project.

For example, the age of the participant is always calculated on the date they first joined the project. So a participant who is under 25 when they join the project, but over 25 on leaving it, would be recorded as below 25 years of age for as long as they remain on the project (including if they leave and later return).

➤ What are results?

Results aim to identify a change in the situation of the participant compared to when they joined the project and as a direct result of participating in the project. They include things like moving into employment and engaging in job searching. Results must reflect the participant's status within four weeks of the exit date (last recorded activity on the project).

A participant may achieve more than one result (for example, on project Cor/2/1 a participant may gain basic skills on leaving (R3) as well as moving into employment) but an individual result can only ever be achieved once.

6.3 Types of participant

For the project outline you are delivering, we've identified particular target groups that should benefit from some, most or even all of your activities.

Your project outline distinguishes particular target groups that are considered a priority by the European Commission, including:

- ✓ people with parental or carer responsibilities
- ✓ women
- ✓ people with health issues and disabilities
- ✓ Black, Asian and Minority Ethnic groups (BAME)
- ✓ refugees and recent migrants
- ✓ people aged over 50 with few or no qualifications and not in employment
- ✓ low income, single-earner households with children where at least one partner is not working
- ✓ those out of contact with the labour market
- ✓ offenders and ex-offenders
- ✓ homeless people
- ✓ people with low or no skills.

You can find out more about the definitions for most of these groups later in this Guide (see 6.15).

The local ESIF sub-committee for your area may have identified other groups of people based on local priorities. The definitions for the main groups are included here.

➤ Carers

Carers are people who care for a family member or another person in need of assistance or support with daily living. Carers do not need to be related to the person they care for and every caring situation is unique. Carers can be adults caring for other adults, parents or adults

caring for children who are ill or have a disability, or young carers aged under 18 years caring for, or involved in the care of, a parent, sibling, relative or friend.

➤ Care leavers

This covers any adult who spent time in care as a child (i.e. under the age of 18). It can range from as little as a few months to as long as one's whole childhood. This could be in foster care, residential care or other arrangements outside of the immediate or extended family. The care could have been provided by the state, through children's homes, or by the voluntary or private sector.

➤ People with multiple and complex needs

These are individuals who are experiencing at least two of the following: mental ill-health; substance or alcohol misuse; homelessness; and offending or re-offending behaviour. But there are broader definitions that can include other needs within that, such as: domestic abuse; disability; long-term health issues; financial difficulties and isolation.

➤ People experiencing mental ill-health

Mental ill-health refers to a wide range of conditions and disorders that can affect someone's mood, thinking or behaviour. Examples of mental ill-health include depression, anxiety disorders, bi-polar, schizophrenia, eating disorders, self-harm and addictive behaviours. There is generally a stigma attached to mental ill-health which may mean people feel uncomfortable talking about it.

➤ People who are offenders or ex-offenders

We can fund activities working with offenders or ex-offenders providing they are not in custody. Any project working with these groups in the community will need to work closely with the National Offender Management Services (NOMS) and other relevant local stakeholders to ensure that activities are additional and do not cut across existing provision.

➤ Young people

We can fund activities working with young people between the ages of 15 and 18. However there is a new statutory requirement for this age group to remain in education, employment or training. We can

therefore only pay for activities working with young people who are aged 16-29 who are not in education, employment or training (NEET) and young people aged 15-18 who are NEET or at risk of becoming NEET. Young people below the age of 15 who do not fall into this category are ineligible.

As evidence of an individual being at risk of becoming NEET we would expect a referral letter from school and preferably an additional confirmation letter from the local authority confirming that the individual is at risk of becoming NEET.

As evidence of an individual being NEET we would expect:

- ✓ DWP/Jobcentre Plus benefits decision notification letter - new claims award/decision or change of circumstances decision letter
- ✓ Written confirmation/referral from DWP/Jobcentre Plus or a referral from Careers Service or similar
- ✓ Where an individual is not engaged with DWP/Jobcentre Plus: written confirmation from a relevant third party that has been assisting the individual and so has an understanding of their current circumstances (such as NGO, charity, voluntary organisation). As an alternative to written confirmation, copies of original case notes and support records are acceptable.

➤ **Troubled families**

This can cover a broad range of circumstances but normally includes households that:

- ✓ are involved in crime and anti-social behaviour, where at least one person has a proven offence or an anti-social behaviour order against them
- ✓ have children absent from school, either due to exclusion, truancy or because a young person is placed in an alternative provision
- ✓ have adults who are in receipt of unemployment benefits
- ✓ are experiencing problems relating to emotional and mental health, drug and alcohol misuse, domestic abuse and under-18 conceptions.

This is just a summary of some of the known risk factors involved in family intervention work. Households may be affected by one or more of the circumstances.

