



Chapter 11 - ESF Requirements (England Only)

TABLE OF CONTENTS

Requirements:	1
Introduction	2
Document Retention	2
Retained Documentation	2
Electronic Document Retention	3
ESF Audit Requirements	4
Marketing and Publicity	4
Regulatory Requirements of ESF Marketing and Publicity	5
Developing Products and Materials and obtaining clearance	6
Marketing and Public Relations (PR) planning.....	6
Good News and Success Stories	6
Cross cutting themes for ESF and Match Provision	7
Evaluation	7

Requirements:

Adhere to ESF regulatory requirements including:

- Document Retention;
- ESF Audit Requirements;
- Marketing and Publicity;
- ESF Cross Cutting Themes; and
- Evaluation.

Introduction

1. This chapter provides information about mandatory requirements that apply to European Social Fund (ESF) and match funded provision that goes live in England from June 2011. This includes the Work Programme and will also apply to new ESF provision that is expected to go-live towards the end of 2011.
2. Guidance for ESF and match funded provision that went live prior to 2011 is provided in the [2007-2010 European Social Fund chapter](#).
3. The ESF requirements outlined in this chapter apply to you and your whole supply chain throughout delivery. It is your responsibility to adhere to these requirements and to ensure your supply chain does the same. You are ultimately accountable for the ESF compliance of your contract. Failure to comply with any of the ESF requirements can result in the repayment of funds.
4. Your Performance Manager is responsible for the implementation and delivery of these contractual requirements.

Document Retention

5. There are specific rules that apply to the length of time certain documents must be retained. You must retain the documentation detailed at paragraph 11 until at least 31 December 2022 and you will be updated should this date be changed at any stage in the future. This list may not be completely exhaustive and could be subject to further review in the future.
6. Where your sub-contractor ceases to trade or is no longer doing business with you, you must ensure that all original documents, as specified in the table at paragraph 11 are retained for the full retention period i.e. until at least 31 December 2022.
7. Where you cease to trade or will no longer be doing business with DWP you should discuss retention of documents with your DWP Performance Manager.

Retained Documentation

8. It is extremely important that you have robust systems and controls in place to maintain and monitor access to documentation throughout the retention period.
9. All documents (including any electronic information) must be readily accessible to requests from auditors and DWP upon request and stored in accordance with DWP standards. To support audit activity, it is recommended that a separate file of documentation for each individual customer is linked to a specific Contract Package Area number; and arranged in an effective filing system that will enable the effective retrieval of documentation.
10. Audits will scrutinise down to the level of an individual customer. Documentation must show that payments claimed in respect of an individual customer were eligible in accordance with the contract terms and conditions. The customer file, either in hard copy or electronic

format, must also contain evidence that the customer was made aware that the provision is part funded by ESF.

11. The table below lists the documentation that must be retained as a minimum to meet audit requirements until at least 31 December 2022.

No.	Document/Information
1	Evidence of the 2 way conversation/action planning to support Attachment Fee payment as detailed in Chapter 9 – Financial Procedures of the Work Programme Provider Guidance
2	Customer Action Plan
3	Sustainable Development Policy and Action Plans
4	Sustainable 'Health' Action Policy and Plans (London)
5	Equality and Diversity Policy and Action Plans
6	Marketing and Publicity documents including Marketing/Communication plans and products produced to promote ESF to customers
7	Supporting information for job and sustainment claims as detailed in Chapter 9 – Financial Procedures of the Work Programme Guidance
8	Document Retention Policy and Plan

12. You will have to submit a document retention policy and plan to your DWP Performance Manager within 4 weeks of the contract starting. This will be monitored and reviewed by your Performance Manager.

