

## GUIDE TO EDUCATION MAINTENANCE ALLOWANCES : NOTES FOR APPLICANTS SESSION 2019/20

**PLEASE READ THESE GUIDANCE NOTES CAREFULLY AND RETAIN THEM FOR REFERENCE.**

**If you have any problems or questions please contact Education Services on Tel 01259 452437  
or e-mail: [ema@clacks.gov.uk](mailto:ema@clacks.gov.uk) who will be happy to help you.**

### HOW YOUR APPLICATION WILL BE DEALT WITH

#### STAGE 1

Complete your Education Maintenance Allowance (EMA) form fully and return to:  
Education Services, Kilncraigs, Greenside Street, Alloa FK10 1EB.

- Please note original documents only will be accepted. These will be returned to you as soon as possible.
- Please note, your bank details **must** be provided when the form is submitted.

#### STAGE 2

If your application is received with documentation missing, you will be sent a letter requesting the missing documents. A delay in producing the correct documentation may mean you have to reapply and this may result in a loss of EMA payments.

#### STAGE 3

If your application is successful, your letter of award will be sent to you detailing your full award entitlement. If your application is unsuccessful, you will receive a letter telling you this. All original documents will be returned to you at this stage.

#### STAGE 4

If you are refused EMA support you may lodge an appeal. An appeal must be made in writing within one calendar month of the date of the award letter. See Section 6 Appeals.

#### STAGE 5

Your school/learning centre will ask you to complete a Learning Agreement. This Learning Agreement will give details of course work which will have to be completed during the year.

First EMA payment will not be made until the Facilities, Schools and Welfare Team have been notified that you have signed a Learning Agreement with your school/learning centre and that your attendance is satisfactory.

Once the Learning Agreement has been signed and attendance is satisfactory as notified to the Facilities, Schools and Welfare Team by the school, then the first payment will be made directly into your bank account. All future fortnightly payments will also be made directly into your bank account.

**Please note that if attendance is not 100% this could result in the loss of payment(s).**

## 1. ELIGIBILITY

### 1.1 Entitlement

An application for an EMA will be considered from you if you wish to remain at school after completing your statutory education, and you are willing to participate in an approved learning agreement at school for a minimum of 21 hours per week.

If you apply under the Activity Agreement scheme you must attend your learning centre as timetabled in your learning agreement.

### AUTUMN INTAKE

If you are 16-19 on or before the 30th of September 2019, you may be eligible in the Autumn intake for a full year award.

### WINTER INTAKE

If your 16th birthday falls between 1st October 2019 and the last day of February 2020, you may become eligible for an EMA from the start of the term in January 2020.

### 1.2 Residency

To be eligible for EMA, students must meet the nationality and residency requirements of the programme, which normally means you must have lived in the UK for at least 3 years before your school term start date. You must also have been living in Scotland at the start of your EMA Term.

If you have not lived in the UK for the past 3 years you must provide evidence of your residency status. This may be your passport, Visa or "Remain to Leave" letter.

### 1.3 Schools

If you live in one local authority area and attend school in another local authority, responsibility for payments falls with the local authority in which that school is situated. For example, if you live in Clackmannanshire, but attend school in Stirling, Stirling Council will be responsible for making your payments.

### 1.4 Other Benefits

If you receive an EMA you are not eligible for a School Clothing Grant but you may be eligible for Free School Meals. Please contact any member of Facilities, Schools and Welfare Team for more information.

## 2. APPLICATION

- Application forms will be available in July for the forthcoming session. Forms will be available from schools and reception at Kilncraigs, Alloa.
- If you are considering returning to school in August, you should apply from July onwards. You are not committed to returning to school by doing this.
- Payments will not start until you have signed a Learning Agreement with the school/learning centre and have attended the course satisfactorily.

### CUT OFF DATES FOR RECEIVING EMA APPLICATIONS

Pupils who are eligible for the **full year award** (autumn intake) must submit their application by **30 September 2019** to be eligible for back payment to the beginning of term. Pupils who are eligible for payments from **January 2020** (winter intake) must submit their application by **28 February 2020** to be eligible for back payment to the beginning of term. Eligible applications received after these dates will only be eligible for payments from the week they are received.

**No applications will be processed after 31 March 2020 for the academic year 2019/20.**

Cut off dates for applications under the Activity Agreement scheme may differ. Please contact your Learning Adviser for more information.

### 3. ASSESSMENT

Education Maintenance Allowance applications are means tested. Gross taxable household income for tax year 2017/18 will govern whether or not you receive an Education Maintenance Allowance. The table below shows the income thresholds.