➤ **Refugees and asylum seekers**

As long as the refugee in question has been given leave to remain in the UK they are entitled to receive support from this programme. However, it is the responsibility of the grant holder to check right to remain is long enough to complete provision. Grant holders should check that they understand the difference between refugees and asylum seekers in terms of eligibility. You can find out more around the definitions for refugees and asylum seekers on the government website and details around programme eligibility in the [National Eligibility Rules](#).

Where a potential participant has applied for further humanitarian leave to remain, which allows them to stay whilst the application is pending, any questions concerning the immigration status of that individual should be addressed with an accredited representative or solicitor. Humanitarian leave is subject to change.

Geographic eligibility

Project outlines have been carefully developed to address needs in specific LEP areas. You should consider how you will ensure that the project will benefit participants within the LEP area. However, participants should not be turned away on the basis of where they live as their eligibility is based on where they access the provision and not their home address.

Where geographic targets are in place, these will be measured using the delivery, not participant, postcode.

6.4 The participant file

You'll need to keep a separate participant file for each individual engaged on the project. A complete participant file is the only way to prove that someone benefiting from the project is eligible to receive support.

We will ask to see your participant files whenever we visit your project. We will also ask you to send us electronic copies of a sample of your participant files.

If a participant file is found to be incomplete, inaccurate or inadequately evidenced, we may deem that participant to be ineligible. If this is the case for a proportion of your participants, we may determine that a similar proportion of your costs are ineligible too.

Organising the participant file

The participant file **must** be split into four sections:

- ✓ Section A - Entry and eligibility.
- ✓ Section B - Progress.
- ✓ Section C - Expenses, incentives and allowances.
- ✓ Section D - Exit and results.

In **Annex G**, we've provided a template to help with the layout of your participant files. This has a front page (with a field for adding the name and National Insurance number of the participant to provide a unique identity reference), a simple layout of contents and a divider for each section.

You can store your participant files electronically but remember that you'll need the participant to sign hard copies of several forms and you must keep them secure.

Each participant file must contain:	
Section A - Entry and eligibility	<ul style="list-style-type: none">✓ A participant entry form, signed and dated by the participant and a project officer.✓ Evidence that the participant has the right to work in the UK.✓ Evidence that the participant is unemployed or economically inactive.
Section B - Progress	<ul style="list-style-type: none">✓ A participant progress form, signed and dated by the participant and a project officer.✓ Evidence that needs analysis, development planning or progress reviews have taken place.✓ Evidence of the participant's progression through the project, such as signed attendance sheets, course notes and submitted work.
Section C - Expenses, incentives and allowances	<ul style="list-style-type: none">✓ Any participant expenses, incentives and allowances forms.✓ Details and dated receipts for any expenses, incentives or allowances (see Section eight: Costs and expenditure).
Section D - Exit and results	<ul style="list-style-type: none">✓ A participant exit form, signed and dated by the participant and a project officer.

6.5 Entry and eligibility

The participant entry form must be completed before the individual can start on the project.

Start date and needs assessment

By 'start', we mean the learning or support that has actually begun, not any induction, gathering evidence of eligibility or other enrolment activities. Typically, this will result in two different dates:

- ✓ the date the participant first enrolls with the project and completes the entry form - **this is not start date.**
- ✓ the date the participant takes part in their first activity or intervention on the project (their official **start date** for the purpose of reporting to us and ESF reporting). When we check the participant file we expect to see evidence of this date.

Before deciding whether to support a participant, it is good practice to undertake an early assessment of their circumstances. This will determine if:

- ✓ the project will be suitable and effective in addressing their needs
- ✓ there are particular barriers or challenges they face.

If this needs assessment goes beyond simple induction (eligibility check, enrolment/gathering evidence, outlining project content) and leads to significant engagement that identifies required support via an agreed action plan for participant development, then it can be taken as the first activity and thus the participant start date to be used in **Annex H**.

A meaningful needs assessment would contain evidence of, for example:

- ✓ the participant reflecting on their situation, aims, and barriers to achievement
- ✓ early decisions made about the participants involvement on the programme

- ✓ SMART objectives and intermediate goals to set the participant's direction of development
- ✓ significant engagement between the participant and project worker after eligibility to the project has been demonstrated.

If a full needs assessment is not carried out whilst ascertaining the eligibility it is expected that this will be done early in the participant's involvement with the project.

Participant entry form (Annex H)

As part of this initial conversation, you must complete the **participant entry form (Annex H)** as it will help you determine whether or not they are eligible. You must do this before the participant can start on the project.

Annex H collects contact information for the participant and gathers details on the outputs you will need to report to us. More information can be found on the programme outputs in the MA's [Output and Result Indicator Definitions Guidance for the European Social Fund](#).

Participants **must** sign a hard copy of this form as their signature confirms that:

- ✓ they understand that the support they will be offered is funded by the European Social Fund and The National Lottery Community Fund
- ✓ the information provided on the form is true and accurate
- ✓ that they are not in paid work of any kind.

