SFC/ESF Developing Scotland’s Workforce

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FAO: Principals and Directors of institutions operating under the ESF ‘Developing Scotland’s Workforce’ programme.

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SFC/ESF Developing Scotland’s Workforce

Introduction

1. Developing Scotland’s Workforce (DSW) aims to address regional skill gaps and shortages associated with key employment sectors; providing higher level skills to support the development of emerging growth areas. Funding has been provided to allow the provision of additional further and higher education activity across both Lowlands & Uplands Scotland and the Highlands & Islands (as a transitional region). The DSW project, under the new 2014-2020 European Structural and Investment Funding programme, is fundamentally different to previous ESF programmes that colleges may have participated in.

2. This document provides guidance to further and higher education institutions (colleges and universities) on the purpose of the DSW programme and the funding allocated to institutions under it, eligibility criteria, conditions of grant, monitoring/reporting processes and fund management for this project.

3. ESF activity funding under DSW has been allocated to institutions in Lowlands & Uplands Scotland and the Highlands & Islands based partly on our demographic model and the need/demand for additional places. The aim of the additional activity allocated under DSW is to:
   - Provide higher level skills, upskilling and job progression.
   - Support emerging employment potential in the national Smart Specialisation sectors and other key national/regional growth sectors.
   - Provide higher level accredited ‘nationally recognised qualifications’

Summary of main programme eligibility criteria

4. The characteristics of ESF-fundable students under DSW are as follows:
   - There are no age restrictions however the clear focus of the programme is progression and upskilling, and to help support emerging industries and key growth sectors by promoting relevant vocational skills and higher level qualifications - DSW is not focussed on unemployment.
   - Student participants must be on programmes of study that will gain them higher level skills and qualifications in regional and national growth areas, including the National Smart Specialisation sectors.

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1 References to ‘institutions’ in this document refer to colleges and universities (as applicable), including SRUC and the University of Highlands & Islands (UHI).

2 A ‘Nationally Recognised Qualification’ in this context is considered to be one that has a Group Award attached to it.
• Participants must be enrolled on a programme of study leading to a nationally recognised qualification, e.g. Scottish Credit & Qualifications Framework (SCQF) accredited at International Standard Classification of Education (ISCED) level 3 or above, which equates to SCQF level 5 or above. From 2016-17, institutions in LUPS must provide qualifications at ISCED level 5 or above, which equates to HE activity at SCQF level 7 and above (i.e. Higher National qualifications and above).

• An ESF Participant Form must be fully completed and signed by the student and the institution at enrolment or as soon as possible thereafter. This Form notifies the participant that the course they have enrolled on is part-funded by ESF through the DSW programme.

• Participants must be able to provide acceptable evidence of their residency and legal right to live (and work) in the UK.

• Where a participant adopts a different forename/surname to their residency / right to live and work evidence, the change of name should be evidenced accordingly, e.g. through use of another official document or a declaration signed by the participant in both names and authorised by a representative from the college/university.

• Participants attending institutions located in Lowlands & Uplands Scotland (LUPS) or the Highlands & Islands (H&I) geographical area must reside in that respective area.

• Continuing ESF participants are only eligible under the DSW programme if they are progressing to a higher level course. For example, if an ESF student has undertaken a qualification at SCQF level 7 in AY 2016-17 and returns the following year to enrol on an SCQF level 8 course in AY 2017-18, the student remains eligible for ESF in 2017-18.

5. Institutions must be able to demonstrate ‘additionality’ as a result of ESF activity delivered through DSW.

Key monitoring requirements

6. The physical attendance of students at a college or university is not monitored by SFC for the purpose of providing teaching funding. However, we expect institutions to manage attendance and participation on courses effectively to ensure that ESF participants who are not engaged in learning are withdrawn.

7. Qualifications achieved by successful participants must be monitored and recorded by institutions.

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3 Excluding the UHI-partner Perth College.