Electronic Document Retention

13. European Commission regulations allow for documents to be retained as either the original paper copies or as an electronic copy of the originals. The regulations allow for the electronic storage of documents provided that they are stored on a recognised optical data carrier (e.g. CD ROM, Hard Disk or Magnetic Disk), are certified as being copies of the original, meet national standards and are auditable. Documents must be held on an accepted data carrier. These include:
- microfiches of original documents; and
 - electronic versions of original documents on optical data carriers
14. For each data carrier used, you must retain a signed declaration that the documents held within the data carrier are certified as being true copies (conforming to) the originals. The [ESF Good News Customer Permissions Form](#) on headed paper satisfies this requirement.
15. Minimum requirements associated with completion of the declaration are:

- all declarations must be made available on request;
- documents can be certified as true copies of the original document either individually or as a group of documents; however a declaration will be required each time documents(s) are copied and retained for audit purposes;
- the declaration can be kept as an electronic or paper copy. The declaration can be included on the electronic copy of the documents and stored electronically. If the document(s) are certified using a paper copy it is extremely important that it is stored with the appropriate stored data carrier;
- electronic copies of original documents must be kept for the same length of time as paper copies. For further information on Document Retention see paragraph 5;
- the signature must be original not an electronic signature;
- the electronic copies must be reliable for audit purposes. For example, they must be:
 - stored in such a way that they are safe and cannot be modified;
 - can be effectively retrieved; and
 - accessible in a readable format.

ESF Audit Requirements

16. You and your sub-contractors are subject to audit controls and review. The following is a list of the bodies, which require access for audit purposes - it is not exhaustive:
 - ESF Audit Authority;
 - The European Court of Auditors;
 - The European Commission's Auditors;
 - The National Audit Office;
 - DWP Risk Assurance Division; and
 - Other bodies as required by or on behalf of DWP/European Commission.
17. It cannot be emphasised enough that failure to meet audit requirements results in a high financial risk for both providers and DWP, as funds used inappropriately or for ineligible customers or purposes are recoverable.

Marketing and Publicity

18. There are a number of regulatory requirements in terms of marketing and publicity which apply to you and your subcontractors.
19. You are required to develop and implement a Marketing and Publicity Plan which will detail the activities you will undertake to satisfy the ESF regulatory requirements. This will be monitored and reviewed by the Performance Manager.

Regulatory Requirements of ESF Marketing and Publicity

20. To meet the regulatory requirements you must have specific ESF publicity measures, these include but are not restricted to the following:
- providing DWP with 'Good News' stories, this includes collecting the relevant information and obtaining customer permissions;
 - displaying an ESF 2007-2013 plaque in each main delivery location, in a prominent place, where it is clearly visible to staff, customers and wherever possible, others using the building. These can be obtained from your Performance Manager;
 - you must remind customers of EU and ESF support throughout their time on provision and have evidence to support this audit requirement. You can use a DWP produced leaflet ([MKT8000](#)) which explains ESF funding. Versions available include: English, Arabic, Bengali, Punjabi and Urdu. It is available in Braille and other languages on request.
 - supplying provider and provision details for inclusion in the ESF public databases;
 - using the ESF logo in line with guidance on websites, any documents including forms and letters concerning the administration of the ESF/ match funded activity this includes use of the logo on Action Plans and other documents used to support the delivery of ESF and Match funding programmes. Information and a copy of the ESF 2007-2013 logo can be found at <http://www.dwp.gov.uk/docs/esf-logo-guides.pdf>; and
 - ESF publicity materials produced by providers must be approved by Jobcentre Plus before publishing and use.

Additional requirements for provision delivered in Cornwall and the Isles of Scilly and London

- If you or your sub-contractors are delivering provision in Cornwall and the Isles of Scilly, you must also use the Cornwall convergence logo. Information about Cornwall Works communication strategy and the use of the convergence logo can be found at: <http://www.convergencecornwall.com/>
- If you or your sub-contractors are delivering provision in London; you must also use the Mayor of London logo. You will also need to enter and maintain details of your provision on the directory of ESF Skills and Employment Services. Your Jobcentre Plus group ESF team will provide further information.

Developing Products and Materials and obtaining clearance

21. Clearance must be obtained from the Jobcentre Plus group ESF team for all material produced. This requires that you make available a draft version of all proposed marketing or publicity material prior to its final production and issue.
22. All material must be sent through your Jobcentre Plus group ESF team. Jobcentre Plus will consider draft marketing material against a set of ESF regulatory requirements to ensure compliance. This will ensure Jobcentre Plus is aware of marketing activities and that there is sufficient awareness and fit with other activities.
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Marketing and Public Relations (PR) planning

24. You will need to work closely with your Jobcentre Plus group ESF team to ensure that ESF marketing and PR activities are co-ordinated. This is to achieve complementary timing of activity and consistency of message.
25. There will be times when elements of the marketing plans will need changing. For example, you may need to be flexible on timing, if there is a clash, which might lead to confusion for the target audience. Additionally you might need to incorporate ministerial involvement in PR activity.
26. Further information relating to marketing and publicity can be found in [Chapter 9 Marketing and Customer Communications](#).