What the participant entry form collects:	
1. Summary	This is completed by project staff once the participant's eligibility has been confirmed.
2. Details	Asks for contact information and the gender and date of birth of the participant.
3. Ethnicity	Asks for the ethnic background of the participant.
4. Eligibility	Asks for an item of evidence from the list of acceptable documents to prove their right to live and work in the UK.
5. Employment status	Asks whether the participant is unemployed or economically inactive and requests an item of evidence to prove this.
6. Education	Asks for the highest level of education or qualification the participant currently holds, and also asks for details on the basic skills of the participant.
7. Household situation	Asks whether the participant is homeless or living with other adults who are unemployed and whether they have dependent children in the household.*
8. Other information	Asks whether the participant has a disability or a work limiting health condition.
9. Privacy notice	Explains who the Data Controller is for the personal data collected.
10. Participant declaration	Asks for a signed declaration from the participant.

11. Project officer declaration	Asks for a signed declaration from a project officer.
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*Annex H: participant entry form asks the question: 'do you live in a single adult household with dependent children?' This gathers information for the output indicator: (ESF-CO14) Participants who live in a single adult household with dependent children.

The definition specifies that for this output indicator the participant must be an adult aged 18 or over. If the participant is a single parent aged under 18 or are themselves the dependent child in a single adult household, 'no' should be selected for this question.

More details can be found in the MA's [Output and Result Indicator Definitions Guidance for the European Social Fund](#).

6.6 Right to work in the UK

To be eligible for support from the Building Better Opportunities programme participants must have the right to live and work in the UK. This includes being a citizen of a European Economic Area country.

Someone can live in the UK without necessarily being able to work here. However, people who have a right to work in the UK will always have the right to live here.

➤ European Economic Area (EEA)

At the time of this Guide's publication, the EEA includes all EU states plus Iceland, Liechtenstein and Norway. Although Switzerland is not a member of the EU or EEA, they are able to take part in the EU's single market. A full list can be found at <https://www.gov.uk/eu-eea>

➤ Paying for identity documents

As you'll be engaging with the most disadvantaged, it is reasonable to assume that some participants will be unable to provide an acceptable form of evidence at the point in which they enrol on the project.

Lack of an identity document can be a major barrier to employment, so we will pay a reasonable amount for this as a participant expense (see **Section eight: Costs and expenditure**).

If you proceed with engaging the participant in activities prior to their right to work being confirmed, this will be at your own risk as associated costs will be ineligible and outputs and results cannot be counted until eligibility has been established.

Evidencing the right to work

To be eligible for support from the ESF an individual must be:

- ✓ legally resident in the UK
- ✓ able to take paid employment in a European Union member state

You'll use the **participant entry form** to declare that you have checked, copied and retained such documentation. You will need to

provide a National Insurance number for each participant to provide a unique identifier.

If you are working with young people who are yet to be issued with their National Insurance Numbers, contact your funding officer, they will provide you with a substitute. **Please do not create your own National Insurance Number.**

Please refer to table two of the [ESF Data Evidence Requirements - Eligibility and Results](#) for the preferred evidence to show an individual has the right to work in the UK during the period of ESF support.

Preferred evidence includes, but is not exclusively limited to:

- ✓ Full passport (EU Member State)
- ✓ ID cards from citizens from other EU countries
- ✓ Full passport (not EU Member State):
 - ✓ Passport either endorsed indefinite leave to remain - proceed (settled status) or includes work or residency permits or visa stamps (unexpired) and all related conditions met
 - ✓ Some non-EEA nationals have an Identity Card issued by the Home Office in place of a visa, confirming the individual's right to stay, work or study in the UK - these cards are acceptable
- ✓ Letter from the UK Immigration and Nationality Directorate granting indefinite leave to remain (settled status)
- ✓ Birth (short or long form) / adoption certificate (EU Member State)
- ✓ Residency permits for foreign nationals (usually in a passport)
- ✓ Marriage/civil partnership certificate (if partner has legal right to live in the UK and this can be evidenced).

If the participant is unable to provide evidence from the preferred list, alternative evidence can be used however to explain:

- ✓ reasons why participant does not have any preferred evidence
- ✓ how the participant / project has attempted to collect the preferred evidence

- ✓ what alternative evidence has been accepted and how it evidences the eligibility criteria being satisfied

Please refer to the hierarchy of evidence discussed in section 2.4 of [ESF Data Evidence Requirements - Eligibility and Results](#). This contains examples of documents considered as alternative credible evidence, and information on the use of risk based exceptions.

For young people **under the age of 18** who are NEET, or at risk of NEET, you do not need to provide separate proof of a right to live and work in the UK in order to join the project. However, evidence in the form of a school, national careers service or local authority referral (plus a letter from local authority confirming that the individual is at risk of being NEET where appropriate) will be required.

Note that if an evidence document contains the phrase “no recourse to public funds”, this person can become a participant since Lottery funding is not counted as public funds.