4 The previous ‘Condition of Grant’ where we stated that a student must complete and sign the ESF participant form within 4 weeks no longer applies. This change applies retrospectively to 2015-16, 2016-17 and for all previous SFC ESF-funded projects.
8. Participants who complete their course but do not successfully achieve a qualification must also be monitored by institutions and evidence of their continued engagement in learning until the end of their course (despite their relative lack of success) retained.

**Student destinations/results**

9. There are important monitoring requirements for results/outputs under DSW. Institutions must be able track their students’ destinations and report to SFC on the following specific result indicators:

   - Participants in employment, including self-employment, six months after leaving (regardless of their achievements or whether they completed their course).
   - Participants with ISCED level 5+ qualifications (SCQF level 7 [HN] or higher) upon leaving.
   - Participants with ISCED level 3 qualifications (SCQF level 5, 6 or 7 [non-HN] upon leaving; (from AY 2016-17, this is only relevant to H&I and UHI partner colleges).

**Course eligibility guidance**

10. Additional student places provided through DSW should be in areas highlighted in regional skills assessment plans in order to ensure that participants are gaining higher level skills in national and regional growth areas. Where possible, institutions should focus on the National Smart Specialisation sectors, such as Food & Drink, Life Sciences, Renewable Energy, Low Carbon, Finance & Business and Creative Industries, as well as STEM subjects generally. (ESOL courses are ineligible under DSW).

11. As previously stated, participants must be enrolled on a programme of study leading to a nationally recognised qualification, e.g. Scottish Credit & Qualifications Framework (SCQF) accredited at International Standard Classification of Education (ISCED) level 3 or above, which equates to SCQF level 5 or above. **From 2016-17, institutions in LUPS\(^5\) must provide qualifications at ISCED level 5 or above, which equates to HE activity at SCQF level 7 and above (i.e. Higher National qualifications and above).**

12. Colleges must follow SFC’s Student Activity Data Guidance for Colleges (‘Credit Guidance’). This Guidance sets out the details of students and courses eligible for funding as well as credits that can be claimed in respect of full and part-time provision. In addition to SFC’s Credit Guidance, in cases of students withdrawing, additional rules apply (see over):

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\(^5\) Excluding the UHI-partner Perth College.
• For college participants who complete their course, ESF credits should be based on the actual number of credits completed (passed or failed). These students should be identified in the FES 2 return as having completed their course (i.e. the outcome selected from the ‘student record outcome’ list must specifically state ‘completed’).

• Where a participant does not complete their course and withdraws from it early, a college can only claim for the credits completed (passed or failed) up to the point of withdrawal. For example, a student who withdraws after one semester of a 16 credit course and completes 7 credits (successfully or unsuccessfully) can only be counted for those 7 credits.

• College participants must complete at least one full credit in order to be eligible.

• Part-credits (in excess of one) will be rounded down for ESF audit purposes.

• ESF credits can only be claimed by colleges once their core SFC credit target has been achieved. For example, a college that delivers 101,000 credits against a 99,000 core credit target would only be able to count 2,000 credits as ESF.

13. SFC’s current Credit Guidance is available on our website here: http://www.sfc.ac.uk/communications/Guidance/2017/SFCGD062017.aspx.

14. Colleges must adhere to SFC’s Fee Waiver Policy - current guidance on how a college may use fee waiver grant from SFC is on our website here: http://www.sfc.ac.uk/communications/Guidance/2017/SFCGD052017.aspx.

15. Colleges must also adhere to SFC’s residential eligibility rules, which are available on our website here: http://www.sfc.ac.uk/guidance/FundingGuidance/StudentSupport/information-student-support-administrators.aspx.


17. In addition to residency rules, the criteria set out in Annex A of this Guidance relating to refugees and asylum seekers also applies to the DSW programme.

18. Universities must follow SFC’s Early Statistics Return guidance, particularly section 4 which summarises the criteria of students/courses eligible for funding. Universities providing student places through DSW must be able to demonstrate ‘additionality’, as a result of ESF, to their core SFC-funded activity.

