

DWP Provider Guidance ESF 2014 to 2020

Chapter 3: Participant Identification, Eligibility and Referral

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Identification of Potential Participants

- 3.1 You are responsible for identifying and recruiting eligible participants to the ESF 2014 to 2020 provision. You should make links with other local organisations to market the provision within your Contract Package Area, ensuring you maximise opportunities in order to achieve the required participant numbers/sufficient participation.
- 3.2 This provision is voluntary and suitable applicants should be identified using different sources including but not limited to:

- Provider recruitment
- Jobcentre Plus
- Community and voluntary sector organisations
- Local Authorities
- GPs/Health workers
- self-referrals

3.3 Annex 1 and Annex 1a (London only) suggest local organisations you could work with to build potential customer links.

Eligibility and Referral Meeting

3.4 You must hold a face to face Eligibility and Referral Meeting with potential participants to discuss this voluntary provision and how it could help the individual; assess their eligibility; and, if appropriate, complete the referral documentation and issue leaflet ESF 2020 to inform the individual about the support they will receive from ESF.

3.5 It is an ESF requirement that all participants are informed about the support they are getting from ESF. The ESF 2020 leaflet outlines this. Further details including how to order the leaflets can be found in [DWP Framework Generic Provider Guidance Chapter 11b: ESF requirements 2014 to 2020 \(England only\)](#).

Eligibility for the Provision

3.6 It is your responsibility to verify with the potential participant **that they are entitled to work in the UK and eligible for the DWP ESF 14-20 funded provision**. You must ensure you retain evidence to confirm eligibility for ESF purposes for the full retention period as this will be an integral part of audit assessments. Should any ineligible participants be found to have participated on provision, we reserve the right to recover any corresponding overpayment of outcome fees and adjust any performance MI accordingly.

3.7 To be eligible for ESF, all participants must be legally resident and have the right to take paid employment in the UK. Participants must be aged 16 or over. There is no upper age limit for participants.

3.8 Individuals must be either **unemployed or inactive and** must fall into one or more of the following categories:

- Long term Unemployed and/or inactive (26 weeks or longer);
- Basic Skills need (Below NVQ level 1 or equivalent)
- Have more than one barrier to employment. Barriers may include:
 - a lone parent
 - an older worker (50+)
 - an ex-offender (please see Glossary of Terms for definitions)
 - Caring Responsibilities (including those returning to employment when caring responsibilities end)
 - have physical disability or health condition, including Sensory Impairments
 - Mental Health

- Learning Disability
- Drug/Alcohol dependency
- an ethnic minority
- have low or no qualifications (Below NVQ level 2 or equivalent)
- language barrier (English not first language)

This list is not exhaustive, however, any additional barriers must be agreed with DWP. Please raise this via your PM.

Refer to Annex 1 (Leeds, North East, D2N2 and London Older Workers) and Annex 1a (London Troubled Families) for any contract variances to eligibility. Note, for providers with eligibility variations in Annex 1 and 1a it is only section 3.8-3.11 of this chapter that do not apply to your provision. All other sections of chapter 3 need to be adhered to by ESF 14/20 providers as a whole.

- 3.9 The Long-term criteria set out in the generic eligibility criteria can be a combination of unemployment and inactive periods to make the 26 week period. Refer to Annex 1 and 1a (Leeds, North East, D2N2 and London)
- 3.10 Long term unemployed (over 26 weeks) relates to those individuals who are defined as being ‘unemployed over 6 months’ by Jobcentre Plus. This may not always be a continuous 6 month period as some periods of unemployment can be linked together and not affect the individual’s Employment Status with Jobcentre Plus i.e. they could remain ‘unemployed over 6 months’. This can happen where the individual has taken part in certain types of provision or had employment resulting in a break in their claim of 28 days or less. The DWP ESF Admin Team will confirm the Long-Term Unemployed eligibility criteria on receipt of the referral documentation therefore, if you cannot establish whether an individual meets the long-term unemployed category, you can refer to the provision and await confirmation from the DWP ESF Admin Team.
- 3.11 A potential participant will not be eligible to join your provision if they have previously completed/early completed DWP ESF provision within the same contract. Please see Chapter 5 for further details. In addition, they will not be eligible if they are already on any other excluded provision (see Annex 2).

Priority Groups

- 3.12 Individual LEP areas have requested that you should target specific groups as a priority, but not exclusively. These were outlined in the Invitation to Tenders (ItT) and are not to be confused with the eligibility groups above, which are much wider. People from these priority groups must still fulfil the eligibility criteria. The specific priority groups can be found in Annex 1 and Annex 1a (London).