You **must** see an original and retain a photocopy of the evidence provided. This must be signed and dated by the project officer, plus a stamp or written wording to certify this as a true copy of the original and kept securely in the individual’s participant file. A sample of the copies should be periodically checked and logged as being verified by an appropriate member of staff, to ensure that programme policy and procedures have been met. Please see [Guidance on document retention, including electronic data exchange](#) for more details on certification along with **section 4 of the Guide**.

6.7 Unemployed or economically inactive

The participant must be unemployed or economically inactive.

People who are unemployed

If someone is unemployed then they are entirely without work, but are available for and actively seeking work. They will usually be registered unemployed and be in receipt of unemployment benefits.

A participant may also be **long-term unemployed**. This is where they are:

- ✓ **youth long-term unemployed** - aged under 25 and out of work for a continuous period of more than six months **or**
- ✓ **adult long-term unemployed** - aged 25 or over and out of work for a continuous period of at least 12 months.

People who may be economically inactive

If someone is economically inactive then they are not in paid employment or self-employment and are not available for or not seeking work.

They may be in receipt of certain benefits (such as Incapacity Benefit or Employment and Support Allowance) and could also be in training or education of some kind. A participant may be classed as economically inactive if they are:

- ✓ a full-time student, even if they are registered as unemployed
- ✓ retired, disabled or a full-time carer (all subject to individual circumstances)
- ✓ receiving Employment Support Allowance (ESA), Incapacity Benefit (IB) or Income Support (IS) and not working
- ✓ not in receipt of benefits
- ✓ a Universal Credit claimant who is placed in the Work Preparation Requirement or Work Focused Interview Requirement conditionality groups
- ✓ on full-time parental leave (understood as absences from work to bring up a child of young age for a period which does not fall under the classification or maternity or paternity leave), unless they are already registered as unemployed

- ✓ distant from the labour market and need additional support, skills and confidence to enable them to move towards employment.

People in employment

We consider anyone who is in paid employment to be ineligible, even if employed for just one hour per week. This includes people that:

- ✓ are aged 15 and over and have performed work for pay or profit, including subsidised or incentivised employment
- ✓ have a part-time job even if they in receipt of unemployment benefits, such as Jobseeker's Allowance
- ✓ are in work but on maternity or paternity leave, even if this is unpaid
- ✓ are self-employed, including those helping family members
- ✓ are in the process of setting up a business, farm or professional practice
- ✓ have a job or business from which they are temporarily absent because of illness, holidays, industrial dispute, or education and training.

Evidencing employment status

We appreciate that obtaining the preferred forms of evidence may be difficult when working with the groups targeted by this programme and changes to the benefits system also cause complications. The following sets out a hierarchy of evidence to prove eligibility in descending order:

1. Obtain documents from the preferred evidence list below
2. A referral / introduction / written confirmation from a relevant third party
3. Alternative documents if considered to be credible and persuasive by the beneficiary organisation / delivery partner;
4. Make a risk-based exception if no evidence can be provided and if suitably justified (self-declaration)

The onus for checking the eligibility of participants lies with your project and delivery partners.

More information can be found in [ESF Data Evidence Requirements - Eligibility and Results](#). Please use **annex H** to record the evidence, or your attempts to obtain the evidence to demonstrate participant eligibility. **Annex H** can be used to record self-declaration if enough supporting information is provided.

1. Preferred evidence:

Projects should always request 'preferred evidence' in the first instance, self-declarations must never be used ahead of this because it is easier and quicker.

Participants who are registered unemployed:

- ✓ Department for Work and Pensions (DWP)/Jobcentre Plus benefits decision notification (for example Job Seekers Allowance (JSA) or new-style JSA) - new claims award, decision letter or change of circumstances decision letter.
- ✓ Written confirmation or referral from DWP/Jobcentre Plus or a referral from a similar career service.

Participants who are unemployed but not registered:

- ✓ A letter or document from a government agency, such as the Careers Service, that gives their status as unemployed. The agency must be independent from the project delivery or management team.

Participants who are economically inactive:

- ✓ A letter or document to support this, such as a doctor's letter, letter of entitlement to state pension or correspondence from an educational establishment if you are a full time student.
- ✓ Evidence of being in receipt of new-style Employment Support Allowance, demonstrated through correspondence from DWP would be acceptable evidence of inactivity.

To be considered preferred evidence some documents that are used for ESF evidence are never out of date (for example qualification

certificates) but information related to a participant's current circumstances need to be supported by recent evidence. The following guidelines can be applied

- ✓ Recent payslip = issued in last 3 months.
- ✓ Documents produced annually (tax related, tax credits) = latest issued (should therefore be no older than 12 months).
- ✓ Award letters (grants, benefits, student loans) - original letter acceptable unless recurring award letters are issued (e.g. annual tax credits notification).
- ✓ Other correspondence (non-recurring in nature) = no longer than 12 months old.
- ✓ Introductions / referrals from relevant third party = within last 3 months

Universal Credit

Universal Credit documentation can be treated as preferred evidence if you are confident that the labour market status of a participant as either **economically inactive** or **unemployed** is clearly identifiable. You will need to make a judgement as to whether the information that you have is sufficient considering factors such as the claim commitment/Universal Credit labour market regime the individual is allocated. Please see [ESF Data Evidence Requirements - Eligibility and Results](#) for more details.