20. Colleges must accurately ‘flag’ and record DSW participants in the Further Education Statistics (FES) system. For each participant, colleges will be required to provide a record of the course/qualification enrolled for and the credits claimed, broken down to unit level, which will be retained on the FES system. Universities will similarly be required to provide a record of the course/qualification and the Full-time Equivalent (FTE) places claimed as recorded in the Early Statistics Return.

21. There will be reconciliation points during each year of the programme to ensure that institutions are on track to achieve their ESF activity. For colleges this means meeting their core SFC credit target plus their additional ESF credit target as set out in their offer of grant letter. (See section below on ‘FES quarterly returns’).

Participant eligibility guidance

22. Institutions must collect and retain evidence from every participant that proves they have the legal right to reside (and work) in the UK and confirms their permanent residence at enrolment. Institutions should do this by providing the following evidence:

Legally able to reside/work in UK

- A valid, unexpired UK (or other EU Member State) passport. Non-EU passports are acceptable if they are endorsed ‘indefinite leave to remain - proceed’ (settled status) or include work or residency permits or visa stamps (unexpired) and all related conditions are met.
  
  or

- A UK (or EU member state) birth/adoption certificate.
  
  or

- A Driving License (full or provisional).

Address

- Evidence should be in the form of:
  - Utility bill.
  - Bank/Credit Card statement.
  - Council Tax bill.
  - NHS Medical Card.
  - Official correspondence from the NHS, DWP or HMRC
  - Driving Licence (full or provisional).
  - SQA Navigator report
• Evidence must be dated within 6 months of the participant’s entry date. (Please also note that correspondence from a private individual is not acceptable.)

23. If a participant is unable to provide the above evidence in relation to being legally able to reside/work in the UK (as shown in the first three bullet-points under paragraph 22 above), the following alternative evidence is acceptable:

• Identity Card issued by the Home Office in place of a visa (confirming the participant’s right to stay, work or study in the UK).

• Marriage/Civil Partnership certificate (provided that it can be evidenced that the participant’s partner has a legal right to live in the UK).

• Evidence that participant is employed in the UK e.g. letter of employment, wage slip, contract of employment.

• Evidence that participant has been employed in the UK within the last three years e.g. P45, P60, wage slip, contract of employment.

• Evidence that the participant is in receipt of state benefits/pension e.g. award letter detailing benefits (DWP/Universal Credit/Job Centre Plus/Pension Service correspondence).

• Signed referral from a government agency/service using a statutory register and who has an accurate knowledge and verified the participant’s circumstances (DWP, Local Authority service).

• Residency permit for foreign nationals.

• Asylum Seekers - copy of individual’s Application Registration Card (ARC).

• Proof of Refugee Status, Humanitarian Protection, Discretionary Leave to Remain or Indefinite Leave to Remain in the UK, including:
  - A Home Office letter confirming status and permission to work.
  - A Home Office Certificate of Identity.
  - A benefits notification letter.
  - An Immigration Status Document.

Qualification levels on entry

24. Institutions must have evidence of their participants’ qualifications prior to enrolment, by having:

• Qualification certificate(s).

• Records of the academic institution/qualification. Or
A print-out from ‘My SQ’ recording details of qualifications held. (Where a participant’s qualifications are pre-1995 - and they are unable to obtain any evidence from SQA - a signed ESF Participant Form will be considered acceptable evidence).

25. All participant evidence that has been photocopied, either by the participant or the institution, must be signed and certified by the college or university as a true copy of the original document. (See paragraph 36 below.)

26. Institutions must collect and record each participant’s National Insurance (NI) number as their unique identifier. Participants should make every effort to provide their NI number, as it would be required if they were asked to take up employment. Alternative identifiers, such as a Scottish Candidate Number or matriculation number (universities), will only be accepted in exceptional circumstances if the institution has demonstrated its attempts to obtain an NI number.

Student support guidance

27. Colleges in receipt of ESF student support funding through DSW must follow SFC’s student support guidance, available on our website here: http://www.sfc.ac.uk/communications/Guidance/2017/SFCGD022017.aspx.

28. Colleges can use allocated student support funds - bursary and/or childcare funding - to support eligible ESF participants that meet the relevant student support eligibility criteria set out in the above guidance. (Discretionary funding and Educational Maintenance Allowance payments are ineligible and cannot be claimed through ESF.)