Good News and Success Stories

27. DWP/Jobcentre Plus requires further information on customers whose individual stories can be celebrated. This information will be used in marketing and publicity products which will help raise awareness of ESF provision, providers and DWP/Jobcentre Plus.
28. The [ESF declaration](#) must be completed with all the relevant details and customers must give their permission for their details and story to be used in any marketing and publicity products.
29. Once completed the proforma should be sent to your Jobcentre Plus group ESF team who will ensure that the information is retained for use in marketing and publicity products.
30. In addition, each year DWP co-sponsor the Adult Learners' Week. All organisations, individuals and groups of learners' who have benefited from ESF can be nominated for an award. A number of specific ESF sponsored awards are open to any customer or group of customers who have benefited from ESF. Customers can also nominate their ESF project providers for an award.
31. The awards are made on a regional basis and can help to pay for learning resources. Winners receive a framed certificate and an invitation to a national ceremony held in London in May during Adult Learners' Week.

32. If you want to enter your organisation, nominate an individual or to find out more, these should call the Campaigns Team at NIACE on 0116 2044200, or e-mail alw@niace.org.uk or visit www.alw.org.uk As this is an annual event you will need to contact NIACE before the closing date for nominations.

Cross cutting themes for ESF and Match Provision

33. You and your sub-contractors are required to take action to support ESF cross cutting themes of Gender Equality and Equal Opportunities, Sustainable Development and Health (London). You should ensure that they are aware and fully understand the requirements. The following are some key activities that you are required to do:
- maintain an equality policy, training plans and supplier diversity plan;
 - ensure a discrimination complaints procedure is in place. Grievance Policy guidance can be found in [Chapter 2 Delivering DWP Programme Provision](#);
 - ensure an equal opportunities policy and implementation plan for that policy is in place for staff and customers;
 - ensure buildings etc comply with the requirements of the Equality Act 2010;
 - you will be expected to support and be involved in equality impact assessments undertaken by the Department;
 - you are required to have a sustainable development policy and implementation action plan in place, which must be submitted to the ESF Performance Manager within 26 weeks of the contract starting. Guidance on the requirements for sustainable development can be found in [Chapter 10 Sustainable Development](#); and
 - within London, the prime provider must have a Health plan in place within six months of the contract start, in line with the vision for a 'Sustainable London' whose aim is to seek to improve the well-being of all Londoners.

Evaluation

34. Independent evaluation will be an important element of the ESF provision. The full design of the evaluation programme is still under development but it is likely that you will be asked to support a variety of evaluation projects, including:
- evaluation by the ESF Managing Authority (DWP);
 - regional evaluation commissioned by or on behalf of the Regional Skills Partnership;
 - programme delivery evaluation commissioned by the DWP CFO; and
 - other interested parties may administer further evaluations.
35. Your assistance will be expected, as required.

36. Evaluation by the ESF Managing Authority will include a two stage national cohort study of customers from 2009 and a range of other studies focusing on, for example, gender, disadvantaged groups, equal opportunities, in-work training, sustainable development and the delivery of ESF in relation to [ESF targets and the Regional ESF Frameworks](#)
37. It is likely that you may be asked to participate, and to assist in identifying customers for the cohort and other surveys. This may involve providing contact details for some or all customers, having sought in advance the permission of the individuals concerned.
38. Researchers may wish to visit and interview you, programme customers and partners involved in the provision. Providers delivering this provision will be contacted beforehand. Findings will be disseminated to all providers in order to facilitate sharing and adoption of best practice and continuous improvement of the service. Evaluation findings will also be published as part of the DWP research series.
39. You will also be asked to report on progress and evaluate their own provision at regular intervals to support DWP's reporting requirement to the Managing Authority at regional and national levels. At the end of the project an evaluation report will also be required, summarising project activities and outcomes achieved, and highlighting issues of special note, such as innovation or achievements against the ESF cross-cutting themes of equality and sustainability.