#### **GUIDANCE NOTES**

This is a discretionary grant provided by Welsh Government to provide financial assistance for individuals who have barriers to starting up a business in Wales.

### PURPOSE OF THE GRANT

The purpose of the grant is to enable economically inactive and unemployed individuals aged 25 years and over to start up a new business in Wales and will particularly target individuals that are facing barriers to business start-up and the employment market. This grant will be in addition to other business start-up support offered through Business Wales. For those aged under 25 please refer to the Young Persons Start-up Grant

#### **BUSINESS WALES**

Business Wales provides tailored support to start—up, micro and small and medium sized businesses in Wales. The service can help you understand what your needs are and provide tailored support packages including access to online tools, workshops & webinars, general and specialist advisers, and mentors. In addition to working with you on a business diagnostic and action plan, our advisers can also provide targeted financial advice and access other support that you might benefit from.

To find out more, please visit https://businesswales.gov.wales/starting-up/

### WHO CAN APPLY?

A grant of **up to** £2,000 is available to help individuals aged 25 years and over to overcome barriers to starting a business. Applications are open to individuals who are economically inactive and unemployed.

In allocating funding, priority will be given to those individuals that are facing barriers to business start-up and are furthest away from the employment market.

### **Eligibility Criteria**

To apply you should be:

- Looking to start up a new self-employed business in Wales.
- Economically inactive or unemployed.
- You have a viable business proposal that will provide sufficient personal income.

### **Unemployed Definition**

People who are currently not working but who are looking and are available for work in the next two weeks.

### Economically Inactive Definition

People who are neither employed nor unemployed. They are not in paid work, have not been seeking work within the last 4 weeks and /or are unable to start work within the next 2 weeks. This may be for a variety of reasons including being retired, looking after family, being a student or being disabled or too ill to work.

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The Welsh Government's <u>Employability and Skills plan</u> aims to achieve a fair and equitable labour market in Wales. To create a more equal Wales, a society that enables people to fulfil their potential no matter what their background or circumstances, and an inclusive workforce that reflects society and our communities.

The Barriers to Start-up support and grant will target all communities and reach out to individuals under-represented in the labour market. This includes Black & Asian & Minority Ethnic (including migrants) and disabled people. The Social Model of Disability aims to remove the barriers that are limiting the independence of disabled people (These barriers include the attitude of others, the physical environment, or organisational barriers).

Applicants must provide evidence that they are not in work, economically inactive, unemployed or not in education or training. This can include, P45, receipt of benefits, Bank Statements, Redundancy Letter, DWP Letter.

### **Associated Information on the Grant**

This grant and associated business support is intended to help those individuals that are facing barriers to business start-up and are furthest away from the employment market. In providing this grant the Welsh Government is making an investment in you and your business proposal. In accessing the funding, you will receive start up support and will need to demonstrate within the application the viability of your start up business and proposed income.

- Applicants will need to complete an expression of interest (EOI) document. This can be accessed from the Barriers to Start-up Grant for 25-year-olds and over <u>webpage</u>. Once completed the expression of interest document must be returned to <a href="mailto:Barriers4SUG@BusinessWales.org">Barriers4SUG@BusinessWales.org</a> along with proof of economic inactivity or unemployment.
- Once the EOI and proof of economic inactivity or unemployment has been received applicants will be contacted by the Business Wales administration team and registered with the Business Wales Advisory Service.
- Applicants will be offered pre-start additional 1-to-1 support and confidence building webinars to reduce barriers to entry for those furthest from the start-up and employment market.
- Applicants will then be assigned a Business Wales advisor who will assist with completion of application form and financial plan and accessing further start-up support.
- Applicants need to declare that they have no other (or limited) sources of funds or are unable
  to access any other start-up funds or can only secure part funding to support the set up or
  running costs of the business.
- Full application, supporting business case and financial plan must be submitted at least two
  weeks **before** starting the business. Grants cannot be awarded once the business has started
  trading.
- The grant is intended to assist individuals at the pre-start phase of setting up a business by contributing towards the essential costs of starting the business (details of costs must be included in the application form).

