

Education Maintenance Allowance

Quick Reference Guide Academic Session 2010-2011

Full guidance notes are available on Renfrewshire Councils website: www.renfrewshire.gov.uk or by telephoning the Finance Section on 0141 842 5640.

What is an Education Maintenance Allowance (EMA)?

An Education Maintenance Allowance (EMA) is a weekly payment of up to £30, paid directly to young people who continue in full-time education after they reach the statutory leaving age.

In order to receive an EMA you must firstly complete the official application form which is available from your school, Renfrewshire Council Customer Service Centre & Customer Service Points located in Johnstone & Renfrew. Or you can download a form online at www.renfrewshire.gov.uk.

Before submitting your application form, please ensure that your household income falls between the approved income thresholds for 2010-2011 as the weekly allowance awarded will depend on the financial circumstances of your household.

You must apply for an EMA on an annual basis. Please note that no EMA application forms will be accepted after 31 March 2011.

NB: EMAs will **NOT** affect any Tax Credit or other means tested benefit payments your family receives. EMA payments will be paid fortnightly in arrears during term-time, however, you will not receive an EMA payment for the periods covering the October, Christmas, Easter or Summer holidays.

Who can get an EMA?

For academic year 2010-2011, all eligible young people aged 16 to 19 years old who plan to continue their education in school from August 2010 can apply as long as the following criteria is met:

- You must attend a school in the Renfrewshire Council area,
- Your household income falls within the approved income thresholds as set by the Scottish Government,
- Your course must involve at least 21 hours of guided learning per week
- You must agree to and sign a valid Learning Agreement with your school

Conditions for EMA entitlement

In order to qualify for an EMA from August of any given year, applicants need to satisfy the following conditions.

AGE

The following table sets out the point at which you **potentially** become eligible (age wise) for an EMA during the academic year 2010-2011:

Academic Year	Date of Birth	Receive EMA from
2010-2011	Born between 1 st March 1991 and 30 th September 1994	August 2010
	Born between 1 st October 1994 and 28 th February 1995	January 2011 (15+)

In either of these cases, please submit your EMA application form early even if you are not entitled to receive payment until January.

Please note that no EMA application forms can or will be accepted after 31 March 2011.

Residential status

In order to be residentially eligible for an EMA, you should meet the criteria set out in the Education Allowances (Scotland) Regulations 2004. If you have always lived within our area you will probably qualify. Full details of residential criteria are available on our full guide please telephone the EMA section for further information.

Household income

The amount you receive depends on the total taxable income for your household in period 2009-2010. Where there is only one income in the household proof of lone parent status will also be required i.e. Final Tax Credit Award Notice, Council Tax bill / letter stating 25% rebate for single occupancy or a child benefit letter showing lone parent.

For academic year 2010-2011 the Scottish Government has introduced two major changes to the EMA process.

The first is that, from academic year 2010-11, bonus payments will no longer be part of the programme. The second is that they will be reviewing the EMA programme in December 2010. Any awards issued to young people for academic year 2010-11 are therefore only guaranteed until December 2010.

If you have previously received EMA payments prior to academic year 2009-2010 then the following thresholds will apply to you:

EMA weekly payments			
Income		Weekly Payment	
£0	to	£22,403	£30
£22,404	to	£27,465	£20
£27,466	to	£33,156	£10
£33,157	to	and over	£0

(These figures are for academic year 2010-2011)

If you are a new EMA applicant and have never received any EMA payments in the past then the following thresholds will apply to you:

EMA weekly payments				
Income				Weekly Payment
£0	to	£22,403	for families with more than one dependant child in the household	£30
£0	to	£20,351	for families with a single dependant child in the household	£30

(These figures are for academic year 2010-2011)

Under both sets of guidelines, your parent(s) / guardian(s) will need to provide evidence of household income for the period April 2009 to April 2010.

Evidence we will accept includes:

Parent(s) / Guardian(s) in Employment

Inland Revenue Final Tax Credit Award Notice (TCAN) or P60

Students may be eligible to receive a provisional award if the previous years' income is not reflective of their current circumstances. If there is a significant change in financial circumstances within the household, students may be eligible to apply for an in year reassessment, where income for the current financial year reduces by 15%, resulting in income falling into the lower band. This request must be in writing and enclosed with the application form. Please contact the Education & Leisure Services Finance Section for more information.

Self Employed

Inland Revenue form SA302 will be the only acceptable evidence. If parent(s) / guardian(s) are unable to provide the relevant documentation to confirm income details for 2009-2010, the application will be processed as a provisional award. Renfrewshire Council will make weekly payments for any provisional award but only for part of the academic year. This award will then be put on hold until the relevant finalised income details are received. If we assess your award provisionally you must give us the final income details no later than 31May 2011. For further information, please contact the Finance Section on 0141 842 5640 or 0141 842 5639.

Unemployed (in receipt of benefits or occupational pension)

Part C at the back of the application form needs to be completed by the Department for Work & Pensions. Any parent(s) guardian(s) who receive an occupational pension must provide a P60 supporting these earnings.