If labour market status is not clear from the evidence provided, it should be treated as third tier - **other credible documents**.

2. Referrals and introductions

A written referral must be provided from the referrer and be signed and dated, it will need to contain:

- ✓ The name of the participant
- ✓ Name of the ESF project
- ✓ Eligibility criteria being confirmed i.e. inactive, unemployed, full time student

Documents from DWP/Job Centre Plus, National Careers service and Local Authorities can be taken in good faith. With other organisations you will need to consider what puts them in a position to confirm the criteria and make a note of it on the **participant entry form (Annex H)**. The onus for checking the eligibility of participants lies with your project and delivery partners.

3. Other credible documents

If no preferred evidence or a referral from a third party already engaged with the participant and familiar with their circumstances is available you can consider alternative evidence. You will need to explain on the entry form:

- ✓ Reasons why the participant does not have the preferred evidence or referral.
- ✓ What efforts have been made to try and obtain the preferred evidence?
- ✓ What evidence has been provided and why it has been accepted?

Please use this option where you are using **Universal Credit** claims as evidence that does not clearly determine the participant's status as 'unemployed' or 'economically inactive'. Please see [ESF Data Evidence Requirements - Eligibility and Results](#) for more details.

4. Risk based exception (self-declaration)

Where satisfied that, despite the absence of any evidence, the participant qualifies for support, document the justification for proceeding, to include:

- ✓ Reasons why participant does not have any preferred or alternative evidence available.
- ✓ Document how the beneficiary / delivery partner has attempted to collect the required evidence.
- ✓ Explain how / why satisfied that the reasons provided by participant are credible / plausible.

Some projects have found it useful to create a form specifically for self-declaration, a copy of this must be retained on the participant file. However, the **participant entry form (annex H)** (from v10.0 onwards) enables the project officer to record the reason for the risk based exception directly onto the form.

If there is no case to justify an exception then the individual will not qualify for ESF support.

Evidence retention

You **must** see an original and retain a photocopy of the evidence provided. This must be signed and dated by the project officer, plus a stamp or written wording to certify this as a true copy of the original and kept securely in the individual's participant file. A sample of the copies should be periodically checked and logged as being verified by an appropriate member of staff, to ensure that programme policy and procedures have been met. Please see [Guidance on document retention, including electronic data exchange](#) for more details on certification along with **section 4 of the Guide**.

6.8 Evidencing progress

Whilst the participant is engaged on the project, you must keep an up-to-date record of their attendance and development. You'll use the participant progress form, together with other types of evidence, to do this.

Evidence of progress is an essential part of the participant file. This will provide a detailed picture of the activities and services that have been engaged in and how they meet the expectations and needs of the participants you are working with.

You need to keep a record of:

- ✓ when and for what purpose an individual is accessing the project

- ✓ how the activities are helping to address their development needs
- ✓ the activities or work that has been completed.

Documenting attendance

The **participant progress form (Annex I)** must be used to document an individual's attendance on the project. Both the participant and a member of project staff need to sign the form each time that an activity has been undertaken. The description of each activity needs to be clear enough for us to understand what activity took place.

Documenting development

You'll need to work with the participant to identify their development needs and goals. This should be presented in the form of an 'action and development plan'. You need to periodically update this to reflect the training and support planned and completed.

Although we've provided a template for this in the **participant progress form**, we're aware that many organisations will already do this as a matter of course. It is acceptable to use your own template for this - but it must have the logo (see **Section nine: Publicity**) and collect the participant's ID number and signature.

Documenting activity

You need to retain things like attendance sheets, course notes, submitted work and other relevant information to show that the participant is progressing through the project and that this is in line with their personal action and development plan. You should also keep on record any needs analysis, development planning or progress reviews that have been completed.

6.9 Exit and results

The participant exit form must be completed when an individual leaves the project.

By ‘leave’, we mean the point at which the participant has finished their last activity on the project. For example, they’ve reached the end of their training or support and have no further activities planned with the project. This includes the completion of training paid for by the project and any in-work support. Once a participant has been exited from the project any costs relating to them are no longer eligible. Please bear this in mind when considering the appropriate exit point for participants.

The participant exit form (Annex J, Annex P for London projects or Annex R for Cor/2/1) documents the results that the individual has achieved which will count towards your project targets (see **Section five: Targets and project outcomes**).

Depending on their circumstances at the start of the project, participants achieve a result if:

- ✓ unemployed participants move into employment, including self-employment, on leaving (R1)
- ✓ inactive participants move into employment, or job search on leaving (please note a result is only counted once for either moving into employment or moving into job search, whichever is the status on leaving the project) (R2)
- ✓ participants move into education or training on leaving (participants can previously have been unemployed or inactive) (CR02)
- ✓ gain basic skills by the time of leaving the project, in literacy, ESOL or numeracy (**COR 2/1 only**) (R3)
- ✓ are in sustained employment for 26 out of 32 weeks after entering employment or self-employment (**Projects based in London only**).

