

EDUCATION MAINTENANCE ALLOWANCE 2011-2012

Guidance Notes

The notes accompany the 2011/2012 EMA Application form. Please read these notes before completing your application.

Advice

A fresh application must be made each academic year, including all original documents needed to complete the assessment.

When completing the application form please answer each section, as best you can, and submit the form to the EMA Unit with the relevant documentation.

We recommend you send this application and your original documents by **registered/secure mail** as you are sending personal information – this also gives you guarantees of delivery. If you prefer, you can visit your local Highland Council Service Point where they can make certified copies of your documents for sending to us, instead of sending originals.

DEADLINES apply for the submission of the application form, so do not delay in sending this form.

You CAN send the form without the required documents, as long you send them to us when you receive them. However, until we have all the required documents, **we will not** be able to make a final decision. If you do send any documents at a later date, please remember to include the applicant's name, learning centre and date of birth so we can match them to the application.

It is the application form that we use to register the date of application and not the submission of documents alone.

If you contact the EMA Unit to discuss your application please note that we use security questions before discussing applications.

PLEASE KEEP THIS BOOKLET FOR YOUR OWN REFERENCE. DO NOT SEND THIS WHEN SUBMITTING YOUR APPLICATION.

EMA Unit, Town House, Inverness IV1 1JJ
Telephone: 01463 724217
Email: ema@highland.gov.uk
Website: www.highland.gov.uk/ema

Both Student and Parent/Carer(s) must sign the Application Form on the back page.

- If you were born between 1 March 1992 and 29 February 1996 you may be eligible for an EMA.
- **Autumn Intake** If your date of birth falls between 1 March 1992 and the 30 September 1995 you may be eligible for an EMA from the start of the academic year 2011/12, 15 August 2011.
- **Winter Intake** If your date of birth falls between 1 October 1995 and the 29 February 1996 you may be eligible for an EMA from the start of the January term 2011/12, 9 January 2012.
- For those eligible for full year award, if the application is not submitted by **30 September 2011**, the award can only be made from the week it is received by this office.
- For those who are eligible from January 2011, if the application is not submitted by **29 February 2012**, the award can only be made from the week it is received by this office.
- The cut-off date for processing application forms and submissions of documented evidence for academic year 2011/12 is **31 March 2012**. No applications will be processed after this date.
- Household income is assessed on gross taxable household income for the period April 2010 to March 2011.
- If there is a significant change in financial circumstances within the household, students may be eligible to apply for an **in-year reassessment** during the current academic year. This is possible where income for the current financial year reduces by 15%, resulting in income falling into the lower band. Contact Local Authority for more information.
- The income thresholds for the EMA Programme, Academic Year 2011/12 are as follows:

Income	No. of dependent children in the household	Award
£0 - £20,351	1	£30
£0 - £22,403	2+	£30

- Dependent children are 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.
- If you are receiving education whilst living in a foster home or children's home, and are in the care of the local authority or living independently in receipt of Income Support or contributions-based Employment and Support Allowance, you are eligible for a £30 EMA award without having to provide evidence of household income.
- If successful, you must complete a learning agreement and adhere to the terms of that agreement.
- If successful, you will only receive EMA payments for those weeks where you have maintained 100% attendance (including authorised absences) and acceptable punctuality and conduct.
- If you return to school for a sixth year, i.e. session 2012/13, you may be eligible for a further year's EMA support.

A fresh application must be made each academic year including all original documentation needed to complete the assessment.

A first class stamp will not be sufficient postage when sending in your completed application form. Postage charges are now based on weight and size.

PLEASE CHECK POSTAGE PRIOR TO SENDING IN YOUR FORM.

WE ADVISE YOU TO USE REGISTERED POST FOR ORIGINAL DOCUMENTATION.

Please complete the application form and send it to the following address:

**EMA Unit
The Highland Council
Town House
INVERNESS
IV1 1JJ**

IF YOU ARE POSTING YOUR APPLICATION YOU MUST ENCLOSE A STAMPED ADDRESSED ENVELOPE (9" X 6" IN SIZE) FOR PERSONAL DOCUMENTS TO BE RETURNED.

- If you do not want to send original documents then please photocopy these documents and take the photocopies and the original documents to your local Highland Council Service Point. The photocopy you supply will then be verified against the original document by Highland Council staff, stamped and signed as a verified copy.
- All documents sent to the EMA unit must state son/daughter's full name, date of birth and the learning centre they will be attending.

