

Changes to EMA Attendance Requirements

Y Pwyllgor Deisebau | 13 Medi 2016

Petitions Committee | 13 Sept 2016

Research Briefing:

Petition number: P-05-702

Petition title: Attendance Requirements for Young Adult Carers

Text of petition: I call upon the National Assembly to urge the Welsh Assembly Government to amend the current Education Maintenance Allowance (EMA) criteria in respect of Young Adult Carers (YACs) in Wales.

Currently, the EMA Learning Agreement Form's 'Attendance, Performance and Behaviour Criteria' says 'students must meet the college's attendance requirements of 100% relating to the agreed programme unless prevented from doing so by illness or other good reason agreed by the college'... and 'attend all classes at the correct time and place and submit all work by the deadlines set.'

These criteria act as a barrier to YACs engaging in further education and contribute to the high number of YACs who subsequently drop out due to the demands of their caring role. This is evidenced by the findings of the research 'Time To Be Heard' which says that of the 22,655 YACs in Wales 21% are NEET (Not in Education, Training, Employment) and that they are four times more likely to drop out of college than those without caring commitments.

Under the current EMA guidelines there is no allowance for the caring responsibilities which can impact YAC's ability to engage in education which is discriminatory as it limits their options to realise their full potential, further their career and make a positive contribution to society.

In order for the number of YACs who are NEET to be reduced and the number engaging in and completing further education to increase I believe that the vital role YACs have needs to be acknowledged through making special compensation for their caring responsibilities through introducing a lower attendance requirement of 80%.

I propose that a question be included on the EMA registration form which identifies YACs so as to identify their need for potential support to engage in and remain in further education, encourage YACs to register with a Carers Service and/or Social Services and assist the WAG to monitor the number of YACs in Wales.

Background

The EMA is a financial allowance available to 16, 17 and 18 years olds living in Wales to encourage and support them to continue in education after compulsory school leaving age. It was first introduced for 16 year-olds in 2004/05 and was extended to include 17 year-olds in 2005/06 and 18 year-olds during 2006/07.

A total of [30,465 applications for EMA were received for 2014/15](#). 94 per cent of applications received were approved, 3 per cent were rejected and 2 per cent were incomplete.

Eligible students receive a weekly allowance of £30, which is paid fortnightly. The individual institutions, where students are receiving EMA, are responsible for instructing the Student Loans Company (SLC) to proceed with paying a student's EMA. Institutions ask the SLC to pay students based on satisfactory attendance and the achievement of agreed learning goals. These learning goals and attendance targets are set out in a Learning Agreement signed by the student and institution at the start of the course (see below).

SLC, under the brand name of [Student Finance Wales](#), is responsible for the management and payment of the EMA in Wales. Scotland and Northern Ireland have EMA schemes, although England ended their scheme in 2011, replacing it with a [Bursary Fund for 16–19 year olds](#).

EMA does not affect any money students earn from a part-time job or any benefits paid to families, such as Child Benefit, Tax Credits, Universal Credit or Employment Support Allowance.

Eligibility Criteria

Eligible students, must attend recognised schools or further education institutions in Wales or elsewhere in the UK.

[Household income is a key criterion](#) for awarding EMA. Students are currently only able to receive EMA if their household income is £20,817 or less; or £23,077 or less in certain conditions (such as additional dependants being resident in the household).

The course the student is undertaking must also be considered eligible. For a course to be eligible, it must be:

- an academic or vocational course up to and including Level 3; and
- full-time at school, or involve a minimum of 12 guided hours at college; and
- at least 10 weeks long.

A [full list of the eligibility criteria](#) for EMA can be found online.

Some recent changes to the EMA eligibility criteria were indicated in the [EMA \(Wales\) Scheme 2014/15 Equality Impact Assessment](#). It notes:

The SLC will assess applications made to the EMA Scheme where an applicant meets the eligibility criteria for age, income thresholds and residency, but is unable to meet other criteria (learning sessions at a recognised educational institution) of the Scheme due to the nature of their disability. Successful applicants will receive an equivalent award (of £30 per week).

Learning Agreements

If the student meets all the eligibility criteria then they will have to enter into a Learning Agreement with the college or school where they will undertake their studies. Adherence to this Agreement becomes the basis for the ongoing payment of EMA to the student.

From 2016/17 on, the SLC provides a mandatory template Learning Agreement for institutions to use. This is to provide consistency, to help distinguish between the EMA agreement and the institutions own, separate student agreements, and to reinforce the importance of the EMA agreement. Institutions who administer EMA are responsible for completing the blank spaces with the student.

The SLC also provides Learning Centre Guidance to support institutions to draft their Learning Agreements, as well as manage other aspects of EMA administration. Pages 15 – 20 of this Guidance deals with absences. It states that:

In order to receive EMA the student must have, signed their EMA Agreement and, in respect of the week, to which the award relates, attended every learning session in connection with their eligible course, or **if the student has not attended every learning session, the school or college has authorised their absence [author's emphasis]**.

It goes on to provide examples that 'could be acceptable reasons for authorising absences'.

These include:

- A family emergency, such as the need to look after a family member. (This may be important to students who may have caring responsibilities e.g. young carers / young adult carers responsible for a family member); or

- Medical appointments which could not be made outside of school or college hours. (In the cases of young carers / young adult carers, this may require attendance at medical appointments for the person they care for).

As such there is a relative level of discretion available to colleges to decide the amount of time they will accept as authorised absence and still pay the EMA. Page 21 of the guidance notes that:

Where the school/college has taken the decision that a student has not met the attendance criteria for that week and will not receive a weekly EMA payment, the student has the right of appeal to the school/college only. It is up to the school/college to decide if there are grounds for appeal in the first instance.

Schools and colleges are expected to have their own established appeals process which is published and available to its pupils/students.

It should be noted that all the Guidance Notes are not in the public domain. They are only provided to those institutions registered to administer EMA and have access to SLC's online secure portal.

The Evaluation of the Education Maintenance Allowance (EMA)

In 2014 the [Welsh Government published an Evaluation of the EMA scheme](#). On the whole it found the EMA scheme to be playing a positive role in the Welsh education systems. Some recommendations that may be of note, include:

- Recommendation 5 – That learning agreements are strengthened and made more meaningful...Learning agreements could also be strengthened by setting out the requirements for attendance within the documents.
- Recommendation 6 – That learning centres adopt more consistent policies in relation to EMA recipient attendance requirements as well as greater consistency in their practices to monitor attendance. This would result in a more equitable provision to EMA recipients, particularly around non-attendance resulting from illness.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.