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The grant is for revenue expenditure only. This means only expenditure that will appear in your Profit & Loss Account is eligible.

### Eligible expenditure could include.

- Specialist support consultancy fees, ICT, export, marketing, lean methodology etc.
- Legal/professional advice
- Training costs
- Equipment (up to the value of £1,000) Where it is not considered capital cost by appearing on the company balance sheet.
- Operating costs directly related to business activity. Consumables are not considered operating costs.
- Please note this list is not exhaustive and applications are appraised on a case-by-case hasis
- Note: The grant is not intended to support personal drawings from the business.
- The applicant intends to make or is working towards making the business their main source of income and / or employment. Therefore, the applicant must provide a viable business proposal that will provide sufficient personal income
- Applicants will be required to provide evidence that the company has started trading, e.g., copy of the first invoice and has taken steps to register the business for its chosen entity (e.g., limited company status / self-employment with HMRC). This is gathered post-start date.
- Only one application will be accepted per business.
- Applications must be submitted by the individual applying for the grant and not agents acting on their behalf.
- Applicants will need to declare any other and current financial support from Government or Local Authorities over the last 3 fiscal years. Those individuals who have been in receipt of the Town Centre Entrepreneurship Fund or previous rounds of the Barriers to Start-up grant are ineligible for this phase of the Barriers to Start-up grant.
- Once the grant money has been paid to the applicant, they should endeavour to start the business as soon as possible. Failure to do so could result in Welsh Government and/or its appointed contractors reserving the rights to reclaim the funds.
- Grant funding forms part of the trading income of the business and is therefore taxable. It is the
  responsibility of the applicant to declare it to HMRC. Information can be sought from your
  business advisor.
- As recipients of public investment, applicants will be asked to review their business practices regarding sustainability and equality and as a minimum will need to sign up to the Business Wales Green Growth Pledge and the Equality Pledge. Details of this can be found on the <u>Green Growth Pledge</u> and <u>Equality Pledge</u>.

### **Business Categories Not Supported**

Businesses which are associated with the promotion of particular religious or political views; gambling; pornography; offering sexual services of any kind; any illegal activities; and other business deemed to be 'novel and contentious' by Welsh Government.

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### **HOW MUCH CAN YOU APPLY FOR?**

A grant of **up to** £2,000 is available per business (only one application per business is permitted).

Applicants need to confirm that without the grant support they have no or limited funding sources to help them start their business.

Business Wales will apply discretion for grant awards based on the evidence of need outlined within the business case and application. If application is approved payment will be made to support revenue costs before the business begins to trade (pre-start).

We do not anticipate all applicants will apply for the maximum value. Applicants should only apply for the amount of funding needed to start their business. This will allow us to support as many individuals as possible to start a business through this grant.

### **HOW TO APPLY**

- Applicants must complete the Expression of Interest (EOI) and submit along with proof of unemployment/economic inactivity as well as proof of visa where relevant via the mailbox Barriers4SUG@BusinessWales.org
- Once we have received and verified the EOI you will be contacted by a Business Wales administrator to register onto the Business Wales programme.
- All applicants are expected to participate in the pre-start preparatory support and complete a business case with your business advisor. Once you have completed the pre-start preparatory support you will be issued the grant application form.
- The completed application form together with a business case and financial plan for the business must be emailed to <u>Barriers4SUG@BusinessWales.org</u> for assessment and due diligence checks to be undertaken on the detail supplied in your application to ensure funds are invested in eligible and viable business proposals.
- We aim to reply and acknowledge receipt within 5 working days.
- The Barriers to Start-up Grant for 25-year-olds and over is open to EOI from 12th January 2024. Deadline for submitted applications is the 15 March 2024. However, if funds are fully utilised before this date the scheme will close.
- If you have any questions before applying or if you have any concerns that you may not be able to participate in the application or business planning process for medical/ technical/caring reasons, please contact Business Wales so that we can discuss how we can help.

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#### GUIDANCE ON COMPLETING THE FORM

#### Section 1 - Information about You

This part asks for information about you 'the applicant'. Please ensure all information is correct.

