

EMA extension successfully introduced

The Education Maintenance Allowance (EMA) extension has gone live! Now, many more young people are able to benefit from the support that EMA offers.

Recent months have been especially busy for everyone involved with EMA. A huge amount of work has gone into ensuring that the extension of EMA to LSC-funded E2E programmes and/or courses which lead to an Apprenticeship has been as smooth as possible. As with any significant change, the extension has required the support and cooperation of many people; people from a wide range of organisations that share our commitment to improving the life chances of young people across the country. And this work is continuing to encourage more young people to apply. I wanted to take this opportunity to thank you all for your contribution to making this happen. Through this busy time, it is important that we don't lose sight of what this change means for young people.

By addressing financial barriers, we are not only encouraging young people to consider remaining in the learning environment but are providing them with practical support to make it possible. We are confident that EMA will help young people recognise the true benefits of continuing their education - in school, college or on more vocational courses - without having their choices skewed by financial considerations.

This is the penultimate of our monthly updates. The final issue of EMA Update, out in June, will focus on particular issues you might be facing and will keep you up to date with our work relating to the extension. Finally, even though 10 April has passed, we are still keen to gain your feedback. Please continue to email us at emaextension@lsc.gov.uk. Again, thank you for your continued support.

Greg Burke, Head of EMA Unit

EMA Update

May 2006

Of interest to work-based learning providers, local LSCs and anyone else interested in delivering EMA

Spreading the message to teachers

Teachers play an integral role in advising pupils about their post-16 options, which is why it is vital that they are fully onboard, engaged and understand the benefits of the EMA extension.

Communication with schools around the EMA extension has focused on two key areas. Firstly, teachers have been informed of the extension, the eligible groups and how it would affect their pupils. Secondly, schools are being encouraged to order EMA application forms, posters and leaflets from PROLOG for this year's Year 11 cohort. This is important because EMA materials will not be automatically distributed to schools as in previous years. Schools have been reached in a number of ways, including: via DfES channels; editorial opportunities in print and online media that reaches teachers and governors; and organisations such as The National Union of Teachers and the National Association of Head Teachers have been encouraged to cascade information throughout their networks.

Benefiting from advice

Since the consultation process began last November, a subject that has generated significant interest and debate is that of benefits.

The system of benefits is extremely complicated. Nevertheless, it is important that people understand how entitlement to benefits is different under EMA than Minimum Training Allowance (MTA) which EMA replaces. Therefore, we produced a special edition of EMA Extension Update last month dedicated to answering as many of your questions as possible. This is a very useful source of clarification and is still available for those who have not yet read it.

The EMA Extension Update Benefits Special can be downloaded from www.direct.gov.uk/ema.

Download EMA supporting materials

Remember that supporting materials such as the 'Application Form Resource Pack' (reference: LSC-P-NAT-060054), which helps practitioners understand all aspects of the EMA application process and the 'EMA Aide Memoire' (reference: LSC-P-NAT-060056), which summarises essential information can be ordered from PROLOG telephone 0845 602 2260 (using the above reference numbers) and can also be downloaded from www.direct.gov.uk/ema.

EMA Q&As

From MTA to EMA

Should young people who are estranged consider switching to IS or stay on MTA?

Estranged young people in receipt of MTA

Those young people who have become estranged from their household and who are in receipt of Income Support (IS) will not see any benefit during the transitional period if they remain on MTA. They will still be in the position of having their MTA taken into account in determining their Income Support entitlement and will only receive the "top up" of £4.50. MTA Learners who are already in receipt of an IS top-up may apply for EMA during the transition period, which will offer them a significantly more generous package of financial support without stopping/ starting their provision. The learner should be encouraged to discuss their circumstances with their Connexions PA and Jobcentre Plus Adviser and if beneficial, may switch to EMA. It will be the providers' responsibility to ensure there is no double claiming of MTA and EMA.

However, MTA learners who are estranged from their household, and who have not yet engaged with the Jobcentre Plus benefit system, would be best advised to remain on their MTA. There is no guarantee that the Jobcentre Plus office will agree that the learner has no choice but to leave home, and therefore the learner risks losing their MTA and will not be able to claim EMA without being able to prove their receipt of Income Support or Jobseekers Allowance (Severe Hardship).

At the moment, some training providers have apprentices who are employed but still of trainee status and receiving MTA. After the 10 April do young people who start on trainee status apply for EMA or do all apprentices have to be of employed status?

Even now, a learner cannot be employed and have trainee status. However, now apprentices will either be on a course which leads to an Apprenticeship, which means they will be eligible to receive EMA, or they will be Employed, which means they must be paid at least £80 per week.

Courses which lead to an Apprenticeship offer a comparable financial support package to those offered by Further Education colleges and provide an ideal way to prepare for an Employer-Led Apprenticeship, especially when the learner needs additional support or where there is a delay in finding a placement. Employer-Led Apprenticeships are, of course, the gold standard, well paid and offering recognised qualifications and experience.