29. Colleges should be mindful of a participant’s attendance and their continued engagement in learning. SFC expects colleges to withhold student support payments to participants for periods of unauthorised absence that the college deems as unsatisfactory, in accordance with their student support policies.

30. Colleges must retain a full audit trail of all student support payments to ESF participants, including travel costs, and comply with student support audit guidance.

Study expense allowances

31. Study costs are ineligible under ESF due to the audit evidence required to attribute all study costs directly to individual students.

Travel expense allowances

32. Travel costs are eligible, but only if they can be evidenced and directly attributed to an individual student (e.g. where the student has been paid directly / where the student is named on bus company invoice).
**Childcare costs**

33. If childcare payments are made directly to a student, there must be evidence that the payment has been passed onto the childcare provider. Furthermore, where a childcare provider is paid and there is no invoice, there must be confirmation from the childcare provider that the child attended nursery regularly throughout the year / up to the point of withdrawal (as applicable).

**Conditions of grant**

34. The following conditions of grant apply:

   (i) All funds must only be used for the purpose(s) for which they are provided. (SFC retains the right to audit the relevant institutional documentation in order to satisfy itself that this is the case and the institution undertakes that it will provide such assistance as SFC reasonably requires to enable it to do so).

   (ii) Use of this funding must meet the eligibility criteria for the Developing Scotland’s Workforce (DSW) project.

   (iii) Colleges must achieve their core SFC credit targets.

   (iv) Institutions must deliver the additional ESF activity targets set out in their offer of grant letter in order to receive the full allocation of ESF funding. Under-recruitment is likely to result in the clawback of funding.

   (v) Institutions will provide progress and monitoring reports to SFC as required under DSW.

35. SFC may decide to recover any amounts of grant unspent, or which in its view have not been spent for the purpose in which they were allocated or in accordance with conditions of grant/ESF programme guidance.

**Other programme guidance**

36. As part of the DSW programme, institutions should:

   - Inform SFC in advance of any publicity arrangements they are making for the DSW project. Institutions must also provide examples of publicity used in the delivery of this project when requested by the SFC. Please also note the specific guidelines on ESF publicity: [http://www.gov.scot/Resource/0050/00509530.pdf](http://www.gov.scot/Resource/0050/00509530.pdf).

   - Seek our agreement in advance for any alterations to the activity outlined in the initial completed Regional Skills Template.

   - Give SFC written notice of any anticipated under-delivery of ESF activity under the project.
• Certify true copies of original paper documents (photocopies). Photocopied documents must contain a ‘certification statement’ and the statement must be annotated on, or appended to, the copy. If a document contains multiple pages, then the first page should be certified and the number of attached pages indicated on the front page (alternatively, each page could be certified).

- Photocopies must show the full document (not, for example, just the address) and must be clear and readable. The certification statement must be signed and dated by an employee who can vouch that the copy is a true replica image of the original. (See ‘Electronic documents’ section below, paragraph 44-47).

• Upload ESF participant documentation, as required, using SFC’s secure server which can be accessed

• Accept and be prepared for SFC, Scottish Government and/or the European Court of Auditors (ECA) auditing relevant institutional project documentation to confirm that funding has been used appropriately and in line with conditions of grant.

• All documentation relating to ESF DSW student participants must be retained for audit purposes. (See below).

Data returns/claims

37. Institutions will be subject to some financial testing in relation to student support costs, and will be required to provide evidence of their participants, such as attendance records and outcomes achieved. ESF reporting is built into quarterly FES reporting and it is mandatory that colleges complete additional reporting for ESF students through FES, e.g. ‘status immediately prior to enrolment’ and ‘highest qualification level at time of enrolment’.

Gathering participant information and retaining documentation for audit purposes

38. As Lead Partner, the SFC is responsible for collating and submitting institutional claims based on robust supporting information. This can only be achieved by sharing that responsibility with institutions, relying on institutions to identify (or ‘flag’) those students participating in this project within their particular institution, and to ensure all necessary documentation is retained and readily available for future audits. This process will require rigour and is critical to the overall success of administering the project.

