

## ESF 'Developing Scotland's Workforce' programme

### COVID-19 Q&A

1. *Would it be acceptable for ESF Participant Forms to be completed online or electronically and would this have implications evidence-wise?*

ESF Participant Forms that have been completed electronically are acceptable.

2. *If we cannot obtain a 'wet signature' from participants, what alternative forms of evidence would be acceptable for audit purposes?*

- (a) Electronic signatures are acceptable as eligible evidence as long as they meet the conditions set out in the eIDAS regulation (<https://ico.org.uk/for-organisations/guide-to-eidas/what-is-the-eidas-regulation>). The eIDAS regulation sets out rules for electronic identification and trust services. These services help verify the identity of individuals and businesses online or the authenticity of electronic documents.
- (b) SFC will accept an email confirmation from the participant in place of a 'wet' or fully electronic (eIDAS) signature, provided the following conditions have been met;
  - i. The email used belongs to the participant and matches the email address on the ESF participant form. In addition the college or university must validate the participant email address by doing the following:
    - ❖ For new/existing participants: the college/university should email the student with a screenshot of the ESF participant form asking them to respond and confirm that the registration details are correct. The email must contain the participant name, address, DOB, NINO and telephone number.
  - ii. The college/university must ensure that the above is supported by a package of evidence confirming the individual's eligibility (e.g. evidence of their right to live and work in the UK etc.)

The above can then be considered to meet the fundamental requirement set out for the electronic execution of documents – 'intention to authenticate clearly expressed and with corresponding audit trail to support intention'. Therefore, if it can be evidenced that these arrangements are in place, this will negate the need the requirement to retrospectively revisit evidence at a future point in time and once COVID-19 restrictions have been lifted.

Scanned signatures, with no further supporting evidence, are not acceptable as there is no

way of proving that the signature belongs to the person or that they were attached to it.

3. *If the college or university cannot validate the participant email address because the student is not responding to emails, can proof of three attempts at contact be used instead?*

For participants, there has to be either a 'wet' signature, fully eIDAS-compliant electronic signature or a validated email address, otherwise the participant cannot be included in a claim.

4. *Can the ESF Participant Form be altered to make it easier to complete online?*

The Participant Form has been designed to ensure compliance in terms of collecting all the necessary information from the individual to assess their eligibility, to capture key reporting criteria and to ensure that the EU rules on logo size/colour are adhered to.

SFC therefore advises against altering that the Participant – it can be circulated in MS Word/PDF format for completion electronically or for return by post.

Video tutorials for completion of the ESF participant form via the Snapchat and Instagram social media platforms can be found here:

- <https://www.youtube.com/watch?v=xhEApzgPZXw>
- <https://www.youtube.com/watch?v=B5Jh0LRcOAU>

5. *Because of lockdown, we are unable to gather original supporting evidence from participants (e.g. passports, birth certificates). Are electronic copies of documents acceptable?*

Due to the COVID-19 disruption, photocopies of scanned copies of supporting evidence are acceptable provided that they have been sent from the validated email address of the registered participant.

Photographs or screenshots of the supporting evidence are acceptable, as long as they are clear and legible and have been sent via a validated email/text message that can be identified as coming from the participant.

6. *How do colleges/universities account for participants who do not complete in the expected timeframe due to COVID-19?*

Only completed activity can be included under the ESF programme – this has not changed. Individuals who have therefore not completed their course as a result of the COVID-19 restrictions should be recorded as such, and only the completed activity (pass or fail) included.

Whilst this will impact on the number of successful results that SFC can log, results can be updated in the EUMIS claims system at a later date (once the participant has completed their course). Colleges and universities should notify the ESF team of any change to results where an ESF participant has returned to complete their course after the original course end date.

7. *Where participants are not physically present in colleges/universities how should attendance be evidenced?*

Attendance registers have been used to record physical attendance in the college setting for the purpose of showing that an ESF participant is engaged with learning. Where records of physical attendance are not available, due to the pandemic, colleges can use the participant's achievement report (actual credits) to show that individual participants have not become disengaged.

In both college and university settings, evidence of achievement or withdrawal should be used to show engagement with learning.

We will work with colleges and universities to ensure that the evidence they provide meets audit expectations.

8. *Where evidence collection is delayed due to lockdown restrictions is there any leeway?*

In respect of evidence of 'Right to Live/Work', documents can be provided in hard copy format or electronically, as outlined in point 5 above, but they need to be supplied before the individual can be classed eligible. The evidence can be collected during the AY but **must be valid at the course start date.**

9. *Instead of using emails, would screen prints of text messages be acceptable?*

Text messages are acceptable as long as the mobile phone number is visible and the telephone number of the participant reconciles with other evidence noting the number for the particular participant.

10. *If course provision has to change because of COVID-19, can there be flexibility in course options for ESF?*

SFC must ensure that the courses being delivered are still in line with programme guidance criteria and that the skills participants gain from their course are relevant to skills needs for each area of Scotland. Where there is a need for provision to deviate from what delivery agents set out prior to the start of the AY in their Regional Skills Plans, this should be discussed with SFC who will seek to agree this with the Managing Authority.

For further information please contact:

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