Please see [Output and Result Indicator Definitions Guidance for the European Social Fund](#).

A participant may achieve more than one result but a result can only ever be achieved once and it must reflect the participant’s employment status at or within **four weeks** of the date that a participant’s exit date.

For a result to ‘count’ against your targets, you must have a signed **participant exit form** containing the participant’s status on exit along with details of what they are now doing.

Results are always triggered by a change from the starting status of the participant to their status at **time they exit the project**. To avoid confusion with regards to R2, ‘Inactive participants into job search or employment’ is worked out based on the change in labour market position of the participant and only the status when the participant leaves the project will be counted. If the participant’s employment status has moved from inactive to unemployed then a job search result can be counted; if the participant has moved from inactive to employed then an employment result can be counted. **Annex L** will automatically calculate these results.

Additional considerations for participants exiting into education or training

- ✓ If a participant entered the project in education or training they cannot achieve an education or training result.
- ✓ Education or training is defined as a structured and agreed programme of: lifelong learning; formal education; educational and/or vocational training activities (this may include on the job and/or off the job vocational training or a combination of the approaches listed).
- ✓ Mandatory training (e.g. job-search related/CV writing) and other non-vocational/non-educational support such as confidence building, life-skills and personal effectiveness support cannot be considered as education or vocational training (even though such activities may, of course, be useful and important support measures).

- ✓ Participants cannot be exited onto training or education that is funded by the Building Better Opportunities programme. This counts as a project activity and must be completed prior to the participant's exit.

Participants receiving support from more than one project

When we report participant data to the managing authority, each participant must have only one record within each LEP area. This record must include the earliest starting point for each individual, and the latest result data.

Where a participant re-enters a project, any exit data previously recorded in Annex L for the participant should be deleted. New exit data should then be collected and entered into Annex L once the most recent period of work with the project comes to an end.

Each project should retain records of all participants that they have engaged with in Annex L. The start and leaving dates entered into the spreadsheet should reflect the time spent on your project. There is no need to share data with other projects in your LEP area.

Where participants have moved between projects in a LEP area, our database will combine these records as part of our data submission to the managing authority.

Projects based in London

You must use the participant exit form included in **Annex P** (see **Section twelve: Projects based in London**). This form has extra specific questions about the participant's satisfaction, as this is required for the Employability Performance Rating tool.

Declaring results - the participant exit form

As Building Better Opportunities is an actual cost programme and payments are not dependent on results, self-declaration of results is acceptable. This can be done using the **participant exit form** (annexes J, P or R).

The participant is required to confirm their new employment status, reflecting their position on or within **four weeks** after their exit date, and provide details of what they are now doing.

From 01 July 2018 onwards, participants exiting as unemployed must provide the number of consecutive months they have been unemployed on the leaving date.

Participants who move into education or training should provide details including which college, university or learning provider they have registered with, what course or training they are undertaking, when they enrolled and what date they started their course or training.

Participants who move into employment should provide details of who they are working or going to work for, what job they will be doing and when they will be starting.

Participants who move into self-employment must provide details of what they are now doing.

Inactive participants who move into job-search must provide details of the job-search activity they have undertaken, what jobs they have applied for and details of any job clubs or similar provision they have attended. Please note that participants cannot achieve both a job-search and employment result.

Participants who gain basic skills, such as literacy or numeracy (Cor/2/1 only) are asked to declare if they have gained basic skills (entry level or above in one or more of numeracy, literacy or ESOL) that they did not have when they joined the project.

Participants who are in sustained employment (London only)

Although not required on the **participant exit form**, the lead organisation must have a mechanism in place to record the period of sustained employment achieved by the participant (set at 26 out of 32 weeks after entering employment) and the continued support offered during that time (six months) as evidence of meeting the sustained employment project result.

6.10 Closing the participant file

Once the participant has completed their final activity on the project, you must ensure their file presents a complete and accurate picture of their journey through the project.

If we find that a participant file is incomplete, we may recover the money that has been spent on that individual. If this is the case for a proportion of your participants then we may determine that a similar proportion of your costs are ineligible too.

After a participant leaves the project, it may become difficult to request information from them. For this reason, ensure that you have the evidence to prove eligibility, progression and results **before** the participant has completed their last activity on the project.

You must retain the closed participant file until at least 31 March 2034, after then please check with us at esf@tnlcommunityfund.org.uk or the MA at ESF.2014-2020@DWP.GOV.UK before destroying any BBO related documentation. This is because projects may be audited at any point up to this date. Please see [Guidance on document retention, including electronic data exchange](#) for more information.

6.11 Disengaged and deceased participants

In a change to programme guidance released on 23 May 2019, you will need to provide us with exit dates for all disengaged participants. These dates will be **reported from Q3 2019**, following the publication of an annex L version 12.0.