A clean copy of all evidence should be held so it can be copied for future audit sampling – this will help to ensure that documents are clear and legible for any verification, e.g. BACs reports should not be re-used for multiple audits.
39. All documentation relating to ESF DSW student participants must be retained by institutions for European audit requirements, including - but not limited to – evidence of enrolment, ESF Participant Form, record of continued participation on course/withdrawal, proof of qualification level prior to enrolment, certified evidence of legal right to reside/work in the UK, certified evidence of permanent residence, evidence of credits undertaken, and records of destination/follow-up 6 months after leaving. Where applicable, student support award letters, acceptances, BACS payments and bank statements should also be retained.

40. SFC as Lead Partner is also responsible for the retention of all relevant documentation for this ESF project. Documentation will include all relevant financial and participant records pertinent to the project, including the SFC administration costs, institutional returns and student records to support payments for additional ESF activity. We therefore expect all participating institutions to retain the relevant documentation as prescribed in the National Rules for the ESF 2014-2020 programme. The National Rules can be accessed from the Scottish Government website by using the link below: http://www.gov.scot/Topics/Business-Industry/support/17404/EuropeanStructuralFunds/ProgrammeDocumentation/ProgrammeGuidanceandApplications/esifnationalrules

41. SFC recommends that institutions maintain separate audit evidence files for each year of the programme. These should be readily available for verification and future audits by the Scottish Government (Managing Authority/Audit Authority) and European Commission. Files should include all student records that show:

- Evidence of enrolment and a completed ESF Participant Form.
- Certified evidence of right to live/work in the UK and student residency
- Evidence of student support (bursary/childcare), including payments to student participants/childcare providers.\(^6\)
- Evidence of any additional funds included in the participants’ bursary allocation/award but not paid directly to the participant, i.e. travel.
- BACS payments and corresponding bank statements, relating to the above.
- Evidence of student qualification level prior to enrolment
- Evidence of the student’s continued participation and ‘engagement in learning’, particularly if they have completed/withdrawn from their course and not been successful.

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\(^6\) Colleges should also retain evidence that participant’s dependent(s) have been in regular attendance at nursery/childminder throughout the year.
• Follow-up/record of students’ destinations 6 months after leaving, regardless of when the student left/finished their course, or their withdrawal date.

42. While a certain amount of information can be drawn from FES/Early Statistics Returns, the level of information required for audit purposes means that each institution will be expected to retain information to support claims submitted to SFC. These documents will be archived electronically by SFC for review by Scottish Government verification officers and auditors at SFC’s offices. Institutions are also required to retain copies of these documents as many audits will be conducted onsite at institutions.

43. Developing Scotland’s Workforce falls into a category of ‘Operations in excess of €1,000,000’. Projects in this grouping have a requirement for supporting documents to be kept for a two year period from 31 December, following the submission of the Managing Authority’s accounts (in which the final expenditure of the completed Operation is included). The date the Managing Authority state should be adhered to, unless otherwise advised, is currently 31 December 2030.

**Electronic documents**

44. EU Regulations require that the audit trail must be supported by original source documents. These can be retained in either paper form or in electronic format. Please note that if you are keeping copies of original documents electronically, they must meet with Commission Regulation (EC) 2355/2002.

45. Documents must be:
   • Held on a recognised data carrier.
   • Certified as copies of the original.
   • Able to be audited, i.e. is clear, legible and available.

46. Commonly-accepted data carriers include:
   • Photocopies of original documents.
   • Microfiches of original documents.
   • Electronic versions of original documents on optical data carriers (such as CD-ROM, hard disk or magnetic disk).
47. The following declaration is suggested as an annotation to certify that the copies you hold on the commonly-accepted data carrier are true copies of the original document.

‘I certify that this is a true copy of the original document/s’

Signed:..........................................................

Date:............................................................

Position in institution:..............................

An alternative certification sheet (for bulk certification of documents by student) can be found in Annex E.