Identity Check

- 3.13 You must ask participants to provide information for you to undertake an **appropriate** identity check.

3.14 Examples of suitable documentation for identity checks are:

- Passport
- Driving license
- proof of DWP benefit recipient
- Birth certificate
- Utility bill
- Visa or Work Permit or a combination of these

3.15 You should not keep copies of passports, driving licences, birth certificates or identity cards. All other evidence should be copied and retained as per paragraph 3.19. In the case of the documents specifically mentioned here, you will need to note the participant's file with the type of identity document seen and their reference/serial number.

3.16 Further information on the types of identity documents employers use prior to offering employment can be found here:
<https://www.gov.uk/check-an-employees-right-to-work-documents>

Eligibility Evidence and Supporting Information

3.17 Evidence or information to support your eligibility decision should be obtained at the Eligibility and Referral Meeting as best practice. If the required specific evidence is not available at this meeting, the participant should be asked to return with evidence at a convenient time.

3.18 The eligibility criteria which requires specific evidence are:

- UK resident
- right to take paid employment in the UK
- aged over 16
- unemployed
- receipt of benefits
- specific age requirements (e.g. over 50)

3.19 Where specific evidence is required you must obtain this before you send the referral documentation to DWP, unless the information relates to something the DWP ESF Admin Team can confirm such as unemployment benefit receipt and unemployed periods for the long-term criteria. If the participant does not have evidence relating to a specific DWP benefit/other DWP provision, you must not hold up the referral process, but state on the referral documentation that conformation is required from the DWP ESF Admin Team. You will still need to obtain and retain such benefit evidence that you may not have not received at the time of referral to ensure your full audit compliance with eligibility evidence.

3.20 The intention is to obtain documents that are readily available to the participant without the need to incur additional time, effort or costs trying to obtain something they don't currently have. Some eligibility is difficult to evidence and self-declaration by the participant is acceptable information to support your eligibility decision (see [self declaration](#) section below).

Preferred Documents for Assessing and Evidencing ESF Participant Eligibility

3.21 As with the identity check evidencing, you should not keep copies of passports, driving licences, birth certificates or identity cards. All other evidence should be copied and retained as per paragraph 3.19. In the case of the documents not to be retained, you will need to note the participant's file with the type of identity document seen and their reference/serial number. Eligibility evidence must be in accordance with the European Social Fund Evidence Requirements: Eligibility and Results Guidance Document which can be found using the following link: <https://www.gov.uk/government/publications/european-structural-and-investment-funds-eligibility-documents>

You should try to select an item of evidence that will verify more than one eligibility condition.

Criteria	ESF Evidence Requirement (only one item from list required)
Legally resident and have the right to take paid employment in the UK	<ul style="list-style-type: none"> • National Insurance Number: either the plastic card or letter from HMRC (you must have the right to work or study in the UK to get a National Insurance Number) • Full passport (EU member) • Full passport (non 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/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).

<p>Address/geographic location of individual</p> <p>Age – participants must be aged 16 or over. There is no upper age limit for participants</p>	<ul style="list-style-type: none"> • Home address • Letter/confirmation from home owner (family/lodging) • Full driving licence (EU) • Recent statement from bank/building society/credit card company/credit union • Evidence of registration on electoral roll • Benefits/State Pension notification letter • Recent utility bill or council tax demand/correspondence Tenancy agreement/documents • Mortgage statement/correspondence • HMRC correspondence • Rent card/statement • Solicitors correspondence <ul style="list-style-type: none"> • Birth certificate • Full driving licence • Full passport • National Identity Card (EU) • Firearms certificate/Shotgun licence • Pension statement (if date of birth is quoted) • Evidence that in receipt of age-related state benefits • Letter/confirmation from educational institution (if applicable)
<p>People not in work (Unemployed including long term unemployed)</p>	<ul style="list-style-type: none"> • DWP/Jobcentre Plus benefits decision notification letter – new claims award/decision or change of circumstances decision letter • Written confirmation from DWP/Jobcentre Plus or a referral from Careers Service

<p>People who are Inactive (see definition at Annex 8)</p>	<ul style="list-style-type: none"> • 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 (e.g. Non-Government Organisation (NGO), voluntary organisation, charity, third sector/not for profit organisation, social services or other professional providing support and guidance etc.) As an alternative to written confirmation, sight of original case notes and support records are acceptable. Photocopies must be suitably redacted to remove sensitive personal data or if photocopies are inappropriate or not permitted, a written agreement that auditors can access the original records on request • For full time students: <ul style="list-style-type: none"> • Correspondence from institution • Student ID card (if identifies name of institution) <p>If institution has locations in more than one programme region – must also identify main location</p>
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Self-Declaration