How your application will be dealt with by Highland Council, EMA Unit

Stage 1

Please complete your EMA form fully, attaching original documents and return to the above address. You will also need to complete a Learning Agreement (LA). This is dealt with directly with your learning centre. If you are still at school, your Learning Centre will be your school. For those young adults on an Activity Agreement, you will have a Personal Advisor to assist you in completion of this. Do not send Learning Agreements to the EMA Unit. Please note EMA payments cannot be issued to you until the LA has been completed with your Learning Centre.

Stage 2

When your application form is received an acknowledgement letter and any original documents will be sent to you by recorded delivery.

Stage 3

If the EMA form is submitted without original documents or information has not been fully completed, a letter will be sent requesting this information. Until the information requested is sent to the EMA Unit your application form will be put on hold. **Please note final closing date for receipt of all applications and documented evidence is the 31 March 2012 for the Academic year 2011/12.**

Stage 4

If your application has been successful and approved by the EMA Unit an award letter will be sent to you detailing your award and start date as well as attached Terms and Conditions of the scheme. If your application has been unsuccessful then a letter will be issued to you letting you know why.

Stage 5

If you are refused an EMA or you feel the amount stated in the award letter is incorrect or you are dissatisfied on how your application was dealt with, then you may lodge an appeal. An appeal must be made in writing within one calendar month of the date of the successful or unsuccessful letter to EMA Administrator at the above address.

DATA PROTECTION ACT

The Council is under obligation to manage public funds properly. Accordingly, the information that you provide will be used to ensure all sums due to the Council are paid timeously, e.g. by identifying persons who are non payers of council tax and to improve the uptake of benefits.

The information may also be used to prevent and detect fraud. It is also possible that this information may be shared for the same purposes with public bodies, including neighbouring councils or other organisations which handle public funds.

- Education Maintenance Allowance (EMA) is a programme funded by the Scottish Government and administered to Local Authority Education Departments for schools throughout Scotland. The Scottish Government and Local Authorities are controllers in relation to your information.
- The information you supply shall be used for the purposes of assessment, award, payment, and where necessary, recovery of the EMA and we will provide information to the Scottish Government, all in accordance with the requirements in the Scottish Government EMA (Scotland) Business Model.
- We may check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information about you from certain third parties, or give information to them, to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways, for research or statistical purposes, as permitted by law. These third parties include other government departments.
- We will not disclose information about you to anyone outside our Local Authority unless the law permits us to.

FILLING OUT YOUR APPLICATION FORM

STUDENT PERSONAL DETAILS

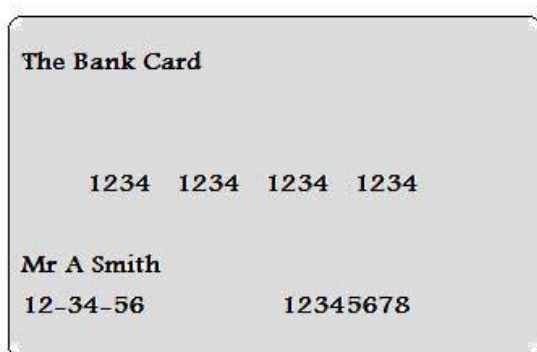
- Please provide your original birth certificate – unfortunately we are unable to accept medical cards, baptism certificates or photocopies. If no birth certificate is available other forms of documentation may be required, i.e. passport. If your name is different from that shown on your documents, please submit information relating to your change of name.
- Enter your date of birth using DD MM YYYY format. For example if you were born on 12 April 1993, enter 12 04 1993
- If you have not been ordinarily resident in the UK for 3 years, you may still be considered for an EMA.
- Students who are non UK residents please submit ORIGINAL passport and other documents for evidence of residency.
- If the above is not available at the time of completing the EMA application, then please submit the EMA form as it is.
- Remember to indicate on the form that the documents are not available at this time, and that these will be forwarded to the EMA Unit when they are available.
- If you do not want to send original documents then please photocopy these documents and take the photocopies and the original documents to your local Highland Council Service Point. The photocopy you supply will then be verified against the original document by Highland Council staff, stamped and signed as a verified copy.
- All documents sent to the EMA unit must state son/daughter's full name, date of birth and the learning centre they will be attending. *An SCN number will be required for security purposes when telephoning the EMA Unit.*
- **No assessment of award can be made until the relevant documents are submitted. Please note final closing date for receipt of all applications and documented evidence is the 31 March 2012 for the Academic year 2011/12.**
- Original documents will be returned as soon as possible.
- To be eligible for an EMA, students must meet the nationality and residency requirements of the programme. In all cases students should provide evidence depending on their circumstances.
- More information about nationality and residency could be found in the EMA Guidance Document on the EMA website www.emascotland.com
- If you have not been resident in the UK for 3 years you must provide evidence of your residency status.