By disengaged participants we mean any participant that is no longer on programme and that does not have a result attributed to them as defined in **section 6.9**. This includes participants that have been identified to be deceased or those where 'soft outcomes' may have been achieved.

Each project will need a policy to determine at what point a participant becomes classed as disengaged. This is not being set at BBO programme level and there is no requirement for us to approve the policies. We are aware that some projects already have disengagement policies in place, and there will be no need to implement a new one.

Please ensure the policy is made available for participant compliance checks.

A simplified example of a disengagement policy could be:

If a participant fails to show for an intervention, the project will make three attempts at contacting them over a six week period to re-engage them. These attempts will be recorded in the participant file, with dates and what method the project has used to try and contact the participant.

At the point the participant becomes classed as disengaged, the exit date should be recorded on **Annex L**, but **no other exit data can be recorded***. The exit date is the last recorded activity the participant has been involved in on the project as recorded in the participant file. An early/disengaged exit form is not required, although can be created by projects if desired.

It is anticipated that notes in the participant file of attempts made to re-engage the participant or notification of a participant passing away, will be sufficient when combined with the correct exit date being recorded. Should the participant re-engage in the future, this exit date can be deleted with appropriate file notes.

For participants that disengaged prior to 23 May 2019: we have agreed with the MA that the exit date can be recorded as the date of 23 May 2019 – a copy of the [May 2019 Essential Update \(part two\)](#) should be retained on file. Where projects can easily determine the exit date from an MIS and add it to **Annex L**, we encourage you to do this in order to improve data accuracy.

*Please note that you must not provide any other exit data such as 'exit status' in **Annex L** unless you have an exit form signed by the participant. This is to ensure that BBO data collection is compliant with GDPR.

6.12 Collating participant information

You'll use the information from the participant entry and exit forms to maintain the participant monitoring spreadsheet (Annex L).

Each partner is required to complete and maintain its own spreadsheet for each quarterly period (see Section four: Payments and monitoring).

Partners will send this to the lead organisation, who will in turn aggregate this information into a full report. They will send the full report to us each quarter.

This spreadsheet:

- ✓ records key project information, including the claim period
- ✓ uses the National Insurance number as a unique personal identifier for each participant
- ✓ collects contact information that can be used to trace and contact a participant
- ✓ gathers sensitive personal information, such as date of birth, gender and ethnicity
- ✓ collates all of the outputs for the participant at the point at which they first join the project
- ✓ reports any results they have achieved when they leave the project.

We will ask to see these spreadsheets throughout the delivery of the project, not just at the end of each quarter, to ensure local reporting systems are being appropriately managed.

The information collected on the entry and exit forms must correlate with what is being reported, so every effort must be made to maintain and review this spreadsheet to ensure both its accuracy and completeness. Responsibility for this lies with the lead organisation as the body reporting directly to us.

Change to participant details

Over the course of a participant's involvement in the project their contact details such as home address, telephone number and email address may change. These can be updated in annex L, however, you must provide documentation which will act as an audit trail to show this change. Without this, the difference between annex H and annex L will result in issues with data integrity.

Please note, that as discussed in section 6.2 a participant's status cannot be updated until the point that they exit from the project.

Participants with no home address

When a participant is identified as 'homeless or affected by housing exclusion' annex L enables you to leave the home address fields blank.

Vulnerable participants

From annex L v9.0 it is possible to mark participants to prevent their details from being passed to the Managing Authority's evaluation team. This could for example be where participants are considered vulnerable. You can update this field at any time.

Data quality

Data quality is an important part in demonstrating a participant's eligibility. There is a risk that project staff may not apply the same standards or definitions, or that they are not communicated effectively to partners.

You must put in place procedures that your partnership will use to explain how you will ensure:

- ✓ data is collected across different organisations and sites
- ✓ the definitions included in this Guide are used consistently
- ✓ data is certified by participants
- ✓ data is checked and verified to ensure consistency across participant paperwork
- ✓ discrepancies between data and paperwork are identified, reconciled and submitted

- ✓ planned and actual attendance and progress is tracked and monitored
- ✓ participants moving between partners will be handled
- ✓ incomplete records are identified and corrected
- ✓ project staff from across the partnership are trained to ensure a consistent approach.

Our database enables us to run validations on the information submitted, such as checking post codes included in **annex L** against the Office for National Statistics postcode directory. These validations are too complex to be incorporated into **annex L** directly, but need to be done to ensure that only clean data is submitted to the MA. Any data that does not validate will not be passed on.

At time of publication these validations are still carried out by our Funding Officers, however, in the coming months grant holders will be given access to our systems to validate data directly.

These validation systems will continue to be updated.

6.13 Deletion of participant records

From the Q2 2019 submission our participant database will check whether each participant is still recorded on Annex L. Where the system is unable to match a participant in the database to a record in the Annex L, the participant data will be deleted from the Fund's database. This will trigger an update to the MA's database that will also delete the same record. This also means the participant will not appear in data issued to the A125 and A127 team for participant checks.