**Evidence Required** – we will require 2 forms of identification to verify your identity:

- ✓ Valid Passport/Driving Licence/Photographic ID
- ✓ Proof of your address dated within the last three months.

#### Section 2 - Your Barriers

Please outline your current circumstances and any challenges you may have faced on your journey so far. Please complete this section in as much detail as possible so that we can understand why you need assistance from this fund.

### **Section 3 – Information About Your Proposed New Business**

Please provide details of your new business – proposed name, type of business and your anticipated start date. You will also be required to send in your business case and financial plan with your completed application form.

#### Section 4 - Funding

Please let us know how much funding you are applying for. You can apply for a maximum of £2,000. We need to know what you intend to use the grant for, and you will need to breakdown what is required, the costs and why this 'item' is needed. If there are more than 5 items, please group appropriately.

We would also like to know if you intend to employ any staff and if so, the details of the types of roles they will be.

We need to assess what impact this grant will have, and what difference this will make to help you start your business.

#### Section 5 - Bank Details

This information will be used to make the Grant payment to you. Please ensure correct bank details are provided. Payment can only be made into your personal bank account; we will not pay into Business accounts or someone else's bank account. <u>Incorrect bank details will result in non-payment of the grant or payment will be delayed.</u>

### Section 6 - Minimal Financial Assistance (MFA) received.

The Barriers to Start Up for 25-year-olds and over is awarded as a Minimal Financial (MFA) subsidy, and we therefore require you to provide information on any aid given under the EU's de minimis regulations, any previous MFA and any subsidies given as small amounts of financial assistance (SAFA) under Articles 364(4) or 365(3) of the UK-EU Trade and Cooperation in the current and previous two fiscal years.

If you haven't received any – please include the word NONE. It is important this section is not left blank.

Information, on UK Gov Subsidy Control Guidance (including SAFA) can be found at <u>Guidance on the UK's international subsidy control commitments - GOV.UK (www.gov.uk)</u>

#### Section 7 - Declaration

It is <u>very</u> important that you have read this guidance document carefully and understand the terms and conditions associated with this Grant application.

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If you agree to the terms and conditions within this document and you can confirm that the information provided in the application is true and accurate, then you must tick the box, include any signatures and dates and submit your application by email to the following address <a href="mailto:Barriers4SUG@BusinessWales.org">Barriers4SUG@BusinessWales.org</a>

### WHAT HAPPENS AFTER THE APPLICATION IS RECEIVED?

Once we receive your application form, our team will acknowledge receipt of your application and undertake due diligence checks.

All applicants must engage with a Business Wales advisor to confirm preparatory pre-start engagement has been undertaken, the business idea is viable and sustainable, and all revenue costs are appropriate and eligible for the business idea and the grant application to be submitted.

We aim to process grant applications within 10 working days of acknowledgment. Decisions on applications will be made based on the information provided in the application form, associated evidence (business case/breakdown of revenue costs and advisor comments and further due diligence checks.

If approved, you will receive a grant approval letter by email notifying you of the award of the grant and a link to the terms and conditions for your review. You must respond to this offer within seven working days, or the grant offer will be withdrawn.

Applicants must confirm acceptance of the offer letter by e-mail and Docusign. Once received and acknowledged **we aim to pay** into your personal bank account within 10 working days. Payment can only be made into your personal bank account; we will not pay into business accounts or someone else's bank account.

As part of your application terms and conditions you will agree to continue to receive post start-up support. There will be 2 post-start interactions where we will seek evidence that the company has started trading, e.g., copy of the first invoice, evidence of business bank account statement and that you have taken steps to register the business for its chosen entity (e.g., limited company status / self-employment with HMRC)

Reviews will also be undertaken to ensure that the grant monies are used for the purposes as stated in your approved grant application.

If your application is unsuccessful, you will receive an email outlining the reason[s] for rejection and your business advisor will discuss other support options available to you in starting a business. This is a discretionary grant and there is no appeals process.

#### **GRANT REPAYMENT**

Applicants should note that the Welsh Government or its appointed contractors may require repayment of the grant in full or part if the funds are not used for the purposes stated on the application form or terms and conditions are not met. The applicant is entering into an agreement as such and will be enforced by requesting proof post grant award through a minimum of two post start checks.