LEARNING CENTRE

- The learning centre details relate to the learning centre at which you intend to study from the start of the next school year, during the period which you would receive any EMA payment(s) if eligible.
- If you intend to study between two learning centres over the same period, enter details of the place at which you will spend the most time.
- To be eligible for an EMA you must be attending school and/or college for a minimum of 21 guided learning hours (timetabled hours including study periods).
- Please note that vulnerable students may have flexible arrangements in regards to the guided 21 hours.

BANK ACCOUNT DETAILS

- The name of the person holding the account must be the EMA student only, except where the applicant has additional needs which makes this impractical.
- To receive an EMA payment you must hold a bank/building society account which accepts payments by Bank Automated Credit System (BACS) Transfer. If unsure, please check with your bank/building society.
- Payments will normally be paid directly into your bank/building society account on a fortnightly cycle in arrears.
- Sort code – this is a 6 digit number.
- Account number – this is an 8 digit number.
- Please do not use the 16 digit number which appears across the card.



INDEPENDENT STATUS

- If you receive income support in your own right, please provide your most recent Income Support, Benefits statement, a Tax Credit Award Notice (TCAN) TC602, Council Tax letter or Housing Letter
- If you are living under the care of the Local Authority, please include a letter from the Local Authority confirming your address and circumstances. This should be signed by an official from the Local Authority and include an official stamp.

FAMILY DETAILS

- Please circle the appropriate option which refers to your household.
- If you have ticked the box which states that you live on your own, you do not need to fill in address details of parent(s)/carer(s) in this section.
- Enter correct address details in boxes provided if you have ticked that you do not live with a parent/carers.
- The term 'parent' as it appears can refer to your father, mother, carer, step-parent or parent's partner who lives in your home.
- The term 'partner' as it appears can refer to your spouse, civil partner or live-in partner.
- Please include proof of guardianship, e.g. child benefit letter, if living with someone other than your mother or father.
- Please include proof of Lone Parent status, e.g. current council tax notice for April 2010-March 2011
- Please include any children in the household. Acceptable documents include:
 - TCAN 2011/12
 - Child benefit letter for 2010/11 (showing names of all children)
 - SAAS or college letter of award for academic year 2010/11
 - School/college or university letter confirming enrolment of other dependent child/ren for 2010/11.

INCOME DETAILS FOR PARENT/CARER(S)

Please note additional documentation may be required to complete this application form.

- If a student is independent (receiving income support in their own right) or in the care of the Local Authority, this section should not be filled in.
- If your household has a Tax Credit Award Notice (TCAN) TC602 from HM Revenue and Customs (HMRC) for 2011/12, based on household income for 2010/11, the complete finalised form must be submitted along with your application form. If you are submitting the correct TCAN you do not need to fill in any further household income details in this section.

Please note that TCAN must be for 2011/12 and show actual income figures for 2010/11. We cannot accept estimated income figures, Provisional award notices, TCAN Review notices or Final TCAN 2010/11.

NB – If TCAN TC602 is not yet available, please still submit your application form with a note that your TCAN is to follow and then send us your TCAN when you receive it.

Social Security Benefits

- If receiving benefits please submit a P60U certificate
- Helpline Numbers: Carers Allowance (Preston) 0845 608 4321
- Disability Living Allowance (Blackpool) 0845 712 3456
- Child Benefit Helpline 0845 302 1444

Earnings as an employee

- A 2010/11 P60 confirming earnings from employment, or a valid week 52/month 12 payslip, providing these show year to date income.
- If you made pension contributions to an HM Revenue & Customs-approved pension scheme (other than through your employer), please provide evidence from the pension fund scheme. If you made contributions through your employer, we do not need anything further than your P60.

Allowable Expenses Incurred:

Please give evidence of any expenses which you met from your earnings and which arose wholly, exclusively and necessarily in the course of your work (as well as travelling expenses necessarily incurred in the performance of your duties).

- certain payments from your earnings which are deductible for income tax purposes, such as fees and subscriptions to professional bodies and learned societies, employee liabilities and indemnity insurance premiums, and agency fees paid by entertainers. Please provide evidence
- Flat-rate expenses agreed by your employer and HM Revenue & Customs, to maintain or renew tools or special clothes (such as a uniform) that are necessary to do your work. Please provide evidence

If you paid such expenses and were not reimbursed by your employer, deduct the amount of these from your gross pay. If your employer reimbursed you, do not

- include the reimbursed amount received in your claim, or
- make any deduction from your earnings.

