

Welcome Back Fund (WBF)

Frequently Asked Questions V1 – 23 April 2021

Please Note: These FAQs relate to the WBF Guidance Version 1 – 16 April 2021. These FAQs build on and replace the previously published Reopening High Streets Safely Fund (RHSSF) FAQs V.7. For any queries, please contact the central fund inbox at RHSSFund@communities.gov.uk.

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ELIGIBILITY

1. What are the WBF eligibility rules?

Answer: The scope of the WBF includes eligible activity from RHSSF (strands 1-4) along with two new strands of activity (5 + 6) as set out in the WBF Guidance. The same ERDF eligibility rules will apply as they did in RHSSF. In general activities should be eligible under the WBF if they are set out in a local authority's funding agreement with the CLGU team and:

- It is additional i.e. it must not substitute planned domestic expenditure.
- It is revenue expenditure, capital is excluded (see [ERDF Guidance](#)).
- It is not categorised as [State Aid](#).
- It is compliant with ERDF programme rules (see [branding](#) and [procurement](#) requirements).

For the avoidance of doubt, all activity considered eligible under strands 1-4 of the RHSSF can still be delivered through the WBF as part of your new, combined allocation in addition to the eligible activity outlined within this document.

Questions related to Strand 1 - Support to develop an action plan for how the local authority may begin to safely reopen their local economies.

2. We would like to procure a consultant to deliver WBF activity, is this eligible?

Answer: The procurement of consultants to deliver WBF activity is eligible, provided the procurement process is ERDF compliant and directly linked to the delivery of one of the strands of eligible activity, e.g. support to develop an action plan or to provide business-facing support. This could be a dedicated officer for the delivery of Covid-19 recovery projects and plans at the local level.

Questions related to Strand 2 - Communications and public information activity to ensure that reopening of local economies can be managed successfully and safely.

3. Are High Street Ambassadors/Wardens eligible?

Answer: The provision of roles to support delivery of a local authority High Street Strategy/ Action plan is permitted and is eligible under strand 2 of the WBF. Sometimes these roles have been described as 'High Street Ambassadors/Wardens'.

- This role is to provide information to the public on the High Street or Neighbourhood Shopping Area (NSA) on the measures in place to ensure the safe reopening.
- This could include:
 - advising the public on Covid-19 regulations such as social distancing and wearing a face covering.
 - directing the public to hygiene stations.
 - leafleting; advertising walker; verbal messaging.



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- ensuring the public are aware of any temporary public realm changes in place to support the safe reopening of their High Street/Neighbourhood Shopping Area.
- A High Street Ambassador must be a new, paid, full-time equivalent (FTE) job on a fixed term contract, created from 1st June 2020 onwards.
- In claiming for the role, you will be required to provide evidence of the role and its purpose, this includes written confirmation of the post, start date, duration, and the number of hours per week. The letter must state the role is funded by ERDF as WBF activity and include both the HMG and ERDF logo.
- **WBF High Street Ambassadors have no enforcement powers.** However, they may be used to in addition to provide information to the public in the High Street or Neighbourhood Shopping area on the measures in place to ensure the safe reopening of these areas.
- Materials and tools needed for the role are eligible under the fund. Please ensure you follow ERDF regulations for this expenditure to be eligible.
- A Communication/ Information Officer, which is already eligible under the WBF, remit may be expanded to include the role of a High Street Ambassador.
- You should ensure you continue to follow ERDF regulations in relation to branding and publicity. This is set out on page 13 of the WBF Guidance.

Questions related to Strand 3 - Business-facing awareness raising activities to ensure that reopening of local economies can be managed successfully and safely.

4. *Can the WBF be used to support privately owned shopping centres or on privately owned land?*

Answer: Support for privately owned spaces is not within scope of the WBF. Local Authorities are encouraged to work in partnership with public sector landowners when implementing temporary public realm changes. Support for privately owned spaces is not within scope of the six types of eligible activity listed in the WBF Guidance

Questions related to Strand 4 - Temporary public realm changes to ensure that reopening of local economies can be managed successfully and safely.