### **TERMS & CONDITIONS FOR APPLICANTS**

- **1.** Payment of this grant is at the absolute discretion of the Welsh Government.
- **2.** The Welsh Government or its contractors may withhold or recover the funding in certain circumstances.
- **3.** Payment will be made via bank transfer into your nominated bank account after sufficient evidence has been collected.
- **4.** The Applicant must ensure that, for the purposes of the Grant Project, it complies with UK Government Subsidy Control Guidance. Further details of the specific State aid rules applicable may be found <a href="here">here</a>. Further details of the specific UK Government Subsidy Control Guidance can be found <a href="here">here</a>. The Applicant is responsible for ensuring that the grant is delivered in line with the State aid criteria upon which the funding is awarded.
- **5.** Support provided under 'Minimal Financial Assistance' (MFA) as defined by Article 364 paragraph 4 of the UK-EU Trade and Cooperation Agreement. This allows the provision of up to approximately £315,000 to a single economic actor over any period of three fiscal years. This threshold includes any SAFA support or EU de minimis support received during the relevant period, from all sources.
- **6.** Please note that information held by the Welsh Government is potentially disclosable under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the Welsh Government's Code of Practice on Public Access to Information. In practice, we will not disclose or release any commercially sensitive information provided to us by you without prior consultation with you but ultimately the decision as to whether to disclose is for the Welsh Government to take in light of all the relevant legal requirements.
- **7.** By applying for this grant you are agreeing to accept these terms and conditions. Acceptance is validated by checking the terms and conditions box on the application form and by submitting the application.
- **8.** Please note that no payments will be made to the Applicant until you have returned the additional evidence that is required as outlined in section 1.
- **9.** Any funding awarded shall be used only for the purposes approved in application that you have made the and, in any documents, referred to in it.
- **10.** The funding must be claimed by 31<sup>st</sup> March 2024.
- **11.**The Applicant shall provide the Welsh Government with all information regarding its activities or proposed activities and as to its use or proposed use of all or any part of the funding, as the Welsh Government may from time to time require.
- **12.** The Welsh Government require all recipients of funding to ensure that they apply a policy of equal opportunities as employers, as users of volunteers, and as providers of services, regardless of race, gender/gender identification, sexual orientation, religion and belief, age or as far as is practicable, any disability.
- **13.** The Welsh Government shall be entitled to vary, withhold, or terminate any part of or all of the funding and/or require part or all of the funding already paid to be repaid if:
  - i. the Applicant fails to comply with any term, condition or provision set out in this Terms and Conditions document, the Guidance notes of the application;
  - ii. any information provided by or on behalf of the Applicant in respect of procuring this offer of funding or in a claim for payment of funding is found to be incorrect or misleading to an extent to which the Welsh Government consider to be material;
  - iii. the Welsh Government suspect that the Applicant and/or any of its officers is/are involved in fraudulent activity.