Benefits from your employer(s)

(e.g. company car and fuel, taxable vouchers and payments in kind from all jobs)

You may have received benefits from your employer which were not paid out in wages but which were taxable. These are called **benefits in kind**. Your employer should have given you information about these by 6 July 2011, usually on a form **P9D or P11D**. You do not have to work out the amount of each individual benefit – your employer will tell you the taxable values.

If this applies to you, please provide your P9D or P11D for this EMA application.

For tax credits purposes HMRC takes into account the value of the following benefits in kind –

- Any goods and assets our employer gave you that you could sell for cash or anything bought for, or paid to you, other than at market value. For example gifts of food, drink, fuel, cigarettes, clothes etc. The

amount to include should be found at section A of the P11D or the third or fourth boxes in section A(2) of the P9D.

- Any payments made by your employer which you should have paid. For example, if your employer paid your rent directly to your landlord or paid your gas, telephone or electricity bills or your income tax liability. Again, these amounts are shown on forms in section B of the P11D and section A(2) of the P9D (in the first, second and, if appropriate, fifth boxes).
- Cash and non-cash vouchers and credit tokens, such as company credit cards. The value of these benefits is shown at section C of the P11D and at section B of the P9D (add together all the boxes at section B),

If you earn at a rate of £8,500 or more a year (including any benefits in kind), or you are a company director, the following benefits are also taxable and form part of your income for tax credit purposes –

- Mileage allowance payments, paid to you for using your own car for business, in excess of the tax-free 'approved amount'. The taxable amount is shown at section E of form P11D.
- The cost, where your employer paid someone else for any other running cost (for example, insurance). The taxable amount is included with the other expenses at section N of the P11D.
- Any company car or car fuel benefits provided by your employer. These can be found at boxes 9 and 10 at section F of the P11D.
- Expenses payment made to you or on your behalf (shown at section N on form P11D).

If you have had benefits from more than one employer, please provide your P9D/P11D from each employer.

If you

- Are not paid any mileage allowance for using your own car for business, or
- Receive less than the 'approved amount' of these allowances you can deduct the difference between the 'approved amount' and what you receive from your employer, from your earnings as an employee (see previous section).

If you have not received a form P9D or P11D for the year 6 April 2010 to 5 April 2011 and you think you should have, ask your employer or phone HMRC.

Income from self-employment

If you are in self-employment (either on your own or in partnership), enter your profit:

- If you completed a Tax Return form SA200, your profit is the figure in box 3.10
- If you completed a Tax Return form SA100, your profit is the figure in box 25 of the short return or box 71 of the full return.
- If you have more than one business, work out your total profit by adding together box 25 of the short return or box 71 of the full return from each of your tax returns.

If self-employed, a Self-Assessment Tax Calculation (SA302) 2010/11 should be submitted.

Please also provide evidence of any of the following:

- The gross amount of any contributions you made to a pension scheme or retirement annuity contracts;
- The gross amount of any payments made to charity via gift aid;
- Any amount you added on for averaging perhaps because you are a farmer or market gardener with fluctuating profits. (Averaging is not allowed in tax credits claims).

plus

- Any amount you deducted for averaging on the Self-employment pages of the full Tax Return.

If your business received other income or profits, for example, rental income include evidence of this.

If you have only just started working for yourself or need help working this out, call the HMRC Self Assessment Helpline on 0845 9000 444.

OTHER INCOME

In addition to social security benefits and earning from your work, we also take into account any miscellaneous income in the year 6 April 2010 to 5 April 2011.

Do not include the following:

- maintenance received from a former partner
- Working Tax Credit and Child Tax Credit
- Student loans. You should also not deduct student loan repayments from your income
- Other student grants such as those to meet the cost of tuition fees, child care, etc.
- War pensions, or pensions or annuities payable under German or Austrian law to victims of Nazi persecution.
- Income your children may have had, unless it is taxable in your name or your partner's name.

Notional income

Income that you are treated as having received

Notional income also includes income that you are treated as having received, even though you may not have. It may include:

- Income that you have deprived yourself of to get tax credits or more tax credits.
- Income that you were entitled to but did not apply for. For example, a social security benefit or allowances paid to local government councillors or civic dignitaries. This does not apply to
 - a deferred state pension (although when it is paid, a social security pension lump sum or an enhanced state pension will count as 'pension income' for tax credits purposes)
 - a deferred personal pension
 - a deferred retirement annuity or
 - compensation for personal injury
- Income you lost out on because you worked for less than the going rate (or for nothing) in the person you are working for, or to whom you are providing a service, has the means to pay. This does not apply to
 - voluntary work (for example, helping out in a charity shop or Citizens Advice Bureau), or
 - employment or training programmes.