Unemployed (not in receipt of benefits)

Statement from the Inland Revenue is required to confirm nil income. If you have any queries please contact The Inland Revenue on **Tel: 0845 070 3703**.

2nd Child in Full Time Education

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

Definition of more than one dependent child:

This rule will apply to all children under the age of 16 and also to those who are over the age of 16 and up to the age of 25, providing they are in further or higher education and are parentally supported.

Re-assessing an EMA award during the academic year

Re-assessment may be allowed in-year where income has fallen by 15% or more, and where this would result in you becoming eligible for a higher rate of EMA subject to guidelines. It is your responsibility to notify the Council of this change. Any request for re-assessment must be in writing and relevant evidence will need to be provided confirming both the change in circumstance and the current level of household income. In-year re-assessment will not take place where income rises during the year

We may request additional information or financial evidence during the application process for any / all people who provide details on the application form.

Your course

You must normally be on a recognised full time course of study, which does not attract any other form of public or employer bursary, such as Local Enterprise Company funding. If you are repeating a year you are still eligible for an EMA provided that the school agrees that the end result is providing you with a stretching objective.

If you are on work experience during term time

You will continue to receive EMA payments, but only if this work experience is a pre-arranged integral part of your course, takes place during term time, and you do not receive any payment.

Hours of study per week

You must normally be on a full-time non-advanced course at a Learning Centre i.e. school or college. For EMA purposes “full-time” means **at least 21** guided learning hours per week.

You can attend separate courses, which individually are less than 21 hours, provided that they amount to 21 hours together and are incorporated in the EMA Learning Agreement.

EMA support is available for students with additional support needs, vulnerable young people or those students disabled within the terms of the Disability Discrimination Act 1995. If you fall within this category, please contact the EMA section for further details.

Learning agreement

A Learning Agreement is an agreement between you and your school that spells out the learning that will be undertaken and the responsibilities of both you and the school. **It is your responsibility to ensure that you have a valid Learning Agreement in place if we have offered you an EMA award.**

To receive EMA payments, you must have signed an EMA Learning Agreement. It must also be countersigned by your parent or guardian and by the appropriate representative of your school. You must also comply 100% with the conditions set out in the Learning Agreement.

Please note that EMA payments will not commence until we have received a completed, signed Learning Agreement. This must be returned within 6 weeks of receiving the award pack.

The requirement for you to sign your Learning Agreement will be waived if you have additional support needs that make it impractical.

A new EMA Learning Agreement must be completed for each academic year.

The Council may stop EMA payments where any information supplied by the school states that you have failed to comply with your Learning Agreement.

Where the learning programme is undertaken at more than one school, you will require a separate EMA Learning Agreement, signed by all parties, for each school at which you are registered.

Where a review of your learning programme results in a change of course at the same school, the EMA Learning Agreement will be amended and remain valid for EMA payments provided that the amendment is signed by you and the school concerned. Where you change school mid-year, a new EMA Learning Agreement, signed by you, the school and your parent or guardian, will be required.

No Learning Agreements can or will be accepted after 31 May 2011.

Attendance / Absence

You are normally required to have 100% attendance each week to qualify for your weekly EMA payment. **You will not be paid for part attendance.**

Where the school is closed on days when it would normally be open, for example due to public holidays, extreme bad weather, polling days, in-service days etc, you will be treated as having attended for the purposes of EMAs.

Where there is a shortened week at the start or end of an official school holiday, you will be eligible for the weekly payment if the number of days the school is "open" is 3 or more (including the above exceptions) and where you have fulfilled the 100% attendance requirement on the days when the school was open.

If you are unfit to attend your school you will be required to produce documentary evidence. However you will be able to self-certify for up to a running total of 5 full or 10 half days sickness in the academic year. Self-certificates must be collected from the school office on the first day you return from sickness and returned to the school office within 3 school days. Beyond this a medical certificate must be produced, which you may have to pay for. All medical certificates should be sent to your school as soon as possible.

A medical absence that extends over a period of 3 weeks will be the subject of review. Individual circumstances will be taken into account by the school.

If you are absent for reasons other than illness, for example interviews, or dental or hospital appointments, you should tell your school immediately.

Absence due to illness of someone other than yourself will not be counted towards attendance. In exceptional circumstances, where you are responsible for a dependent adult in the same household as you, we may accept a medical certificate on behalf of the adult. The Director of Education and Leisure will decide whether this action is appropriate, depending on individual circumstances.

Holidays taken within term time are not considered as authorised absence unless in exceptional circumstances. This could include for example, a family holiday judged to be important to the well-being and cohesion of the family, following serious or terminal illness, bereavement or other traumatic events. Other than in such exceptional circumstances, holidays will be classified as unauthorised absence.

If a student's weekly payment is being withheld the school will notify the student direct.

How you will be paid

EMA payments are based on weekly attendance and will be made in fortnightly instalments in arrears. Payment to you is made on instruction from the school to the Council. Payment is made by BACS straight into your bank / building society account.

