



# **EMA**

## ***Education Maintenance Allowance***

### **Guidance Notes 2011-12**

#### **SUMMARY OF THE KEY FEATURES OF THE EMA**

The aim of EMA's is to provide a financial incentive to young people from low-income households and vulnerable young people to remain in full-time education beyond the statutory school leaving age. Young people from low income families face financial barriers in continuing learning. EMA is designed to remove those barriers. As a result many leave with few or no qualifications. This in turn means that they face greater difficulties entering the labour market.

#### **THE ALLOWANCE**

The EMA will comprise a means-tested weekly allowance payable fortnightly (in blocks of two weeks) in arrears during term-time. In order to receive an EMA a student must have an acceptable Learning Agreement (see Section 6).

#### **RATES OF EMA**

##### **WEEKLY PAYMENTS**

**INCOME**

Zero - £22,403

(for families with more than one dependent child in the household) £30 per week

Zero - £20,351

(for families with a single dependent child in the household) £30 per week

**WEEKLY PAYMENT**

## METHOD OF PAYMENT

EMA's must be paid directly into the bank account of the young person.

## PERIOD OF ELIGIBILITY

An EMA can only be paid for each full week's attendance within term time, up to a **maximum** of 42 weeks in any one academic year. EMA payments will not be made during short term time holidays which include the October break, Christmas and Easter.

## DURATION OF ALLOWANCE

Payment of an EMA will normally be restricted to a maximum period of 3 years from the anniversary of the first payment and recipients should be between 16 and 19 years old. In exceptional circumstances some young people identified as "vulnerable" or with special educational needs may be entitled to receive 4 years EMA support.

## OTHER AWARDS

Students on an EMA may still be entitled to other forms of financial support for non-maintenance costs such as a travel allowance the College Bursary Fund. Young people in full-time employment, in receipt of Job Seekers Allowance (JSA) or in receipt of a training allowance, will *not* be eligible for EMAs.

## BENEFITS

Under no circumstances should EMA students have benefits withdrawn due to receiving EMA. Young people receiving education who are Looked After by the Local Authority or who are classed as "care leavers" by the Local Authority, are eligible for the full EMA without having to provide evidence of parental household income; this also includes students who are in receipt of Income Support or income-related Employment and Support Allowance in their own name and students receiving a Pathways allowance from the Local Authority.

## INCOME

The household income of the young person will determine their eligibility for an EMA. Where the household income is £20,351 or less the young person will be eligible, and will be awarded a weekly allowance of £30. Young people from households with more than one dependent child and where the household income is £22,403 or less will also be eligible for a weekly payment of £30 per week. Please refer to Appendices 1 and 2 for details of the financial assessment.

## RESIDENCY

In order to be residentially eligible for an EMA, a student must meet the residency criteria set out in the Education Maintenance Allowances (Scotland) Regulations 2007 (as amended).

A summary of what these residency criteria are available from the [legislation.gov.uk](http://www.legislation.gov.uk) website: *Ordinarily Resident* Students must satisfy "ordinary residence" criteria in order to be eligible for an EMA.

- <http://www.legislation.gov.uk/ssi/2007/156/made>

- <http://www.legislation.gov.uk/ssi/2007/503/made>

- <http://www.legislation.gov.uk/ssi/2009/188/made>

- <http://www.legislation.gov.uk/ssi/2009/309/made>

## STUDENT ELIGIBILITY FOR PAYMENT OF WEEKLY ALLOWANCE

### ATTENDANCE REQUIREMENTS

#### *Weekly Requirement*

EMA is a weekly allowance requiring 100% attendance at all timetabled sessions. Part payments for part attendance will **not** be made. If a student for any reason is absent from their timetabled class they must complete an 'Absence Form' (available from Student Services) and discussed the absence with their Course Tutor. If there are any absences on the register which are unauthorised they payment will be withheld and in some cases it can be cancelled indefinitely.