- 3.22 For some eligibility criteria it may not be possible to provide evidence, for example, if a lack of basic skills is an eligibility requirement there is no documentation to 'prove' this' (it is not possible to prove a negative). In this type of scenario, the participant must self-declare their eligibility.
- 3.23 A self-declaration will be needed where a participant is defined as Inactive or (see Inactive definition at Annex 8) or to show they have combined unemployed and inactive periods to meet the Long-term criteria. Self-declaration is also needed to support most of the eligibility categories. The only eligibility categories which require evidence, rather than self-declaration, are long-term unemployed, benefit entitlement and any age requirements i.e. over 50. You must evidence these as detailed in the tables above.
- 3.24 Where any of the following eligibility categories apply, a self-declaration must be completed by the participant:
- Long-term inactive or the combined inactive and unemployed period
 - basic skills need
 - a lone parent
 - an ex-offender (please see Glossary of Terms for definitions)

- caring responsibilities (including those returning to employment when caring responsibilities end)
- a physical disability or health condition, including sensory impairments
- mental health or learning disability
- drug/alcohol dependency
- an ethnic minority
- have low or no qualifications
- language barrier (English not first language)
- homeless people (Leeds LEP area only)
- young people aged 16-24, particularly those leaving care (Leeds LEP area only)
- autism and/or Dyslexia (Leeds LEP area only)
- Troubled families – the family definition and records relating to other people, e.g. children, dependents, caring responsibilities (London LEP area only)

3.25 Where they meet the long-term criteria with a combination of inactive and unemployed periods, a participant self-declaration must be completed to confirm that throughout the 26 week period they have either been unemployed or inactive and also to detail how they meet this criteria, noting the periods of each.

3.26 For London Troubled Families provision participants, this will include the barriers to work that they and/or their family members have. There is also a family definition requirement of eligibility for London Troubled Families provision participants which needs to be evidenced for ESF audit purposes. A self-declaration is required to provide specific detail, clarifying the members of the family and their living arrangements, e.g. how many children, their ages and whether they live in the participant's household. If they do not live in the same household, they will need to explain who they live with and the family connection.

3.27 Where a self-declaration statement will be used as evidence you must support participants in completion to ensure the information is specific and fully supports your eligibility decision. 'Specific' means that the information included to support the participant's eligibility must detail the circumstances relating to their inactive status (if appropriate) and individual barriers to work.

3.28 When supporting completion of the self-declaration you must respect the sensitive and personal nature of the participants information, which they may not want to include in their statement. It is acceptable for you to word and write the statement so long as it accurately reflects what the participant has said to you and they are content with the statement.

3.29 The self-declaration must provide sufficient information relating to the participants circumstances to show that the eligibility criteria has been met. Replicating the criteria wording or 'generic' statement such as 'I meet all applicable criteria' is not acceptable. The self-declaration must further explain their personal circumstances in relation to the eligibility criteria so that an

auditor (with no prior knowledge of the participant) can be satisfied with the evidence. For example, where someone is eligible because they are in categories “Carer” and “Disability”, the participant would need to state who they care for, what their caring responsibilities are and how this is a barrier to work. They would need to state the same type of information relating to their disability.

- 3.30 You should of course remain alert to the possibility that false information is being provided in order to gain access to ESF support. Suspected fraud must be properly investigated and you must not enrol participants unless satisfied, to the best of your knowledge, that they meet the criteria.
- 3.31 The self-declaration statement must be signed and dated by you and the participant. It is not to be sent to the DWP ESF Admin Team with the ESF1420 form, but must be securely held and easily retrievable and accessible with the participant records (as outlined in Chapter 6)
- 3.32 An example of an Eligibility Self-declaration Form can be found at Annex 3; you can use this or choose to create your own.
- 3.33 The onus on checking and confirming eligibility, and retaining appropriate evidence (as stipulated in paragraph 3.15 and 3.21), rests ultimately with you. It is not possible for this guidance to demonstrate all participant circumstances.