Reporting process

48. SFC provides grants to institutions to deliver a specified volume of additional activity during an academic year (AY), and routinely issues guidance on the eligibility of programmes and students for funding.

49. To verify that colleges have met their credit target, SFC collects annual statistical data from colleges. There are two main collections:

- The Further Education Statistical (FES) return - this collects data on all further education and higher education provided by colleges in Scotland.

- The student activity return (or credit return) - this collects data on college FE/HE activity that is eligible for SFC funding.

50. The credit return is a sub-set of the FES return. The accuracy of the credit claimed is certified by the college Principal, and the claim is audited by the college’s external auditors.

51. The data is collected at individual student level and includes personal information about the student, details of the course, duration of study and outcome. SFC annually publishes detailed performance indicators using data from the FES system.

52. SFC will monitor each college’s progress in meeting its additional credit target by analysing quarterly FES returns. Claims for delivery of teaching and student support costs incurred by colleges will be made once per annum to Scottish Government using the IT system ‘€UMIS’.

53. Universities are required to identify ESF participants in the relevant sections of their Early Statistics Returns - guidance is available on our website here: http://www.sfc.ac.uk/guidance/SubmittingStatisticalInformation/HE_statistical_data/stats_he_info.aspx.
54. SFC will conduct annual verification checks – these will be in the form of either desk-based checks or onsite checks at institutions. SFC will review activities reported and outputs claimed by each institution. In order to ensure these verifications are completed successfully, institutions will be required to provide all relevant supporting documentation on request.

55. Verification checks on EUMIS claims will be in addition to checks that will be carried out by the SFC, to ensure that a robust audit regime is in place that will stand up to scrutiny by Scottish Government or European Commission audits.

56. Colleges should use FES to report on their progress with these funds and additional ESF reporting requirements - including the status of ESF participants immediately prior to enrolment and their highest qualification level at the time of enrolment. FES guidance notes can be found at: http://www.sfc.ac.uk/communications/Guidance/2016/SFCGD032016.aspx.

57. These documents detail the monitoring information that SFC will collect, including details on disability, ethnicity, gender, age, subject area, qualification of study, bursaries, childcare funds, discretionary funds and postcode which allows us to also report in terms of geographies (local authority areas, etc.) and deprivation. College staff will be asked to identify SFC ESF students using the ‘ESF funded student’ field within the FES 2 data return and/or the appropriate field in FES.

**FES quarterly returns**

58. Colleges are expected to submit their first return in November. This should include all fields within the FES returns, with the exception of student and unit outcomes. As this is not a final return, some areas will be subject to change. For example, the dominant programme group is likely to change for many courses as these are dependent on the subjects studied by students over the entire AY.

59. FES returns at the end of the AY are only accepted once the data has gone through an extensive cleansing process.

60. As outlined in the FES guidance, fields collecting data required for ESF reporting will become mandatory for ESF students, including status immediately prior to enrolment and highest qualification level at the time of enrolment.

61. The dates for submission of FES quarterly returns for ESF activity can be found in the FES 2 Guidance notes (section 26); http://www.sfc.ac.uk/web/FILES/GUI_SFCGD032016_Guidancenotesandcodelistsforcompletion/SFCGD032016_FES_2_Guidance_notes_2016-17.pdf.
Payment profile

62. 75% of funding will be paid in equal instalments following the issue and acceptance of a formal offer of grant (normally over the 12-month AY period August to July). The remaining 25% of funding will be paid in October.

63. Should there be a reduction in ESF monies available under the programme, SFC may have to reduce the amount of funding provided to participating institutions.

Clawback

64. SFC reserves the right to clawback these funds if they have not been used for the purposes outlined in this guidance and individual offers of grant. Final payments will not be released if participating institutions have not achieved the outcomes agreed in their offer of grant. SFC reserves the right to clawback funding dependent on the outcome of audit findings.

Further information

65. Please contact:

- Rebecca Fairgrieve-Stewart, ESF Senior Policy/Analysis Officer (tel: 0131 313 6687, email: rfairgrievestewart@sfc.ac.uk)

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