5. *Is there any flexibility around physical interventions that might add value to the safety and appeal of our High Streets over a slightly longer period?*

Answer: As set out in the WBF Guidance on page 8, this is a revenue only funding project intended to help local authorities address the longer-term impact of Covid-19 on local economies. This can include activities that last as long as restrictive measures are in place as well as activities that help future proof High Streets.

Temporary measures mean interventions that are;

- revenue expenditure only;
- items/activity that are moveable; and
- directly or indirectly connected to the purpose of making high streets, neighbourhood shopping areas and public spaces more Covid-secure.

6. Are we able to work in partnership with Local Highway and Transport Authorities when planning and implementing areas of work within scope of the WBF?

Answer: As per the WBF Guidance, councils in receipt of WBF funds are encouraged to work in partnership with relevant organisations when developing and delivering activities in scope of the WBF, this includes Local Highway and Transport Authorities. Subject to the terms included within the Grant Funding Agreement, Delivery Partnerships can be created with such organisations where there is a need for the defrayal of financial costs to deliver eligible activity – please see question 33 for more information.

7. Can we fund hand sanitiser stations on the High Street/Neighbourhood Shopping Areas?

Answer: The provision of hand sanitiser stations on the street in supported areas would be an eligible cost under strand 4 of the WBF. As per question 13, this activity must not replace already committed expenditure.

8. We would like to purchase planters to act as barriers on designated High Streets and Neighbourhood Shopping Areas. Is this eligible for WBF Funding?

Answer: The purchase or installation of planters capable of being removed is eligible for funding under the WBF fund. As set out in the WBF Guidance page 8, this is a revenue only funding project and permanent changes are not permitted.

In addition:

- Planters must not be located on privately owned land and not directly benefit only a single business within the locality.
- The cost of purchasing planters should be reasonable and demonstrate value for money.

Additionally, the maintenance of planters are in scope of the WBF, although staffing costs must adhere to the staffing principles as set out on page 16 of these FAQs. Local authorities can also undertake procurement of a provider to maintain the planters for the period of use. All procurements must follow full ERDF Procurement [rules and guidance](#).

[Questions related to Strand 5 - Support to promote a safe public environment for a local area's visitor economy.](#)

9. Can the WBF be used to support events?

Answer: The WBF can be used to support and promote safe events under strand 5. All activity undertaken should respect the most recent social distancing guidelines as per the [Safer Public Places guidance](#) and the [Guidance for managing beaches, the countryside](#), and need to be part of the local authority's Covid-19 recovery plans. Activities of a celebratory nature or town relaunch for example are eligible, this is not exhaustive. This activity must be additional and procured in line with the ERDF Procurement Guidance – internal recharges are not eligible and state aid considerations should also be taken into account.

Please note that this funding cannot support activities which provide direct revenue generation for local authorities as income/payments for the creation/running/maintenance of events. Activity is limited to public space (land in public ownership).

10. Are Marshals eligible?

Answer: The provision of Marshals is eligible under strand 5 of the WBF. This role is to provide support to the public in public spaces and is not limited specifically to activity on High Streets. The roles may be put in place to serve an on-going need or a short term need to support specific events. Several roles fall under this job title including but not limited to:

- Helping control the flow of people, footfall and traffic as well as support to ensure social distancing guidelines are adhered to.
- Support public space cleaning and maintenance including litter picking, graffiti removal and toilet provision.

Marshals should not be used to directly support revenue generating car parks.

In addition:

- Similar to Ambassadors/Wardens, a High Street Marshal must be a new, paid, full-time equivalent (FTE) job on a fixed term contract.
- In claiming for the role, you will be required to provide evidence of the role and its purpose, this includes written confirmation of the post, start date, duration, and the number of hours per week. The letter must state the role is funding by ERDF as WBF activity and include both the HMG and ERDF logo.
- Necessary materials and tools needed for the role are eligible under the fund. Please ensure you follow ERDF regulations for this expenditure to be eligible.

Local authorities should look to agree spending plans on Marshals before recruiting to ensure the activity is eligible.

