



EDUCATION MAINTENANCE ALLOWANCE (EMA)

TERMS & CONDITIONS

SCHOOLS

SESSION 2009/2010

Dear Pupil,

You have been granted an EMA as shown in the enclosed letter of award. The award is subject to the terms and conditions below and it is in your own interest to read these notes carefully and comply with the instructions. Failure to do so may result in delays or loss of payment/s.

Terms and Conditions

1. You must complete an **EMA Learning Agreement** signed by yourself, your parent/carer and the Learning Centre you are attending **before payments can be paid to you**.
2. You must adhere to the terms of the Learning Agreement (attendance, attainment, behaviour and attitude) or EMA payments will be stopped immediately.
3. You must attend the Learning Centre for a minimum of 21 guided learning hours per week. (Please note for students under an Activity Agreement they may have flexible arrangements in regards to guided 21 hours. Please refer to Activity Agreement/Activity Agreement Advisor/Learning Centre)
4. Any changes to your learning or learning agreement must be agreed with the Learning Centre/Guidance staff or Activity Agreement advisor. Failure to notify and agree changes will affect payments to you.
5. Students must inform their **Learning Centre** of any changes of address, contact details or changes in circumstances **within 5 Learning Centre days of the alteration**.
6. Alternative off-site provision agreed by the Learning Centre e.g. college placements, off-site tutoring etc. Students will continue to receive payments however this is only to cover part-time not full time courses with an alternative institution. Students who anticipate they will be completing a full time course in the college or other placement must be funded by the college or other placement. **In circumstances like this you must contact your Learning Centre direct for specific advice.**
7. You will only receive an EMA payment for those weeks where 100% attendance has been maintained. Absences authorised by your Learning Centre will be accepted.
8. Lateness is regarded as not adhering to 100% attendance. Only one late per week at the discretion of the Learning Centre is permissible. Therefore more than one late being recorded in one week will trigger non payment for that week.
9. Your award will be made to you **fortnightly in arrears** and will be **paid directly into your bank account**. Please refer to list of payment dates in appendix 1A & 1B.
10. Payment will not be made to you during holiday weeks.
11. A maximum of five Learning Centre days **self-certified absence** (Medical reasons only) will be accepted in a term. (See appendix 2 for term dates) Thereafter only a doctor's certificate or medical absence authorised by a doctor will be accepted.
12. Absences should be **notified to your Learning Centre before or on the first day of absence** and students **should continue to notify their Learning Centre** of absence if it continues.

13. Relevant documentation to support **reason for absence must be submitted** by the student/parent/carer **to the Learning Centre within 10 Learning Centre days of coming back to Learning Centre**. Failure to do so will trigger non payment **indefinitely**. (Individual circumstances will be considered before a decision is made)

14. Long-term sick leave will be monitored by the Learning Centre. Individual circumstances will be considered before a decision is made on whether payments are to continue.

15. Students who are absent from the Learning Centre to go on family holidays during term time will not receive EMA payments for the weeks they were away on Holiday.

16. You can continue to receive EMA payments if you are on work experience providing the work experience is a **pre-arranged and an integral part of the course**. The work experience should take place during term and should not be waged.

17. If you are formally excluded from the Learning Centre your weekly payments will be suspended during the period that you are absent from the Learning Centre.

18. Dependant on EMA award date you may be eligible for two bonus payments of £150 paid in **February/July**. Please refer to your award letter as well as confirming nearer the time **with your Learning Centre** if the bonus will be paid to you. (Payment decisions are made **by the Learning Centre** not the EMA Unit)

It is essential that you have attended **all** scheduled exams as well as **full adherence** to the terms of your learning agreement.

A student, who leaves the Learning Centre at Christmas and takes up a full time course at College or full time at another Learning Centre in January, may be eligible to receive the February Bonus, provided the student has adhered to their Learning Agreement. (Please contact the **Learning Centre** for confirmation of payment)

19. You must attend all scheduled exams including prelim exams as per your learning agreement. It will be at the **discretion of the Learning Centre** either to withhold payment of the bonus or the weekly payment for non attendance of exams. (Individual circumstances will be considered before a decision is made).

20. Study periods leading up to exams will be counted as attendance as long as this is in term time. Please note attendance will be monitored by the Learning Centres prior to study leave. Therefore any un-authorised absence or self certified absence over 5 Learning Centre days in that term will trigger non payment and payments will be jeopardised.

21. Any overpayment of EMA award will be recovered either from weekly or bonus payments until all monies owing are paid in full.

22. **You** must check with your own bank in the **first instance** to ascertain when/what EMA payments have been paid into your bank account for the relevant period. (Please refer to payment schedule appendix 1A & 1 B) If payments have not been paid **please contact your Learning Centre in the first instance**.