Where a participant is removed from Annex L, it is imperative that a self-declared adjustment is completed by grant holders to remove any costs directly associated with that participant. We will issue a list of National Insurance Numbers we identify as having been removed from the database for each project each quarter.

6.14 Category of region

The European Commission has split England geographically into different 'categories of region'. You are required to report the category of region for each participant.

Most projects will cover only **one** category of region, either:

- ✓ less developed, **or**
- ✓ transitional, **or**
- ✓ more developed.

In these situations, the category of region will be the same across every participant engaged on the project.

However, some projects will cover **two categories of region**.

We will make sure lead organisations are aware of the category of region they are operating in and whether they are working across more than one region.

Determining category of region

The category of region is determined from the postcode of the project's **main delivery location**, **not** the participants' home address.

- ✓ If your project covers only one category of region, this will be the postcode of your main location.
- ✓ If your project covers two categories of region, you must have a delivery location in each region.

Lead organisations must make it clear to all delivery organisations which category or categories of region they are operating in.

You will need to ensure that each region has the appropriate share of spend and participants, so this can be demonstrated to auditors. Your funding officer will tell you what this share must be.

6.15 Participant definitions

We have provided a detailed list of all the data fields required for the **participant monitoring spreadsheet** in Annex M. This also includes the various definitions you will need to bear in mind as you are collecting information from participants and then reporting this information to us.

You should also review [Output and Result Indicator Definitions Guidance for the European Social Fund](#).

6.16 Data protection

All data held on participants is subject to the General Data Protection Regulation (GDPR). During the completion of the **participant entry form** participants will be provided with details of the privacy notice and the role of the Department for Work and Pensions as Data Controller for the Building Better Opportunities programme. More information can be found at www.gov.uk/dwp/personal-information-charter. The National Lottery Community Fund is considered to be a data processor.

Responsibility sits with the lead organisation to determine if you are a joint data controller with the DWP. If you are using or collecting personal data for your own purposes outside of the requirements of DWP for the Building Better Opportunities programme, you will be a joint data controller. If this is the case you will need to prepare your own Privacy Notice taking into account guidance from the DWP and Information Commissioner's Office. If you are a data processor you can use the privacy notice provided by the DWP.

The DWP as Managing Authority have released a number of [action notes](#) to support grant holders. At the time of writing those that are particularly relevant are 018/18, 020/18 and 022/18.

If you have an incident that may be a potential data breach you should follow the reporting guidance in action note 020/18. The reporting is very time sensitive and therefore you should be aware of these details at all times.

For the latest guidance on GDPR please see the [Information Commissioner's Office](#) website.

Your Privacy Notice needs to be made available to participants on entry and exit to the project. The exit is the trigger for the sharing of participant contact details with the Managing Authority's evaluation team. As discussed in **section 6.12** it is now possible for participants to be marked in **annex L** where it is not appropriate to pass on an individual's details.

Where participants do not want to participate in the evaluation they should contact the DWP using the details provided action note 022/18. These details should be included within your Privacy Notice.

Public task

All personal data required for collection by DWP for Building Better Opportunities is collected on a 'public task' basis. This means that the processing of data is necessary for performing a task that is in the public interest or an official function and has a clear basis in law.

More information on data collected on a public task basis can be found [here](#).

Data sensitivity

An individual can refuse consent using the 'prefer not to say' options on the **participant entry form**. This confirms that there has been an attempt to collect the information from them.

Anti-fraud

You should of course remain alert to the possibility that false information is being provided in order to access support. Suspected fraud must be properly investigated and participants must not be allowed to start activity on the project unless you are satisfied that they are eligible.

Data security

To keep your data secure, you will need to think about the premises, staff, filing system and computer systems that will be used across your partnership and the risk of harm that could result from any security breach. For example:

- ✓ You may need to update your policies and procedures, and conduct staff training, to manage the risks associated with handling personal data, and be ready to respond to any breach of security swiftly and effectively. Note, however, that staff training is an ineligible cost that cannot be paid from the grant.
- ✓ You will need to take account of the number of staff involved in the project and the extent to which they can access this data. Only authorised people should be able to access, alter, disclose or destroy personal data.
- ✓ You will need to make sure you have the right physical and technical security across the various premises and paper filing systems or computer systems being used.
- ✓ You will need to ensure that any personal data held or used by a third party (such as a web-based cloud service) is secured appropriately, bearing in mind current legislation.
- ✓ We'll establish a secure file transfer so lead organisations can send participant information to us. **Under no circumstances should this information be sent to us by email.**

Project partners will need a similar route for sending sensitive information to the lead organisation, which avoids the use of email. It is the responsibility of lead organisations to establish such a service for their partners to use.

You should back-up your records regularly to help mitigate the risk of loss or destruction of key evidence. Please refer to **section 11: evidence and retention**.