11. Are we able to fund market stall coverings, or new gazebos to enable more businesses to trade outdoors?

Answer: This is eligible under strand 5 of the WBF. The material should only be deployed in public spaces on public land and must not be located on privately owned land. All eligible activities are to be delivered in a way that does not result in State Aid. For example, the provision should be available to all and at no cost. The material includes gazebos, marquees and stall coverings though this is not an exhaustive list. In addition:

- Where activity is to be located adjacent to businesses, it should benefit more than one business.
- The cost of purchasing gazebos or stall coverings should be reasonable and demonstrate value for money.

12. We want to fund public space maintenance and improvements, for example signage/lights/benches/bunting. Is this eligible and how can we demonstrate additionality?

Answer: These activities are eligible as per strand 5 of the WBF Guidance which allows for beautification activities to boost the look and feel of High Streets.

The WBF is intended to be additional it should not be replacing source funding for already committed expenditure and must provide additional value through the intervention.

13. *Can we spend funds outside our core town centre, i.e. neighbourhood/district centres, precincts etc?*

Answer: As per the WBF Guidance, the temporary public realm Covid-19 adaptations can be made across High Streets or Neighbourhood Shopping Areas. These are not restricted to your core town centre; however, they should be within the boundaries of your local authority area. The WBF allows a more flexible approach supporting public space, it does not necessarily need to be adjacent to commercial areas, making it easier to support for example promenades and other public areas.

14. *Can WBF funding be utilised to support the changes required to enable the reopening of public toilets?*

Answer: Under strand 5 temporary changes to toilets are eligible for funding. This could include:

- Additional toilet provision such as portable toilets.
- Repairs and maintenance associated with temporary changes to toilets.
- Cleaning regimes, consumables and staffing arrangements (staffing costs must adhere to the staffing principles as set out on page 16 of these FAQs).

This activity is limited to public space (land in public ownership). Privately owned facilities, for example toilets in privately owned shopping centres, are not eligible for cleaning/cleansing.

15. *Can we fund seating areas and greener, more attractive/accessible public spaces?*

Answer: The purchase, improvement or installation of moveable seating and the provision/improvement of green and accessible public spaces is eligible for funding under strand 5 of the WBF fund.

In addition:

- Seating/new spaces must not be located on privately owned land.
- Where activity is to be located near to businesses and there is more than one business in the locality, the benefit must be to more than one business.
- The cost of purchasing seating or setting up new green spaces should be reasonable and demonstrate value for money.

16. *Can we make changes to parking bays directly on High Streets or identified Neighbourhood Areas?*

Answer: The WBF can be used to make temporary changes resulting in the removal of pre-existing parking bays on identified High Streets and neighbourhoods to allow for social distancing on pavements.

Parklets and the erection of seating within parking bays and publicly owned car parks is also within scope of strand 5 of the WBF fund. No WBF activity should directly result in State Aid.

17. Are we able to claim the costs of the revenue lost through maintaining paid carparking spaces as free spaces to encourage people back to the High Street?

Answer: Loss of carparking revenue cannot be claimed under the WBF.

18. Can we fund new cycle lanes, paths and cycle storage?

Answer: Temporary changes to pre-existing cycle paths/lanes which are located on identified High Streets and Neighbourhood Areas and directly linked to the changes to footpaths for social distancing are within the scope of WBF funding under strand 4.

The funding of new cycle paths or lanes is not within the scope of the WBF fund and cannot be claimed. Furthermore, activity under strand 5 can be undertaken in public areas that are not adjacent to commercial areas, for example, promenades or other public areas.

As long as they are removable, the provision of storage for bicycles such as racks is within scope of the strand 5 of the WBF. As set out in the WBF Guidance page 8, this is a revenue only funding project and permanent changes are therefore not permitted.

19. Can the fund be used to create/develop websites/apps?

Answer: This is within scope strand 5 of the WBF. The production of websites would need to be directly in line with scope of the WBF fund and focused on the provision of information relating to the creation and promotion of a safe environment for local trade and tourism. This includes but is not limited to Click and Collect /Virtual High Streets and websites promoting safe celebration events.

Full [ERDF branding](#) and [procurement](#) requirements must be adhered to.