23. If you change your bank account you must inform the EMA Unit in **writing** within **7 days** in advance of the payment date. Please note phone calls, emails or asking the Learning Centre to contact the EMA unit with personal bank account information which is highly confidential is not acceptable due to security reasons. The EMA Unit will only accept from the young adult **in writing** any changes of bank account details.

24. For security reasons, successful applicants who call to make any enquiries must provide their date of birth, name of the Learning Centre they attend and in some cases SCN number or their bank account details before information can be provided.

25. If your weekly EMA payment or your bonus payment is not paid because you are deemed to have failed to comply with the terms and conditions of the scheme, you have the right to appeal the decision. Please refer to EMA payment appeals procedure attached appendix 3. **(It is the responsibility of the student to check payments)**

Please make a note of the following.

* Payment appeals for week beginning 17.08.09 to 14.06.10 including February bonus should be submitted for appeal by **21.06.09**. If an appeal is submitted after this date the appeal will be refused automatically.

* Payment appeals for week beginning 21.06.10 & 28.06.10 & July bonus must be submitted for appeal and dealt with by week beginning **28.06.10** or at the next academic year of 2010-11 "August 2010". If an appeal is submitted after August 2010 the appeal will be refused automatically.

26. If household income drops by 15% you may be entitled to a higher level of award. (Not applicable if you are already in receipt of a payment of £30 per week) If this happens please inform the EMA Unit in **writing** as soon as possible and request a re-assessment.

27. EMA payments will be stopped if you do not comply with the above conditions.

If you have any queries, please **contact your Learning Centre in the first instance** and there after the Education Maintenance Allowance Unit on (01463) 724217.

IMPORTANT POINTS

- Read the Terms and Conditions, and keep them in a safe place
 - 100% attendance required
- Only 1 late per week is accepted (at the Learning Centre's discretion)
- Only 5 Learning Centre days of self-certified absences are accepted per term
 - To be eligible for a bonus you need to meet all the Learning Agreement goals - the bonus is not just about attendance
- Check your bank account on payment day to ensure you have received your money. (Remember you are paid in arrears)

APPENDIX 1A:

EMA PAYMENT DATES

Please make sure you check your bank account to see if the payment has gone in, any query after that, contact the Learning Centre Office.

Week	DATE YOU'LL GET YOUR MONEY
17 August 2009	11 September 2009
24 August 2009	11 September 2009
31 August 2009	25 September 2009
07 September 2009	25 September 2009
14 September 2009	09 October 2009
21 September 2009	09 October 2009
28 September 2009	06 November 2009
05 October 2009	06 November 2009
12 October 2009	Holiday - no payment
19 October 2009	Holiday - no payment
26 October 2009	20 November 2009
02 November 2009	20 November 2009
09 November 2009	04 December 2009
16 November 2009	04 December 2009
23 November 2009	18 December 2009
30 November 2009	18 December 2009
07 December 2009	15 January 2010
14 December 2009	15 January 2010
21 December 2009	29 January 2010
28 December 2009	<i>Holiday - no payment</i>
04 January 2010	<i>Holiday - no payment</i>
11 January 2010	29 January 2010
18 January 2010	12 February 2010
25 January 2010	12 February 2010 (Bonus one)
01 February 2010	26 February 2010
08 February 2010	26 February 2010
15 February 2010	12 March 2010
22 February 2010	12 March 2010
01 March 2010	26 March 2010
08 March 2010	26 March 2010
15 March 2010	23 July 2010
22 March 2010	23 July 2010
29 March 2010	<i>Holiday - no payment</i>
05 April 2010	<i>Holiday - no payment</i>
12 April 2010	07 May 2010
19 April 2010	07 May 2010
26 April 2010	21 May 2010
03 May 2010	21 May 2010
10 May 2010	04 June 2010
17 May 2010	04 June 2010
24 May 2010	18 June 2010
31 May 2010	18 June 2010
07 June 2010	02 July 2010
14 June 2010	02 July 2010
21 June 2010	09 July 2010
28 June 2010	09 July 2010 (Bonus two)