Taxable Household Income (6 April 2016 - 5 April 2017)	No. of dependant children in the household	Award
£0 - £24,421	1	£30
£0 - £26,884	2+	£30

Dependant children are all those up to the age of 16 and those over the age of 16 and up to the age of 25 if they are in full time further or higher education.

### 4. PAYMENT OF EMA

You are required to sign a Learning Agreement before payments will commence. The first instalment will then be paid once your attendance has been confirmed by the school/Learning Adviser. Any subsequent payments will be authorised by your school/Learning Adviser with regard to your attendance. Payments will be paid directly into your bank account on a **two weekly basis** and will generally be in bank accounts on a Tuesday but may be delayed if there are Bank or Public holidays that week.

You must adhere to the terms of the learning agreement or EMA payments will be stopped immediately.

If you are successful in being awarded an EMA, you must agree that any EMA overpayment can be recouped in full.

In order for you to receive an EMA allowance you must have a bank account in your own name.

Successful applicants should check their own bank account in the first instance to ascertain when/what EMA payments have been paid into their bank account for the relevant period.

EMA payments for all S6 students will cease following the date of the final SQA examination for the academic year. EMA payments will continue to the end of the academic year for all S5 students who adhere to the terms and conditions of the scheme.

### 5. ATTENDANCE REQUIREMENTS

To receive your EMA payment for any week, you must have attended school 100% of the time. There are some circumstances which count as attendance even if you are not actually in school. These are:

- work experience
- educational visits
- day and residential visits to outdoor centres
- college/consortium school study
- interviews and visits relating to further and higher education
- debates, sports, musical or theatrical productions arranged by or in conjunction with the school
- activities connected to Psychological Services
- off-site school medical examinations
- study leave, arranged by the school
- receiving tuition via hospital or outreach teaching services
- medical and dental treatment, on production of a valid appointment card

There are also some absences that **may** be authorised by the school and will not affect your attendance, for EMA purposes:

- sickness (see below)
- attendance at the funeral of a close family relative, when leave is granted prior to the funeral
- meetings prior to and in Court, probation hearing, attendance at or in connection with a Children's Hearing or Care Review, when leave is granted prior to the meeting
- agreed debates, sports, musical or theatrical productions not arranged by or in conjunction with the school and when leave is granted prior to the event
- short term exceptional domestic circumstances
- religious holidays, by prior arrangement

In these circumstances, you must notify your Guidance Teacher of your intention to be absent and produce documentary proof of your appointment, where appropriate.

**If you are absent due to ill health, you are required to comply with certain rules, to qualify the absence as authorised:**

1. On the first day of absence you must inform the school of your absence and the reason for it before 10am. You must also tell the school how long you expect to be off.
2. On your return to school, you must complete a Sickness Absence Self Certificate for Schools and give it to your Guidance Teacher. This certificate covers you for a period of up to seven calendar days.
3. If you are absent for more than seven calendar days, you must produce a medical certificate from your doctor. You must meet any costs associated with getting a medical certificate.

You will be allowed up to five days of self certification during the academic session ie from August - June. This cannot be taken as 5 separate days within 5 separate weeks. If you exceed this, your right to self-certify will be withdrawn and a medical certificate will be required to authorise each period of sickness absence.

EMA payments will also be stopped for:

**Persistent Latecoming** – you will receive a warning from the school after 5 latecomings have occurred. Thereafter if you have a further two latecomings in any one week the EMA payment will be stopped for that week.

**Conduct** - if you do not comply with the school's discipline policy, the school can contact Facilities, Schools and Welfare team and request that your EMA payments be stopped.

**Absence** - you must maintain 100% attendance.

**Progress** - you should progress in your studies. EMA payments can be stopped if you do not make progress with your studies.

## 6. APPEALS

If you are dissatisfied with the outcome of your EMA application you should write with full details including the reference number to:

Education Services, Kilncraigs, Greenside Street, Alloa, FK10 1EB

Telephone: Alloa (01259) 452437 e-mail: [ema@clacks.gov.uk](mailto:ema@clacks.gov.uk)

If you have been accepted for an EMA allowance and subsequently this has been stopped, you should in the first instance refer this to your school/learning centre. **If you are unhappy with the outcome of this, you should then write to the Chief Education Officer.**

## 7. DATA PROTECTION ACT

Clackmannanshire Council is a Data Controller under the Data Protection Act 1988. We hold information for the purposes of a typical Scottish unitary authority and these include many items of personal data, some of them sensitive. As an aid to ensuring data accuracy, we may share some of the information you provide with other Council Services for their purposes e.g. address and contact details. The Council may get information about you from others and may disclose information about you in relation to its obligations including the need to prevent fraud and to protect public funds.

**If you need further information or help with your application please contact:**

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