[Questions related to Strand 6 - Support local authorities to develop plans for responding to the medium-term impact of Covid-19 including trialling new ideas particularly where these relate to the High Street.](#)

20. What do you mean by activities that help to future proof High Streets?

Answer: Local authorities can use the WBF to support the development of local plans to ensure the medium to long-term success of your local economy. This could build on an existing short-term recovery plan, but it's important to consider long-term strategic and operational aspects local authorities need to put in place now.

The High Streets Task Force has published a [Transformation Route Map](#) which helps place leaders to identify priorities from four strategic approaches to renewal:

- Restructuring (building the capacity and partnerships to deliver change);
- Repositioning (using data to develop an inspiring vision);
- Rebranding (establishing an identity and sense of place); and
- Reinventing (activating and animating your place with diverse activities).

Local authorities may wish to use the WBF to finance a new position or a secondment (from either within the local authority or another relevant organisation, such as a Town Council or



Business Improvement District) to develop such a plan or route map, as well as coordinate some specific development processes such as local engagement.

As part of this, the WBF could also support:

- Work to establish local partnerships and networks.
- Sector-specific engagement and support.
- Place-based capacity building exercises to support place managers and leaders.
- Capacity building (i.e. training) for local place managers and leaders to respond adequately to future economic shocks.
- Piloting activities to test how events and High Street offers can be restarted and maintained safely.
- New positions or secondments (from either within the local authority or another relevant organisation, such as a Town Council or Business Improvement District).
- Coordination of local plans or projects for recovery.

21. Are all of the interventions listed in the *Safer Public Spaces Guidance (section 4.2)* and the *Guidance for Managing Beaches, the Countryside and Coastal Areas* eligible?

Answer: The WBF is not intended to fund all of the interventions listed in the [Safer Public Spaces guidance](#) and the [Guidance for Managing Beaches, the Countryside and Coastal Areas](#). The six strands of eligible activity under this fund are defined in the WBF Guidance and this FAQ document.

EXPENDITURE AND REQUIREMENTS:

22. How long can activities to be delivered through the Welcome Back Fund last?

Answer: The financial completion date for the WBF is 31 March 2022. We expect activity to end by 31 March 2022 however there is potential for activity to extend beyond 31 March 2022 in certain circumstances.

For example:

- If you have a contract for a supplier to install, maintain and then remove barriers, then as long as it's started before 31 March 2022 (both defrayed and barriers installed), the activity could be delivered beyond this date as long as it's been procured as one contract and the standard terms are to pay for it all up front.
- The same would apply for a footfall supplier contracted prior to 31 March 2022 (where the standard terms are for a one-year contract or subscription).
- We would not be able to fund salaries or other accruals after 31 March 2022.

23. Strand 6 of eligible activity refers to 'responding to the medium-term impact of Covid-19.' What does this mean?

Answer: This strand is complementary to strand 1 but recognises that the impact of Covid-19 on local economies will be significant beyond the immediate reopening of High Streets and town centres.

The High Streets Task Force defines medium term activities that range between 3-5 years. Therefore, in addition to the development of reactive action plans to ensure a safe and successful reopening under strand 1, and strand 6 local authorities are able to develop plans to address the medium-term, ongoing impacts of Covid-19.

This could include, but is not limited to:

- Research to inform the development of a local strategic plan over a longer term.
- Development of pilot projects and strategic responses to address and reverse the long-term impacts of Covid-19 on local economies, particularly where they relate to the High Street.
- Strategies to assess and evaluate the impact of current activity being delivered to manage the local economy post-reopening safely and successfully.
- The development of datasets including footfall, vacancy rates and sentiment data.

24. As this funding is an expansion to the RHSSF, are we required to resubmit a Grant Action Plan or Grant Funding Agreement (GFA)?

Answer: MHCLG will issue a WBF Activity Form to identify and agree local authority proposals in response to the WBF.

Local authorities with existing GFAs will then need to enter into an agreement to vary current GFAs. Local authorities without a GFA currently in place will need to enter into a new GFA.

