

ESF Guidance Clarification Notes - YEI

1. Residency / right to live and work in the UK

- A full or provisional UK/EU driving licence is suitable as both proof of residency *and* right to live/work (RTLW) in the UK. Only one piece of evidence need be collected if a valid DL is available, provided that the address on the DL matches the address stated by the student on the ESF form, and their place of birth is within the UK, European Economic Area (EEA) or Switzerland.
- Driving licences must be valid at the course start date. If the 'valid from' date is within one month of the course start date, this may be used to evidence residency, but not RTLW. In these situations another piece of evidence should be collected to support RTLW for the avoidance of any audit doubt.
- Evidence of residency should be dated within 6 months of the course start date (6 months before or 6 months after).
- The use of a letter from the college/university which shows a student's term-time address is acceptable as evidence of residency, but only in exceptional circumstances where all other attempts to obtain the documentation (per the accepted evidence forms shown in SFC's guidance) have been exhausted. It would be preferable, if the college/university could provide a screen shot from their MIS system together with the signed registration form.
- Disclosure and PVG are ***not acceptable*** as evidence for the purposes of residency or right to live/ work in the UK. These forms must not be submitted as evidence for any part of the Participant Guidance as they cannot be shared with third parties (as per Disclosure Scotland's website) and should therefore not be issued to the MA.
- EU ID cards are acceptable proof of an individual's RTLW, provided that the individual comes from a country within the EEA or Switzerland.

2. Qualifications

- Qualifications obtained pre-1995 (not available from SQA) should be evidenced using certified copies of original certificates.
 - Where no evidence of qualification is available, the student should select 'no qualifications' on their ESF form.
- Evidence collected to show the qualification level prior to enrolment (e.g. certificate/SQA Navigator report) should reflect the selection that the student has made on their ESF form. The highest qualification level should be taken from the 'Grouping' i.e. a whole accredited course has been awarded, and not the 'Unit' level.
- Students who are studying on a University course should provide evidence of their qualification, by means of a certificate from 2018-19. The MA has agreed that SFC can draw upon evidence from HESA of prior qualification level for *2016-17 and 2017-18 only*.
- Qualifications certificates (if in another language, e.g. Latin/Gaelic/Italian) should be briefly translated then signed and dated by the Delivery Agent – to demonstrate qualification level prior to enrolment.

3. Certification

- Copies of original documents used for the purposes of proving ESF eligibility must be certified by a Delivery agent representative, and should not be done by a GP/local MP.

ESF Guidance Clarification Notes

1. Change to the definition of inactive/unemployed

- If a student has been claiming JSA or ESA they should be considered 'unemployed' prior to course start date and must be able to provide evidence to support their status.
- If the student is claiming Universal Credit they may be considered either 'inactive' or 'unemployed' depending on their own selection/declaration on their ESF form. In either case, the student must provide evidence of their Universal Credit.
- A student who is claiming other benefits, which are not JSA or ESA, should also be considered 'inactive' provided they have ticked and signed their ESF form to confirm this status.
- A student who is claiming Working Tax Credits, unless it is a joint claim and this can be evidenced, should be considered employed and excluded on this basis.

2. Barriers to employment

- Delivery agents should pay attention to the selections made by participants for their 'barriers to employment' – any barriers selected should not be contradictory of the individual's NEET status, i.e. an individual who has just left school, and is inactive, should not have selected 'long-term unemployed'.

3. The Learner Journey

- Evidence provided to show the Learner Journey should not indicate any contradiction to the student's NEET status.

4. Proving age (16-29)

- Where a student has used a form of evidence that **is not** a birth certificate, passport or driving licence to prove their RTLW, then there must be additional evidence supplied to support age, e.g. Young Scot Card.

Collective feedback from 2017-18 ESF verification visits

1. Participant forms

- ESF Participant forms should be fully completed and the student's address should be shown in full, not limited to the first line of the address.
- Delivery agents (DA) should pay attention to the dates that they are signing *their own declaration* on the ESF form in respect of dates when evidence of residency/RTLW in the UK is collected and certified.
 - The declaration should not be signed by the DA before the evidence is collected.
 - From 2017-18, delivery agents should annotate ESF forms to indicate when the evidence was received in instances where the evidence has been collected, or is dated, after the ESF declaration was signed.
 - For 2015-16 and 2016-17, the MA has agreed that the above annotation need **not be done**.

2. Evidence of residency & RTLW in UK

- Evidence collected which demonstrates a participant's residency and RTLW in the UK must be certified as a true copy of the original document – refer to guidance for clarification.

3. Qualifications

- Where a student has no 'Group award' and only units, or no qualifications, the student should select 'no qualifications' on their ESF form.
- Students who are transferred should have a brief note included in their file to explain detail the change and explain the reasoning behind this.
- Evidence provided from SQA Navigator to evidence address/qualification level prior to enrolment should be certified from AY 2017-18 onwards (*we will accept instances where this has not been done for AY 2015-16 and 2016-17*).

4. Student support

- If a student's attendance includes instances of 'unauthorised' absences it is expected that payments will be withheld, unless a suitable explanation can be provided (this should be held on file).
- If an award for childcare/bursary has been reassessed, there should be evidence of the original award and the reassessment.
- Childcare awards should be shown clearly – there should be no questions around how payments have been calculated.
- Where appropriate, confirmation of a child's regular attendance at nursery throughout the academic year must be collected at the end of the year after the student has completed their course of study.

5. BACS

- All BACs reports must be in their original format with the BACs software logo displaying clearly.
- Where a payment is made to an individual other than the participant (i.e. a parent or spouse) there should be documentary evidence of the participant's agreement to this.
- Screen shots of the student's bank account details should be provided where their name is not fully shown, or where it is replaced with a reference number, in the BACs report.
- Redact all information for non ESF students; and when redacting extraneous information for ESF students, take care that the relevant student can still be identified.

6. General

- Additional/contradictory evidence should be excluded, check with SFC where unsure.
- Evidence provided for audit should not be hole-punched to avoid situations where a date, account number or name is not clear or readable.
- All name changes should be evidenced.
 - Where a student is 'known as' one name but the evidence provided supports their name at birth, a declaration should be provided which should be signed by both the student and a representative from the college. This also includes instances of name changes where an individual has changed their gender.
 - Other name changes, (through marriage/civil partnership) should be evidenced with formal registration documents e.g. marriage/civil partnership certificate.
- The ESF logo should be current and fully displayed on the ESF Participant form.