Can a learner in receipt of the MTA also qualify for a hardship payment?

No. Those receiving MTA are in receipt of a higher allowance and their households can qualify for Child Benefit and Child Tax Credit. All learners on E2E programmes and/or courses which lead to an Apprenticeship can receive travel payments and additional learner support/needs payments.

Eligibility

What are the age limits of eligibility for EMA?

Learners aged 15 who have completed compulsory education are eligible to apply for EMA as long as they reach their 16th birthday by 31 August. Learners on E2E programmes and/or courses which lead to an Apprenticeship who start between 3 July and September, and who will be 16 by 31 August, can receive EMA over the summer period.

All learners up to the age of 19, starting E2E programmes and/or courses which lead to an Apprenticeship from 1 September to 31 August 2007 will be eligible for EMA assessment.

Accruing Authorised Absence

Could you confirm that a learner on E2E or PLP will accrue holiday at two days per calendar month of attendance? And also that authorised absences for a hospital or other important appointment are separate to the accrued holidays?

E2E programmes and/or courses which lead to an Apprenticeship are designed to give learners the skills and experience they need to remain in employment. Learning to take only authorised absence is central to realising this. Annex 1 of the EMA Extension Guidance sets out the framework of authorised and unauthorised absence. It sets out that providers must develop a consistent attendance policy within the parameters set out in their guidance and apply it consistently to all their learners. They may do this independently or as part of a local agreement. It also confirms that, as part of their study pattern, learners may accrue authorised absence at a rate of two days per calendar month (paragraph 9, Annex 1).

Annex 1 also sets out the principle that, "in general, a learner should be paid EMA payments where they have attended all the learning as agreed in their EMA contract". Where a learner has no choice but to miss learning because of another appointment (such as a medical appointment, probation meeting, funeral or caring responsibility) this may be authorised in addition to accrued authorised absence. However, providers must manage this carefully and consistently, drawing on the principles set out in the guidance. We recommend that as this area is likely to be audited, so robust lines should be drawn up and explained to each learner when they join the programme. This will ensure that providers can demonstrate that they are authorising the expenditure of public funds legitimately and consistently.

Where there are periods of continual absence for the same reason (illness or caring responsibilities, for example) the learner should be advised that it may be better for them to leave the programme and start again when they are able to give the necessary commitment.

What is the position on paternity leave for learners receiving EMA?

Your employment rights on maternity/paternity rights differ, depending on your employment status. If you are an employee (i.e. directly employed by the employer) and you meet the other eligibility criteria which can include length of service, you can get paid paternity leave.

If you are a worker (and have a more temporary contract like most agency workers, short term casual workers and some freelancers) you can get the time off, but not necessarily pay. Anyone who is, or was on a course which leads to an Apprenticeship (and therefore not a direct employee) does not normally qualify for paid paternity leave. Therefore, under current rules, the learner would need to take accumulated absence or an agreed break from their learning during which MTA or EMA would not be paid. Employed learners would of course be entitled to paid paternity leave. The same applies to maternity leave, which is also an agreed break in learning.

Additional questions

Is it acceptable only to interview young people for EZE programmes and/or courses which lead to an Apprenticeship if they already have their EMA Notice of Entitlement (NOE)?

Absolutely not, and such practice may represent a breach of contract. Providers must recruit eligible young people to their provision, regardless of their EMA eligibility, and an interview represents an ideal opportunity to show the young person the EMA Application Form. If young people need support in completing their EMA Application form, we would expect providers to offer that help. If necessary, a young person may delay the start of their provision until they have their NOE, but their EMA status should have no impact on their eligibility for the scheme.

The courses which lead to an Apprenticeship that I deliver only last five weeks. How can I enrol my learners onto EMASYS?

To be eligible for EMA, there is a legal requirement for a learning programme to have a minimum of 10 weeks anticipated learning. As a result, EMASYS will only allow you to set a period of study for ten weeks or more. Where a programme has an anticipated length of less than 10 weeks before the learner progresses to a paid employed apprenticeship, it is reasonable that a provider should push for the learner to be directly employed from the outset of their Apprenticeship. This is the LSC's strong preference on Apprentice recruitment. In the event this proves impossible, but the Apprenticeship will last over 10 weeks, the provider may sign the learner up for an anticipated duration of 10 weeks, and de-register the learner at the end of their learning, so there can be no incidence of double funding (between wages and EMA). However, we would expect this mode of delivery to be the exception rather than the rule.

EMA Extension Update is published monthly and is available online. It can be downloaded from our website (www.lsc.gov.uk) through the Documents section of our national home page by selecting Series on the menu bar.

We value your views, so please let us have your comments on the content and style, or any ideas on how you think we could improve LSC Extension Update at emaextension@lsc.gov.uk

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