Once GFAs have been varied or created and new activities have been agreed with Contract Managers through a Welcome Back Fund Activity Form, we will be able to reimburse expenditure through the quarterly claims process.

Speak with your Contract Manager to confirm eligibility of new activity before spending at risk. Additionally, as outlined within the WBF Guidance, all existing activity under the RHSSF remains eligible, remaining unspent allocations can be rolled over and combined with RHSSF/WBF allocation.

25. We would like to extend an existing contract, i.e. footfall or consultancy services to continue up to 31 March 2022 but are concerned that the new contract amount will exceed the minimum procurement threshold. What are the implications of this?

Answer: The final date for WBF project delivery is 31 March 2022. This can include contracted activities and services, though extensions to activities will need to be within the scope of any existing procurements/contracts. If you are considering extending an existing contract, you will also need to ensure that all aspects of the procurement remain compliant with ERDF guidance.

For example, if the original contract value is below the threshold of £25,000 and an extension of the contract (which, as a rule of thumb, can be up to 50% on top of the original contract value) takes the overall value above £25,000 then the contract must then be advertised in accordance with the ERDF Procurement Guidance. Consideration should also be given as to whether this is a new contract due to unforeseen circumstances or an extension of an existing contract.

26. Will the 4% management costs from the RHSS funding still be available in the WBF?

Answer: The amount available to you under the 4% Management and Administration allocation will increase commensurately with your funding allocation.

27. Can we still claim 15% Flat Rate Indirect Costs (FRIC) for direct staff costs?

Answer: 15% FRIC can be claimed for eligible, direct staff costs. Please speak to your Contract Manager if you have any queries about staffing or the submission of claims.

CONTRACT MANAGEMENT AND CLAIMS:

28. How is the money going to be awarded?

Answer: Once GFAs have been varied or created and new activities (under strands 5 and 6) have been agreed, funding can be reimbursed from MHCLG in arrears through a quarterly claims process.

29. When can we start to spend our new allocation?

Answer: As the WBF Guidance has now been published local authorities can spend WBF allocations at risk however we encourage local authorities to agree proposals with MHCLG as early as possible.

30. Does the initial RHSS funding still need to be spent by 30 June 2021, or can we now use it with the new funding to spend before 31 March 2022?

Answer: The WBF is an extension to the original RHSSF project. This means that original allocations under the RHSSF can be rolled over and combined with new WBF allocations until March 2022.

31. Can we combine our allocation with another local authority?

Answer: Two local authorities may combine their WBF allocations if they wish.

- One council would be designated the lead local authority who would enter in the GFA with MHCLG, the other local authority would enter into a delivery partner agreement with the lead principle local authority.
- This would then be treated as one allocation, with the two local authorities able to split funding across the combined geography as agreed between them.
- Both local authorities would need to be in the same ESIF Category of Region in order for this to be considered. Category of Region listings can be found [here](#).
- We would need written confirmation from both parties that both are content to enter into such an arrangement. This should evidence that it has been considered at the appropriate level within each council and confirm who will be the lead local authority.
- This is in addition to the existing option for local authorities to enter into delivery partner agreements with other tiers of local authority who do not have an WBF allocation, (for example parish councils).

If you wish to pursue this as an option, please contact the WBF mailbox in the first instance. RHSSFund@communities.gov.uk.

32. Can we access the Welcome Back Fund if we didn't originally access the RHSSF?

Answer: WBF allocations (including previous RHSSF allocations) are available to all local authorities. Local authorities without a GFA currently in place will need to enter into a GFA. Please contact MHCLG via the inbox at RHSSFund@communities.gov.uk if you are interested in taking up this funding.

33. *What are the expectations and requirements for Delivery Partnerships under the Welcome Back Fund?*

In delivering this funding we expect to see engagement with businesses, business organisations, lower tier authorities (such as town and parish councils) and other relevant stakeholders as part of the development of Welcome Back Fund plans. However, we understand that different areas will prioritise different activities according to local need it is for local authorities to determine the best delivery mechanism by which to do this.