Please provide appropriate evidence.

UK Pensions

Please provide evidence of any State Pension you received, including

- The basic (or old age) pension
- The social security pension lump sum
- State earnings related pensions (SERPS)
- Graduated pension (graduated retirement benefit)
- Industrial Death Benefit
- Widow's Pension
- Widowed Mother's Allowance, Widowed Parent's Allowance
- Any increase for a dependent child
- Any incapacity addition or addition for a dependent adult
- Any increases paid by the Department for Work and Pensions or Department for Social Development to up rate a guaranteed minimum pension.

Do not include the Christmas Bonus and the Winter Fuel payment.

Other UK pensions

If you received a pension other than a State Pension, include the full amount before any tax was taken off. Your pension provider should provide you with a P60 (or similar certificate) by the end of May each year showing the amount of pension paid and tax deducted.

Also include any annuity payments from a pension scheme. If your pension includes an extra amount because you were disabled by injury on duty, or by a work-related illness (compared to what would have been paid had you retired at the same time on ordinary ill health grounds), exclude that extra amount.

If you receive a pension from outside of the UK it should be included as foreign income (see below).

Income from savings and investments

Include interest from any personal or joint bank or building society accounts. This is the interest before tax was taken off (the gross interest). Your passbook or statement will help you work out this figure. If you received company dividends from any UK company (including dividends from a company of which you or your partner, or both of you are directors), add the tax credit shown on the voucher supplied by the company, to the dividend.

Ignore tax-free savings (for example, ISAs, TESSAs, PEPs, Index Linked and Fixed Interest National Savings Certificates and Children's Bonus Bonds).

Also include here a 'chargeable event' gain from a life insurance policy. Include the full amount before 'top slicing' relief for income tax. Please provide appropriate evidence (income statement/tax voucher).

Please provide appropriate evidence.

Property Income

Include income from property or land in the UK that you owned or leased out. If this was part of your business income (if you were self-employed), include it here. Ignore any income covered by the 'Rent a Room' scheme (briefly, if you let furnished accommodation in your own home for up to £4,250 a year).

If your rental property made a loss, relief for this loss (for tax credits purposes) is generally given in the same way as for income tax. Normally, the loss should be carried forward and set-off against profits from the same source in the following tax year.

If, however, part of the loss arises from capital allowances or from agricultural land, that part of the loss may be set against other income which you (but not your spouse or partner) may have, either in the tax year in which the loss was made or in the following tax year. In such cases, the amount of loss relief available for tax credits purposes is based on your tax calculations.

Please provide appropriate evidence.

Trust income

If you received income from a trust, settlement or a deceased person's estate, the trustees or administrators will have given you a certificate telling you what income was paid to you. Include the gross income (that is, the amount before any tax was taken off).

Please provide appropriate evidence.

Foreign income

For example, income from investments and property overseas, non-UK pensions and social security payments from overseas governments.

Include the full amount, whether or not it was remitted to the UK, in British pounds not the foreign currency. Also, include the gross income (the amount before any foreign tax was taken off) even if it is not taxable in the UK because of a double taxation agreement.

If you receive a foreign pension, whether or not it was remitted to the UK, you should include 90% of the full amount received **(in British pound, not the foreign currency)**.

You may deduct any banking charge or commission paid when converting foreign currency to British pounds.

Please provide appropriate evidence.

Deduction from income

The sum total income under the following sections are subject to a £300 disregard. If the sum total is £300 or less, it is treated as nil. If the sum total is more than £300, only the excess is taken into account:

- Notional income
- UK pensions
- Other UK pensions
- income from savings and investments
- property income
- trust income
- foreign income

For more information on EMA please refer to our website, where you will find FAQ and copies of other documents you might find useful:

www.highland.gov.uk/ema

Please note that Highland Council only administer the EMA scheme on behalf of Scottish Government – we are not responsible for Policy decisions.

If you have any queries regarding this review, please contact Scottish Government directly.

EMA Team
Enterprise & Employability for Young People Division
5 Atlantic Quay
6th Floor
150 Broomielaw
Glasgow, G2 8LU
www.emascotland.com

0300 244 6721

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