APPENDIX 1B: EDUCATION MAINTENANCE ALLOWANCES - PAYMENT TIMETABLE FOR 2009/10

Week Beginning		Number of Payment Weeks	Total weeks paid in Academic Year	CUT OFF DATE FOR AUTHORISATIONS Completed by the SCHOOL (Pay or Don't Pay) THURSDAY:-	Payment Dates FRIDAY:-
1st Week	2nd Week				
17-Aug-09	24-Aug-09	2	2	03-Sep-09	11-Sep-09
31-Aug-09	07-Sep-09	2	4	17-Sep-09	25-Sep-09
14-Sep-09	21-Sep-09	2	6	01-Oct-09	09-Oct-09
28-Sep-09	05-Oct-09	2	8	29-Oct-09	06-Nov-09
12-Oct-09	19-Oct-09	Holiday			
26-Oct-09	02-Nov-09	2	10	12-Nov-09	20-Nov-09
09-Nov-09	16-Nov-09	2	12	26-Nov-09	04-Dec-09
23-Nov-09	30-Nov-09	2	14	10-Dec-09	18-Dec-09
07-Dec-09	14-Dec-09	2	16	23 Dec 09 Wednesday	15-Jan-10
21-Dec-09		1	17	21-Jan-10	29-Jan-10
28-Dec-09	04-Jan-10	Holiday			
11-Jan-10		1	18	21-Jan-10	29-Jan-10
18-Jan-10	25-Jan-10	2	20	04-Feb-10	12-Feb-10
Bonus One	*25-Jan-10			04-Feb-10	12-Feb-10
01-Feb-10	08-Feb-10	2	22	18-Feb-10	26-Feb-10
15-Feb-10	22-Feb-10	2	24	04-Mar-10	12-Mar-10
01-Mar-10	08-Mar-10	2	26	18-Mar-10	26-Mar-10
15-Mar-10	22-Mar-10	2	28	15-Apr-10	23-Apr-10
29-Mar-10	05-Apr-10	Holiday			
12-Apr-10	19-Apr-10	2	30	29-Apr-10	07-May-10
26-Apr-10	03-May-10	2	32	13-May-10	21-May-10
10-May-10	17-May-10	2	34	27-May-10	04-Jun-10
24-May-10	31-May-10	2	36	10-Jun-10	18-Jun-10
07-Jun-10	14-Jun-10	2	38	24-Jun-10	02-Jul-10
21-Jun-10	28-Jun-10	2	40	01-Jul-10	09-Jul-10
Bonus Two	*28-Jun-10			01-Jul-10	09-Jul-10

Please note the following:-

There is no payment entitlement during holiday weeks.

*** Payment dates for Bonuses;** all bonuses must be paid on dates stated with the only exception of "Appeals" or difficult cases with the EMA Co-ordinator notified.

Note the authorisation dates as highlighted to set for **Bonus one 25 January 10** (Pay date 12/02/10) & **Bonus two 28 June 10** (Pay date 09/07/10).

Any unexplained absence should be authorised as No until reason can be explained, as per EMA rules. Once evidence has been submitted then authorise for next available payment date.

APPENDIX 2: Term Dates 2009/10

TERM	From	To
Term 1	17.08.09	09.10.09
October Break		
Term 2	29.10.09	23.12.09
Christmas & New Year Break		
Term 3	11.01.10	26.03.10
Easter Break		
Term 4	12.04.10	02.07.10
Summer Break		

APPENDIX 3:



Education Maintenance Allowance

Payment Appeals procedure

Schools

If your weekly EMA payment or your bonus payment is not paid because you are deemed to have failed to comply with the terms and conditions of the scheme, you have the right to appeal the decision.

1. You must discuss any concerns or issues with your school (example guidance teacher) **in the first instance**.
2. If payments are withheld students must be notified to the reasons why in writing (copy of this should be kept on file) or record of meeting held.
3. Once notification of the above has been received if the student wishes to appeal the decision made by the school they must submit in writing outlining their reasons for appealing the decision. This must be submitted within 14 days to the school.
4. Once the appeal has been heard and decision made then the student should then be notified in writing of the decision.
5. If the appeal cannot be resolved within the school to the student's satisfaction then they should write to their local Area Education, Culture & Sport Office for the attention of the Area Education, Culture & Sport Manager within 28 days of payments being suspended. They should then give the reasons for appealing the decision.
6. The Area Education, Culture & Sport Manager will consider appeals within 14 days of the receipt of the appeal letter and will notify the applicant, the school and the EMA Unit of the final decision of the Area Education, Culture & Sport Manager.
7. If your appeal is successful you will receive a backdated payment. The decision of the Area Education, Culture & Sport Manager is final.

The Highland Council, Area Education, Culture & Sport Office Addresses:-

Inverness, Nairn, Badenoch and Strathspey

Area Education, Culture & Sport Office
13 Ardross Street
Inverness
IV3 5NS

Ross, Skye and Lochaber

Area Education, Culture & Sport Office
The Education Centre
Castle Street
Dingwall
IV15 9HU

Caithness, Sutherland and Easter Ross

Area Education, Culture & Sport Office
Drummuie
Golspie
KW10 6TA