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- **14.** The Welsh Government may vary and/or withhold any or all the payments of funding and/or require repayment of funding, together with interest from the date of payment if:
- i. they are required to do so as a result of any relevant legislation or as a result of any obligation under Community Law; or
- ii. in their opinion it is necessary to ensure that the funding provided in accordance with this letter taken together with any other funding which has been or is likely to be received towards the Grant Project is lawful State aid.
- **15.** If the Applicant is wound up or goes into liquidation (including being subject to any administration order), receivership, bankruptcy, enters into any compromise or other arrangement of its debts with its creditors or any event similar or analogous to any of the events described in this paragraph 15 occurs, then the Welsh Government shall be entitled to recover on demand from the Applicant the funding paid and no further monies shall be due or payable by the Welsh Government to the Applicant or to anyone acting for or on its behalf or in its name. Any references to the amount of funding paid or to be paid to the Applicant shall be deemed to mean and to be limited to the amount of money actually paid to the Applicant by the Welsh Government at the time that any of the events referred to above occurs.
- **16.** The Applicant shall, without charge, permit any officer or officers of the Welsh Government or their representatives, at any reasonable time to visit its premises and/or to inspect any of its activities and/or to inspect the assets or project cost items purchased, in whole or in part, with the funding and/or to examine and take copies of the Applicant's books of account and such other documents or records as in such officers view may relate in any way to the use of funding by the Applicant. This condition is without prejudice and subject to any other statutory rights and powers exercisable by the Welsh Government or any officer, servant or agent thereof.
- **17.** Under the Government of Wales Act 2006 the Auditor General for Wales has extensive rights of access to documents and information relating to funding provided by the Welsh Government. He and his officials have the power to require relevant persons who control or hold documents to give any assistance, information, and explanation that they may require and to require those persons to attend before them for such a purpose. The Auditor General and his staff may exercise this right at all reasonable times.
- **18.** The Applicant shall permit auditors access to documents and information relating to funding for the Grant Project. The Applicant shall ensure that persons who control or hold documents relating to the Grant Project give to the auditors any assistance, information, and explanation that they may require.
- **19.** If during the financial year, or during the audit of accounts relating to that financial year the Applicant becomes aware of a material deterioration in its financial circumstances it must inform its Welsh Government Official immediately.
- **20.** The Applicant must acknowledge, through the inclusion of appropriate wording (on press releases) and branding (on publicity, communication materials and signage), the contribution made to its activities by the grant from Welsh Government. The Applicant should contact its Welsh Government Official for further details.
- **21.** The Welsh Government will make reasonable efforts to pay claims promptly, but they do not accept any liability in respect of loss attributable to any delay in the payment of claims or attributable to any suspension, reduction, or cancellation of the funding.
- **22.** You must not use the funding provided for party political purposes; (2) the promotion of particular secular, religious or political views; (3) gambling; (4) pornography; (5) offering sexual services; (6) purchasing capital equipment (other than as specified in the Purposes); (7) your

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legal fees in relation to this letter; (8) Costs Incurred or costs incurred and defrayed by you in the delivery of the Purposes prior to the period referred to in Condition 1 (b); (9) any kind of illegal activities; or (10) any other kind of activity which in our opinion could bring us into disrepute.

- **23.** By signing this application you are certifying that no litigation or arbitration is current or pending or, so far as you are aware, threatened, which has or could have an adverse effect on your ability to perform and comply with any of the Conditions nor your ability to continue to trade as a business in Wales.
- **24.** By signing this application you have disclosed to us all material facts or circumstances which need to be disclosed to enable us to obtain a true and correct view of your business and affairs (both current and prospective) or which ought to be provided to any person who is considering providing funding to you.
- **25.** By signing this application you agree to co-operate fully with the Welsh Government Official and with any other employee of the Welsh Government or consultant appointed by us to monitor your use of the Funding and your compliance with the Conditions.
- **26.** You must maintain complete and accurate accounting records identifying all income and expenditure in relation to the application that you have made and without charge, permit any officer or officers of the Welsh Government, Wales Audit Office its nominated contractors at any reasonable time and on reasonable notice (in exceptional circumstances, such as the prevention or detection of fraud, it may not be practicable to provide you with reasonable notice) being given to you to visit your premises and/or to inspect any of your activities and/or to examine and take copies of your books of account and such other documents or records howsoever stored as in such officer's reasonable view may relate in any way to your use of the Grant Funding. This undertaking is without prejudice and subject to any other statutory rights and powers exercisable by the Welsh Government, Wales Audit Office or any officer, servant, or agent of any of the above.
- **27.** Nothing in the Conditions imposes any liability on us in respect of any liability incurred by you to any third party (including, without limit, employees, and contractors).
- **28.** You must indemnify us against any liabilities, claims, proceedings, demands, losses, costs, and expenses suffered or incurred by us directly or indirectly arising as a result of or in connection with any failure by you to perform fully or in part any obligation you may have to a third party.

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### Barriers to Start-Up Grant for 25-year-olds and over - Privacy Notice

Your privacy is important to Business Wales. This notice sets out how we will use your personal data, and your rights. It is made under Articles 13 and/or 14 of the UK General Data Protection Regulation (UK GDPR).

To be considered for the Barriers to Start-up Grant and receive support from Business Wales, the Welsh Government are required to collect information from you.