If you identify another organisation (such as a Town/Parish Council, Business Improvement District or other relevant stakeholder) as the most appropriate provider for any eligible activity you can deliver said activity through a Delivery Partner arrangement subject to the terms included within the GFA.

An ERDF Delivery Partnership is a financial arrangement where the other organisation can defray costs themselves in the same way that the lead local authority with an WBF allocation can. This means that the lower tier would also need to adhere to the same ERDF rules on procurement, branding, and publicity and so on. Please note all ERDF Delivery Partnership arrangements will require a Service Level Agreement (SLA) with the identified Delivery Partner (we are not able to provide a template SLA).

Any Delivery Partner will need to adhere to the requirements set out in the WBF Guidance and ensure compliance with ERDF rules on procurement, branding, and publicity. At the claims stage the principle local authority will need to ensure that the Delivery Partner has the appropriate systems in place and evidence to support financial claims for reimbursement of funding from MHCLG.

34. *Who can be a Delivery Partner?*

Answer: If identified as the most appropriate provider, eligible activities can be delivered through Delivery Partnership arrangements with organisations such as, but not limited to:

- Town/Parish Councils.
- Country Councils.
- Local Highways or Transport Authorities.
- Business Improvement Districts, Chambers of Commerce (or other relevant Business Representative Organisations).
- Destination Management Organisations.

Please note that whilst the above list is not exhaustive, you should speak to your Contract Manager when identifying any potential Delivery Partner.

35. *We do not wish to create a financial Delivery Partnership arrangement but still want to demonstrate engagement with local stakeholders. How can we do this?*

Answer: ERDF Delivery Partner arrangements may not be suitable in every case where a lower tier of authority does not necessarily require the ability to defray financial costs, i.e. a town council may wish to contribute ideas and feedback on local priorities and the delivery impact of activities whilst not directly spending a WBF allocation. Local authorities can in this instance, demonstrate engagement and consultation with local partners by providing a



summary of an outline of engagement activities proposed or undertaken. This will be initially reviewed through the WBF Activity Form and through quarterly progress monitoring reports.

BRANDING AND PUBLICITY:

36. Are we required to comply with ERDF Branding and Publicity?

Answer: Local authorities are required to fully comply with the ERDF Branding and Publicity Guidelines for all activity including the temporary installation of planters. Please read the Branding FAQ for further information and follow the ERDF Branding and Publicity Guidance.

37. What are the requirements for the use branding logos?

Answer: Local authorities are required to use the HMG and ERDF logos as this is a national project. You may choose to use regional logos in addition if you wish.

If you have previously used a regional logo alongside the ERDF logo, we would not consider this ineligible. However, moving forward, as set out in the WBF, the HMG logo should be used alongside the ERDF logo.

38. Are the branding and logos required to be printed on every piece of signage, pavement sticker or temporary public realm adaptation, for example?

Answer: Local authorities are required to ensure that all activity funded by the WBF is compliant with the ERDF Branding and Publicity Guidance and the WBF Guidance which states:

‘Display of at least one poster of minimum A3 size, readily visible to the public (e.g. the entrance area of a public building) at the location of the activities being implemented and containing information on the work being delivered’

Posters or display boards will need to be located prominently in at least one location for each Highstreet or neighbourhood area where WBF activity is in place.

PROCUREMENT:

39. We have followed our council's procurement guidelines on expenditure at risk and this differs from ERDF guidelines. Does this matter?

Answer: All procurement that you wish to claim through the WBF must have been undertaken following the [ERDF Procurement Guidance](#).

40. Can we use Existing Suppliers for WBF activity?

Answer: Local authorities may use existing frameworks where they have been compliantly procured (e.g. correct procurement route, Official Journal of the European Union -OJEU- requirements have been met), in which case the framework documentation would not need the ERDF/HMG logos. However, call offs from that framework to be used for the WBF project would need to be compliant with both ESIF procurement and branding requirements. Existing contracts, which have now expired, are not a basis for direct awards.

41. Can we use Single Tender Justification Forms?

Answer: Where there is only one possible supplier, you would need to retain evidence of such and complete the Single Tender Justification Form. We are unable to approve these, but you will need to submit them to your Contract Manager. There are very few instances where a sole provider of a service or item can be adequately evidenced.

