



Policy:

Education Maintenance Allowance

Author:
Service:

Education Benefits Team
Anti-Poverty Service

Last Updated:

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1. INTRODUCTION

- 1.1** EMA is governed by the Education Maintenance Allowances (Scotland) Regulations 2004 issued by Scottish Ministers in terms of Section 73(f) of the Education (Scotland) Act 1980.
- 1.2** Education authorities are required by a Ministerial directive to pay EMA to entitled students in schools (including those in private schools and in home education) in their areas.
- 1.3** EMA comprises of a means-tested weekly-based allowance of £30, depending on household income. Allowances are paid directly to students' bank accounts (**See 6 PAYMENT**).
- 1.4** EMA is payable by the Scottish colleges for comparable students in the Further Education sector and equivalent schemes operate throughout the UK.

2. APPLICATIONS

- 2.1** Application forms can be completed online from around June each year, this allows students plenty of time to submit the form by the stated deadlines.
- 2.2** The application is in two parts: (1) the application and (2) a Learning Agreement.

3. LEARNING AGREEMENT & GUIDANCE

- 3.1** A Learning Agreement should be submitted with each application form, and the agreement must be received and accepted by the school before EMA allowance can be paid.
- 3.2** Students are to be interviewed by guidance staff at the time of signing a Learning Agreement to ensure that objectives are negotiated and jointly understood. Clear objectives, staged targets and homework guidelines will make it evident subsequently as to whether the terms of the agreement have been met.

4. ELIGIBILITY

4.1 Age

Students must be over school leaving age, i.e. attain 16 years of age on or before the last day of September in the academic year for which an award is made. Students who become 16 after 30 September and before the last day of February (i.e. Winter Intake) are eligible for EMA in terms 2 and 3 only.

4.2 Residence

Students must meet one of the following residence criteria:

- a (i) be ordinarily resident in the UK on the first day of the school term for which the EMA is sought; and
(ii) have been ordinarily resident in the UK for the preceding 3 years; and
(iii) be settled in the UK within the meaning of the Immigration Act;
- b be, or be or the spouse or child of, an EEA migrant worker;
- c be, or be the spouse or child of, a refugee, granted 'leave to remain' or 'entitled to temporary protection'.

4.3 Course

The programme of study is expected to consist of 21 hours per week of time-tabled study. An EMA Learning Agreement must be completed and signed by the student, parent and guidance teacher (**see 7. LEARNING AGREEMENT & GUIDANCE**).

4.4 Income

Gross taxable household income must be no more than £24,421 per annum. If there is more than one dependent child in the household (i.e. EMA applicant plus others) then household income must be no more than £26,884. In most cases, if the parent/carer is employed, a P60 showing income for the full most recent financial year is required.

5 AWARD

5.1 EMA consists of:

A weekly-based allowance of £30 is payable for each term-time week:

There are now 2 different eligibility rules in terms of assessing household income:-

Gross Taxable Household Income	Number of *dependent children in the household	Weekly-based Allowance
£0 - £24,421	1 (just the EMA applicant)	£30
£0 - £26,884	1+ (the EMA applicant plus others)	£30

The term "dependant child" means all those up to the age of 16 and those over the age of 16 and up to the age 25 if they are in full time further or higher education.

5.2 Applicants are informed of weekly allowance due to them in an award email.

6 PAYMENT

- 6.1 Payment of all allowances is by BACS directly into students' bank accounts. Students with severe learning difficulties without bank accounts can receive allowances into third party accounts.
- 6.2 Weekly-based allowances are processed fortnightly in arrears.
- 6.3 Payments processed on a Monday reach individual bank accounts on the Friday.
- 6.4 A calendar of target payment processing dates is available on our website and is referenced in the award email.

7 CONDITIONS OF AWARD

- 7.1 Provided that all eligibility criteria are met (**see 4. ELIGIBILITY**), students are entitled to the assessed weekly-based allowance subject to the following conditions.
- 7.2 Exclusions and holidays in term-time are deemed unauthorised absence for EMA purposes. Leave granted for religious festivals or celebrations or for family reasons such as bereavement should be reported accordingly or explained in a separate note from the school to Education Benefits Team. This will ensure that these students do not experience unfair discrimination.
- 7.3 Medical absence of 5 school days or less must self-certified. A GP's certificate must be submitted for absences of 6 or more school days. Any cost incurred in obtaining a medical certificate must be met by the student. Repeated absence due to chronic ill-health can be certified by parental letter. It is expected that schools will readily identify and be making allowances for such vulnerable students. They will not be disadvantaged further by EMA restrictions.
- 7.4 Where a student is not complying with the school's discipline policy, EMA can be suspended or stopped (**see 7.7; 7.12**). Schools are responsible for decisions on suspension / termination of allowances to students and for informing Anti-Poverty Service, West Lothian Civic Centre, Livingston of their decisions. The Anti-Poverty Service will correspond with students regarding non-payment.

Weekly Allowance

- 7.5 No payment will be made for any week in which the following events are recorded:
 - a unexplained or unauthorised absence;
 - b more than 2 late-comings;
 - c Exclusion and Parental Holiday in term-time are deemed unauthorised absence for EMA purposes.
- 7.6 Unexplained absence or lateness which is subsequently authorised will be paid retrospectively at the next processing date.
- 7.7 Weekly allowances can be suspended or stopped where a student is not complying with a Learning Agreement through, for example, failure to respond to repeated, escalated warnings to observe the school's discipline policy. The school's normal disciplinary procedures must be followed, non-compliance documented, warnings given, parental involvement invoked, etc. Where, despite these measures, a satisfactory standard of behaviour is not achieved but it is agreed that the student remains in school, a decision may be reached at school level to stop paying the weekly allowance.

- 7.8 The school may decide subsequently to restart payment but 'missed' payments will not be restored.

8 APPEALS

- 8.1 Students aggrieved at officer's decisions regarding EMA entitlement or payment should appeal in writing to:

Anti-Poverty Service
Benefits and Financial Support Team
West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

Customers with Special Requirements

هذه المعلومات متوفرة بلغة بريل وعلى شريط وبخط كبير وبلغات الجالية.
الرجاء الإتصال بخدمة الترجمة على الهاتف 01506 280000

এই তথ্য আপনি ব্রেইল, টেপ, বড় অক্ষরে এবং কমিউনিটির বিভিন্ন ভাষাগুলিতেও পাবেন। অনুগ্রহ করে ইন্টারপ্রেটেশন অ্যান্ড ট্রান্সলেশন সার্ভিসের সঙ্গে যোগাযোগ করুন। টেলিঃ 01506 280000

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براہ مہربانی انٹرپرائزنگ اینڈ ٹرانسلیٹنگ سروس سے ٹیلیفون نمبر 01506 280000 پر رابطہ قائم کریں۔

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Prosimy o kontakt z Usługami Tłumaczeniowymi pod numerem 01506 280000