Referral Documentation

- 3.34 An ESF1420 form must also be fully completed for each eligible participant who has declared their wish to take part in your provision. The information captured on the ESF1420 will include:
 - Participant Details:
 - name, NiNo, date of birth, address, telephone number, email address
 - Participant Characteristics:
 - gender, labour market situation e.g. inactive / unemployed, basic skills, education level, household status (jobless household, jobless household with dependant children, single parent with dependant children), ethnicity, disability, ex-offender, homeless
 - the postcode of the venue where the Participant Engagement Meeting is to be conducted and initial Action Plan agreed
 - a declaration from the participant that they wish to participate in ESF provision and understand that the provision is funded by ESF and that their information will be stored and used to register them for ESF and future ESF evaluation
 - endorsement (signature) from the participant that the data provided is correct
 - details of the eligibility criteria the participant meets and what evidence you’ve seen and retained to support the referral to provision (including self-declaration, where appropriate)
 - endorsement (signature) from you that the information supplied is

correct to your knowledge and that you've seen documents confirming the participant's identity

- 3.35 You must send the completed ESF1420 form to the DWP ESF Admin Team within 5 working days of the participant signing. Contact details for where the ESF1420 needs to be sent are included on the form. You will be supplied with a Master copy of the ESF1420 form and instructions for completing it.

Last date for Referrals

- 3.36 All participants are required to complete provision by the end of the contract. For participants referred in the third year, it may not be possible for them to receive the full provision duration.
- 3.37 Referrals will take place during the 2 years from the Service Start Date, and may be extended into the third year of the provision period. DWP will, in discussion with you, determine the last date for referrals, taking into account the realistic prospect of you delivering the service and outcomes to participants who will not be able to receive the full provision duration. DWP will make the final decision. Any starts profiles for the third year will be agreed with you and included in a Contract Variation however; Cohort and Cohort Profiles will remain the same as for the first and second year of the provision Period. See Chapter 7 and Annex 9 for further information on Cohort and Cohort Profiles. The last date for referrals for London Troubled Families differs from this, see Annex 1a for details.

DWP/Jobcentre Plus Role

- 3.38 Jobcentre Plus is not a referring agent for your provision, but will signpost potentially suitable participants.
- 3.39 DWP/Jobcentre Plus will not determine the eligibility of potential participants. Where a person is identified to you through DWP/Jobcentre Plus you should not assume that they are automatically eligible and should conduct your eligibility confirmation checks as normal and retain any supporting evidence.
- 3.40 Once the DWP ESF Admin Team has received the completed ESF1420 form, they will carry out some confirmation checks that need to be made as part of processing the form.
- 3.41 Within 20 working days, the DWP ESF Admin Team will, by way of making the referral:
- confirm unemployment and periods of unemployment/long term unemployment
 - confirm that there are periods of unemployment within the long-term/inactive combined criteria for which you have retained a participant self- declaration as evidence that this criteria is met.
 - confirm to you that the potential participant is on any relevant benefit, if applicable
 - confirm that the potential participant is not on any of the other excluded provisions (see Annex 2)

- check that there is no information to contradict that the participant is Inactive where appropriate
 - take action to ensure a smooth transfer of participants who have moved from another DWP ESF contract
 - and either:
 - process the ESF1420 form, update DWP systems and confirm to you that the participant can begin provision by inputting a referral onto Provider Referrals and Payments (PRaP) within 20 working days;
- or
- return the ESF1420 form to you, within 20 working days, letting you know the reasons why any of the above requirements have not been met.

Claimant is referred in error

- 3.42 It is possible that, on occasions the DWP Admin Team may make a referral in error for a claimant who is ineligible or they were sent through due to an IT error.
- 3.43 Where the error is discovered and notified prior to acknowledgement and/or acceptance in PRaP - You are required to reject the referral in PRaP recording a rejection reason of 'Other'.
- 3.44 Where the error is discovered and notified after acceptance but prior to attachment in PRaP - You are required to cancel the referral in PRaP recording a cancellation reason of 'Did Not Start' (DNS).
- 3.45 Where the error is discovered and notified after attachment in PRaP – the DWP Admin Team will advise the PRaP Operational Support Team (POST) who will arrange for the referral to be 'backed-out' of PRaP. POST will then email you when this action has been completed and you must then cancel the referral in PRaP within 24 hours recording a cancellation reason of 'Did Not Start'.

Further information about working with DWP can be found in Chapter 2.