Payments after summer exam period (schools)

S4 & S5 students returning for a further academic year

Students who have completed S4 & S5 and will remain in school for the next academic session, are eligible to receive EMA payments to the end of the academic year, usually June, providing 100% attendance is recorded each week.

S4 & S5 students leaving school at the end of the academic year

Students in S4 & S5 who do not wish to remain in school after the exam period is over will only be eligible to receive an EMA until the end of the SQA exam timetable.

S6 students leaving school at the end of the academic year

S6 students will only be paid until the end of the SQA exam period.

The Council may stop EMA payments where the information supplied states that you have failed to comply with your Learning Agreement.

Why an EMA payment may be stopped

The education authority has the right to withdraw payment of the EMA. This will follow recommendation by your school and will be based on grounds that are reasonable and could include the following, among other things:

Persistent late coming

Where a student receives a warning after 5 unexplained or unacceptable late comings have occurred. Thereafter, if a student has a further 2 latecomings in any one week, payment will be stopped for that week.

Conduct

Where a student breaches the schools discipline policy. This could arise where for example there are two referrals during the fortnight on behavioural grounds.

Absence

Students must maintain 100% attendance.

Effort

All students should work hard to be successful in their studies.

Exclusions

No weekly payment will be made if the student has been excluded.

Overpayments

The Council will claim back any amount that we have overpaid you.

If there is no repayment of the overpaid amount, court action may be taken. If you are overpaid for any reason, please keep the money safe so you can repay it when we ask you to.

We may pay you too much because:

- you have not told us about any changes in your circumstances:
- you have left school and we didn't know about it:
- the amount of award was based on information you gave us and this proves to be incorrect;
- we have made a mistake when calculating how much you were entitled to.

We have the right and a duty to reclaim any overpayments we have made for any reason, and will normally do so.

Late applications

It is possible that you might start your course and only hear about EMAs afterwards. Payments of arrears can be made to the beginning of the current term, if your application is received by the cut off date (see details below).

Autumn intake (August)

If your application form is received by this office before **30th September 2010** payments may be backdated to the beginning of that academic year, provided that the attendance criteria has been met. Otherwise payments will be made from the date that the application was received.

Winter intake (January)

If applications are made before 28 February 2011, payments may be backdated to the beginning of that term i.e. beginning of January, providing the attendance criteria have been met. Otherwise payments will be made from the date that the application was received.

In all cases, the onus is on you to prove that you have satisfied the conditions of the EMA Learning Agreement from the beginning of that term.

Under no circumstances will an EMA application form be accepted after 31 March 2011

Arrears will not be considered for any previous term.

Where to send your application form

You should send your filled-in application form to:

Finance Section
Education and Leisure Services
Renfrewshire Council
Renfrewshire House
Cotton Street
Paisley
PA1 1LE

Personal Documents

To enable us to return your personal documents you should enclose a stamped self-addressed envelope approx. 229x162mm (9" x 6") in size. Failure to do so may result in a delay in your documents being returned to you.

**If you have not received an acknowledgement or your original documents within four weeks of submitting your form, please phone the Finance Section to check that we have received it:
Telephone No – 0141 842 5640 or 0141 842 5639**

Website: www.renfrewshire.gov.uk

E-mail: ema.els@renfrewshire.gov.uk

Phone: 0141 842 4488
Monday to Friday 8.00am to 8.00pm

Visit: Customer Service Centre
Renfrewshire House
Cotton Street
Paisley
PA1 1LE
Monday to Thursday 8.45am to 4.45pm
Friday 8.45am to 3.55pm

Customer Service Centres are also based in Johnstone & Renfrew.

Data Protection Act 1998

The Data Protection Act 1998 applies to the information we hold about people. The Act allows you to look at the information we have about you.

We will only reveal any information we have about you if you give us your permission to do so and the person asking for the information gives us your award reference number. Your award reference number is shown on the award letter we send you.

The only exception to the above relates to our responsibility to manage public funds properly. We may use the information you have provided on the application form to protect public funds, and to prevent and detect fraud. We may also share it, for the same purpose, with other council departments, public organisations or other organisations which handle public funds.

Disability Discrimination Act 1995

You can get this document in large print, in Braille, on tape and on disk.

Your suggestions

We welcome your suggestions and comments on how we can improve our service to you. You can do this easily through the Council website at www.renfrewshire.gov.uk or by sending an e-mail direct to ema.els@renfrewshire.gov.uk. You can also phone our offices with your suggestions on 0141 842 5640.

We can use your feedback to improve our services, so please take the opportunity to give us your views.

Our commitment to you

We will:

- be polite and helpful, and treat you fairly at all times
- respect confidentiality and dignity
- ensure you receive clear advice and guidance on any area of the administration process relating to your EMA
- acknowledge receipt of your EMA application and return any original documentation within 7 working days
- notify you within 20 working days if we require any additional information to allow us to process your application
- process your EMA application within 25 working days, provided we have received all the relevant information and documentation required from you