42. Can we use the Extreme Urgency Route set out in Regulation 32 of the Project Change Request?

Answer: The EU Commission are very unlikely to consider any procurement or activity undertaken for the WBF to constitute 'Extreme Urgency' and therefore the use of the Extreme Urgency Route is not recommended for any procurement associated with the WBF.

For both OJEU and sub-OJEU contracts using the Extreme Urgency Route set out in regulation 32 of the PCR is increasingly risky. Any Grant Recipient claiming to be able to make a direct award under that route will have to provide very clear and irrefutable evidence that they meet every limb of the tests set out in that regulation.

43. What are the VAT requirements?

Answer: As per page 29 of the [ESIF Procurement Requirements](#), threshold values are exclusive of VAT.

44. What if we are not able to obtain 3 quotes for relevant procurements?

Answer: It is considered very unlikely that 3 quotes would not be obtainable for the activities eligible within the WBF. Should the activity be of such a unique nature that not more than two companies can be found or provide quotes, this would need to be evidenced to demonstrate that 3 quotes have been attempted and the rationale as to why they could not be secured.



45. *Is there any flexibility on deviating from the ERDF procurement process?*

Answer: We are unable to 'sign off' local authority deviations from the processes set out in the Procurement Requirements. If extenuation circumstances exist as set out in the ERDF procurement guidance, local authorities would need to complete Annex 2 or 3 of the Guidance as applicable and submit to their Contract Manager for consideration.

46. *Can we procure at risk before WBF Plans are agreed?*

Answer: Procurement can be undertaken at risk during the pre- contracting period. The actual final details of each procurement will be captured at claims and reviewed for compliance with [ERDF Procurement Guidance](#).

STAFFING:

47. What are the Staffing Key Principles for the WBF?

Answer:

- WBF should not be replacing the source for already committed expenditure.
- WBF can't be used to pay for sunk costs.

If the local authority has a member of staff who could write the Action Plan or undertake the public facing communications activity for example, within their existing, normal hours, then the local authority could not claim their hours as an WBF eligible cost.

If the local authority has a works department or design team that could do the work in their existing hours, then that would not be an eligible cost. If those staff have no spare capacity, then overtime is eligible as long as the tasks are additional to the pre-existing tasks and the underlying activity is eligible in itself under the WBF guidance. The local authority would need to be able to evidence and justify the use of overtime in this scenario. Hourly rates would be required and would be based on the basic annual salary (see ERDF Eligibility Guidance for details). No overtime premiums would be claimable.

Where the local authority does not have current staff employed to carry out the activity, you may employ new staff to do so as long as the underlying activity is eligible in itself under the WBF Guidance. It must be directly aligned with one of the four strands of activity. For the avoidance of doubt, project administration or project management staff costs are only claimable within the 4% Management and Administration allowance (within your total WBF allocation).

Where local authorities have staff within their employment who do not currently work full time or they are not currently employed to undertake the broad type of work within scope, their hours may be increased with an appropriate HR letter and following ERDF Eligibility Guidance to enable them to undertake the necessary activity. Staff time will be claimed using either hourly rate (timesheets) or fixed percentage methodology, set out within the ERDF Eligibility Guidance.

Staff could in principle be re-deployed to undertake an eligible activity as an alternative to employing additional staff or procuring contract staff, but if so, Value-for-Money would need to be evidenced. The re-deployed staff member's costs could only be claimed at the salary rate appropriate for that role, and not at the staff member's existing rate. It would also be necessary to show the costs of the re-deployed staff member were not a sunk cost for the local authority. Thus, a staff member currently at 0.5 FTE who increases that to 0.75FTE to be re-deployed to undertake a WBF activity during the extra 0.25 FTE, could claim the additional 0.25 FTE cost. However, a staff member not currently employed to undertake a RHSS activity and who is not increasing the hours they work at the local authority, is likely to be a sunk cost to the local authority – the local authority has to pay that employee's costs anyway, so if they are re-deployed to WBF work there is no marginal cost to the local authority and so the cost could not be claimed.