This information will include personal information about you as well as information about your business. This personal information is necessary for us to assess your eligibility for the grant, and if successful, to access funding, services, advice, and information to start your business. Please take a moment to familiarise yourself with our privacy practices.

### 1. Why we collect and process the data collected

The Welsh Government will be the Data Controller for the personal data you provide in accessing Business Wales support in relation to your application for the grant.

The legal basis for processing your personal data is section 6(1)(e) of the Data Protection Act 2018. This processing is necessary for the performance of our public task to identify you and provide the most appropriate business advice and information and assess your eligibility for the grant funding. Special Category data that is processed is done so in the substantial public interest of providing financial support to individuals that are facing barriers to business start-up and the employment market.

#### Types of Personal Information

We will process the following personal and business data:

- name
- address
- contact information
- personal financial information (bank details)
- information about your business (such as a business plan or business balance sheets or cashflow)

To receive the Barriers to Start-Up Grant, we will also process Special Category information regarding your ethnicity or disability to assess your eligibility. The personal data relate to details of the individual applicant only.

We also collect demographic information which help us to monitor and report on the number of individuals and enterprises taking part in projects and to help us target the right demographic groups for Business support.

Failure to provide us with this information may preclude you from accessing the service. This information also allows the Welsh Government to carry out the funding, planning, and monitoring of projects and to produce statistical publications.

We may contact you to request your permission to use your business details for Business Wales marketing activities. The Welsh Government will not use your data without your consent for this particular purpose.

Please note that research organisations/evaluators will only contact a sample of individuals and/or enterprises. If you are contacted to take part in any research/evaluation about your experience on the project the purpose of the interview or survey will be explained to you, and you will be given the option to say yes or no to taking part. Your contact details will only be used for approved research and will be deleted once this approved research is complete.

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### 2. Prevention of Fraud

Before we provide grant funding to you, we undertake checks for the purposes of preventing fraud and money laundering, and to verify your identity. These checks require us to process personal data about you to third party fraud prevention agencies.

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide the grant funding you applied for, or we may stop providing existing grant funding to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies, and may result in others refusing to provide services, financing, or employment to you. If you are not successful in your application, we will write to you with an outline of the reasons why and how you can re-apply for the funding (should you wish to).

### 3. Who will have access to your data?

The information will be stored on a Welsh Government secure IT System. It is collected and shared with the following organisations for the purposes previously listed:

- Our Business Wales contractors delivering the service to you
- By approved social research organisations, to carry out research, analysis or equal opportunities monitoring of the service
- Welsh Government support service teams and its system technical administrators who support the I.T. system. System technical administrators will not use your details in any way
- Wales Audit Office or those acting on their behalf, or other appropriate auditors of the Business Wales Services

### 4. How long do we keep it?

Welsh Government will keep your personal data for a minimum of 10 years after the project ends for auditing purposes, after which time it will be securely destroyed.

If you are unsuccessful in your application your personal information given in that application will be kept for a period of 12 months in line with Welsh Government's information retention policy.

### 5. What are your rights?

Under the data protection legislation, you have the right:

- to access the personal data the Welsh Government holds on you.
- · require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

The contact details for the Information Commissioner's Office are:

Customer Contact Wycliffe House Water Lane

Wilmslow

Cheshire

SK9 5AF

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Telephone: 01625 545 745 or 0303 123 1113

Website: www.ico.org.uk

For help with any of the above rights then please contact our Business Wales Helpline 03000 6 03000 or use the contact us form https://businesswales.gov.wales/contact-us

### 6. The Freedom of Information Act and your Information

The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by public bodies, including the Welsh Government. The information you provide us may be the subject of a freedom of information request by another member of the public. We would consult with you to seek your views before responding to such a request.

### 7. Changes to this policy

The Welsh Government may make changes to this privacy policy at any time. Changes will be posted here and are effective immediately. When changes occur to this policy, we will contact you on the email address we have recorded in your account to enable you to review the new version.

For further information on your information rights

Postal address:
Data Protection Officer
Welsh Government
Cathays Park
CARDIFF
CF10 3NQ

Email address: DataProtectionOfficer@gov.wales