How DWP ESF 2014 to 2020 Provision fits with the Work and Health Programme/Work Choice and Specialist Employability Support

- 3.46 If a potential participant is already on the Work Programme (WP), Work Choice (WC) or Specialist Employability Support (SES) they will not be eligible for DWP ESF2014-2020 provision. If a participant joins WC or SES on a voluntary basis, when they are on DWP ESF 2014-2020 provision, they should leave the DWP ESF 2014-2020 provision and be recorded as an Early Completer (see Chapter 5).
- 3.47 If the potential participant is already on the Work and Health Programme they are ineligible to DWP ESF provision. If an ESF participant wishes to join the Work and Health Programme they cannot do so until they have completed/early completed the 14/20 provision.
- 3.48 Any activity to which a participant is mandated by Jobcentre Plus will take

precedence over a coinciding ESF activity.

Multi Agency Public Protection Arrangements (MAPPA) cases

DWP Notifying the Provider

- 3.49 When a MAPPA case is identified, the ESF 1420 Admin Team will contact the provider to advise that the claimant has been referred to ESF 1420 provision and will request the provider to contact the Jobcentre SPOC to discuss and confirm restrictions. The Jobcentre SPOC will also confirm if the case is a Special Customer Record (SCR).
- 3.50 Once the provider has been advised, the provider will confirm to the ESF Admin Team that they have discussed the restrictions with the Jobcentre SPOC and the referral can continue.
- 3.51 Following confirmation from the provider, the ESF Admin Team will make the appropriate referral.
- 3.52 If the case is a SCR, we will complete the checks and make the referral to provision as appropriate.

Provider notifies DWP ESF Admin Team that a case is MAPPA

- 3.53 If the provider is already aware that the claimant has MAPPA restrictions please submit the ESF 14/20 as the normal referral process ensuring you state 'Restrictions Apply' on the email subject header when sending through to the Admin Team.
- 3.54 If the provider is already aware that the claimant has MAPPA restrictions **with SCR**, they may post in a clerical ESF 1420 form directly to the ESF Admin Team, annotated 'Restrictions Apply'. The Admin Team will follow the process above.

**All clerical forms to be sent to:
ESF Admin Team
Department for Work and Pensions
2nd Floor, Brunswick House,
29 Price Street,
Birkenhead
CH41 6JN**

If you have any queries, please raise these in the first instance to CEP.ESF14-20ADMINTeam@dwp.gsi.gov.uk.

- 3.55 Further explanatory information about MAPPA cases is contained in [DWP Framework Generic Provider Guidance Chapter 2 – Delivering DWP Programme Provision](#).
- 3.56 In some instances, MAPPA cases may also have Special Customer Record (SCR) status. You must ensure that you treat these cases as you would any other SCR case.

Special Customer Records (SCR) - including MAPPA cases given SCR status

- 3.57 You may be informed by DWP that an individual has a SCR and that you must not keep any electronic records. If you are given this information before referral, you must send signed clerical copy of the ESF1420 to the DWP ESF Admin Team by secure post. The address details will be on the form.
- 3.58 If you make the referral electronically without knowing they have an SCR, you will be made aware when you send the ESF1420 form to the DWP ESF Admin Team, and will be asked to only keep clerical records for the potential participant.
- 3.59 As all SCR cases are dealt with clerically, the DWP ESF Admin Team will notify you that the participant is able to start provision, rather than confirming this using PRaP. You must then let the DWP ESF Admin Team know when the participant actually starts provision. To claim job outcome payments, you should send a photocopy of Page 1 of the ESF1420 form to the Provider Payment Validation Team (PPVT) accompanied by the relevant PRaP11 form.
- 3.60 Further explanatory information about SCR cases is contained in [DWP Framework Generic Provider Guidance Chapter 2 – Delivering DWP Programme Provision](#).
- 3.61 **Please Note:** As there will be no computer records for these participants, once you have engaged with the participant and they have signed an initial Action Plan, you must ensure you set up a prompt to notify you when the participant has completed 52 weeks on ESF provision.

Sharing Participant information with other parties

- 3.62 You can discuss participants case studies with other parties only where it would be of further benefit to the participant.
- 3.63 The form at Annex 4 is an example of the type of consent that enables you to share information, for example during case conferences. Please note this is a separate consent to that given in the ESF1420 form, which is only for the sharing of information between you and DWP.

Minimum Service Standards and Complaints

- 3.64 You must provide written information setting out your minimum service standards so that participants know what they can expect from you before they take part in the provision.
- 3.65 When you first interview the participant you should explain their rights and responsibilities whilst on the programme and provide details of the first step in your complaints process, [see DWP Framework Generic Provider Guidance Chapter 2 – Delivering DWP Programme Provision](#).
- 3.66 If the participant is still unhappy with your response to their complaint, they can escalate their concerns to the Independent Case Examiner (ICE). You can find an example of the standard wording for your final response to the participant in Annex 5.