#### *Work Experience Placements*

These students will continue to receive payments, but only if the work experience placement is a pre-arranged integral part of the course, takes place during term-time, and the young person does not receive a wage. In such circumstances this period of work experience would have been recorded on their EMA Learning Agreement.

#### *Exam Preparation*

Revision periods leading up to exams are counted as attendance, as long as they are in term time and recorded in the Learning Agreement as soon as they are arranged. These will generally be timetabled as study time.

### IF A LEARNER LEAVES THEIR COURSE

If a student leaves early they are still eligible for future funding, up to a total period of support of 3 years. When they apply for the EMA for their second course, provided they satisfy all the eligibility criteria, they can be considered from the start of their new course, up to the point at which they have received payments for a period of three years in total. Where a student changes course mid-way through, they will still be eligible for an EMA for the new course provided both the student and course continue to meet the eligibility criteria. An amended or renewed Learning Agreement would require to be signed.

## EMA LEARNING AGREEMENTS

A Learning Agreement is an agreement between the student and the College that spells out the learning that will be offered and the responsibilities of both parties. It is each student's responsibility to ensure that he/she has a valid Learning Agreement. To be eligible for an EMA, students must have agreed and signed a Learning Agreement.

### WITHHOLDING PAYMENTS

The College reserves the right to withhold payments where the attendance for the relevant timetabled week falls below 100% with unauthorised absences. An example of an authorised absence would be:-

- Ill health (Students are required to produce documentary evidence that they were unfit to attend due to ill health. Beyond the normal 5 working day / 7 day absence, a medical certificate should be produced) In some cases other forms of evidence **may** be produced such as Doctors prescription. This is at the discretion of the Tutor.
- Attendance at the funeral of a close family relative when leave is granted prior to the funeral
- The breakdown of the student's method of transport to and from the institution
- Authorised school/college activities
- Religious holidays, by prior arrangement
- Severe weather conditions affecting transport to and/or closure of the learning establishment

## PROVISIONAL ASSESSMENT

Provisional awards can be made where applicants have parent(s) who are self employed and unable to provide the correct income documentation at the time. If household circumstances have changed during the year and income has fallen from over £22,403 or £20,351 to within the EMA thresholds this would be classed as a new application. However, income should be calculated as a provisional assessment based on the current financial year's information.

## LATE APPLICATIONS

In some cases a student might start their course and find out about EMAs afterwards. If applications are made within first 6 weeks from start of course, payments can be backdated to the beginning of the academic year or FE course, provided that the student meets the eligibility requirements. Otherwise payments will be made from the Monday of the week in which the application was received.

In all cases, **the onus is on the student** to prove that they have satisfied the conditions of the EMA Learning Agreement from the beginning of that term. **Arrears will not be considered for any previous term.**

## DURATION OF ALLOWANCE

Payment of EMA will normally be restricted to a maximum period of 3 years and recipients must be between 16 and 19 years old. Vulnerable young people may be eligible for up to 4 years support.

## EMA INCOME ASSESSMENT

The EMA is means tested and eligibility will depend on household income and whether there is more than one dependent child in the household.

Most EMA applicants will be able to provide a Tax Credit Award Notice (TCAN) or P60 as proof of household income. If they do not have a TCAN or P60, details of income can be completed on the application form. If a TCAN is available then this will reduce the amount of the form that has to be completed.

If household income is £20,351 or less, the young person will be eligible, and will be awarded a weekly allowance of £30. Young people from households with more than one dependent child and where the household income is £22,403 or less will also be eligible for a weekly payment of £30 per week.

A dependent child is one who is 16 or under or is between 16 and 25 years old and is in full-time further or higher education.

## RESIDENTIAL STUDENTS

An EMA does not affect students who are moving in to College residences. The Bursary Fund covers assistance towards the cost of accommodation – please refer Student Guide 2011/12. You are not required to complete any other funding application forms the College will use the original application form for this assessment.