



EDUCATION DEPARTMENT

**A GUIDE TO
EDUCATION MAINTENANCE
ALLOWANCES**

**Policy Document
Session 2023/2024**

LIST OF CONTENTS

<u>Section</u>	<u>Page no</u>
1. What is an Education Maintenance Allowance (EMA)?	1
2. Who can get an EMA?	1
3. Conditions for EMA entitlement	1
3.1 Age requirements	1
3.2 Residential requirements	1
3.3 Income requirements	6
3.4 Course requirements	8
3.5 Short courses	8
3.6 If you leave your course	8
3.7 If you change courses during the academic year	8
3.8 If you move school during the academic year	8
3.9 If you are on work experience during term time	8
3.10 Hours per week	8
4. EMA support for students with additional support needs or “vulnerable” young people	9
4.1 Definition of “vulnerable”	9
4.2 Extension of eligibility period	9
4.3 Attendance	10
4.4 Learning Agreements	10
4.5 Exceptions to the financial assessment process	10
5. Students in home education	10
6. Administration of EMAs	10

7.	Why an EMA may be stopped?	11
8.	Independent students	11
9.	EMA learning agreement	11
10.	General conditions for EMA support	12
11.	Attendance/absence	13
12.	How will you get paid?	14
13.	Late applications	14
14.	Overpayments	14
15.	What to do if your application is refused	15
16.	Conditions of award	16
17.	Data Protection Act 1998	16

1. WHAT IS AN EDUCATION MAINTENANCE ALLOWANCE (EMA)?

An Education Maintenance Allowance (EMA) is a weekly allowance paid to help young people in education beyond the statutory school leaving age of 16.

In order to receive an EMA you must have an acceptable Learning Agreement. Payment will be made fortnightly in arrears during term-time. EMA payments are not made during short-term holidays which include the October week, Christmas/New Year and the two week break in April.

2. WHO CAN GET AN EMA?

For students applying where the household income is £24,421 or less the young person will be eligible and awarded £30 per week. Students from households with more than 1 dependant child and where the income is £26,884 or less will be eligible for a weekly payment of £30.

You must also attend a school in the East Renfrewshire Council area.

3. CONDITIONS FOR EMA ENTITLEMENT

In order to qualify for receipt of an EMA from August of any given year applicants need to satisfy the following eligibility conditions. The eligibility criteria must be applied annually, therefore an applicant will need to re-apply for an EMA on an annual basis.

3.1 Age Requirements

You must reach 16 years of age between 1 March 2023 and 29 February 2024 to be able to apply for an EMA for the academic year 2023-2024.

If you reach 16 years of age between 1 March 2023 and 30 September 2023 you can apply for an EMA from August 2023 .

If you reach 16 years of age between 1 October 2023 and 29 February 2024 you can apply for an EMA from January 2024.

3.2 Residential Requirements

In order to be residentially eligible for an EMA, a student must meet the residency criteria set out in the Education Maintenance Allowances (Scotland) Regulations 2007.

The following provides a summary of what these residence criteria are. However, this is only intended as a guide, and in **all cases** reference will be made to the relevant legislative document.

- **Qualifying Date**

In deciding eligibility, reference will be made to a “qualifying date”. For applications made under the autumn intake, this day will be the first day of the first term of the academic year (e.g. a date in August). For applications made under the winter intake, this day will be the first day of the first term in the new calendar year (e.g. a date in January).

- **Ordinarily Resident**

Students must satisfy “ordinary residence” criteria. Generally this relates to the qualifying date and to the three year period immediately before the qualifying date. Students must be ordinary resident in Scotland on the qualifying date and **depending on individual circumstances, they will have to fulfil** the 3 year ordinary residence either in the UK and Islands or, EEA and Switzerland, preceding the qualifying date.

Ordinarily resident” has been defined in the courts as “habitual and normal residence in one place”. There are restrictions as to whether living in a place totally or mainly for the purpose of receiving full-time education can count towards ordinary residence.

- **Settled Status**

The residency requirements are that the student:-

- is settled in the UK (within the meaning of the Immigration Act 1971) on the qualifying date;
- has been ordinarily resident **in the UK and Islands** throughout the 3 year period immediately before the qualifying date; and
- is ordinarily resident **in Scotland** on the qualifying date.

A person may be settled in the UK within the meaning of the Immigration Act 1971 if they are ordinarily resident in the UK and not subject under the immigration laws to any restriction on the amount of time they may stay in the UK. This would include British citizens, some Commonwealth citizens who have “Right of Abode” in the UK, those with indefinite leave to enter or remain and limited leave to enter or limited leave to remain, and those who have attained a right of permanent residence under Directive 2004/38/EC.

- **Right Of Permanent Residence**

There is also provision to enable people with settled status - such as a UK national (or family member), or a person who has a right of residence in the UK - to be eligible where they have utilised a right of residence elsewhere in the EEA or Switzerland during the 3 year period. This requires that he or she has been ordinarily resident in the EEA or Switzerland for the 3 year period and must be ordinarily resident in Scotland for 3 years before moving to the EEA

Where the 3 year residence in the EEA or Switzerland has been for the purposes of education, they would also require to have been ordinarily resident in the EEA or Switzerland prior to that period of study. Exceptions may apply when the student has been outwith the “relevant area” (defined as the UK and Islands, the EEA, Switzerland and Turkey) as detailed in Schedule 2 of the Regulations and in Part 3 of the Schedule to the Determination.

- **European Economic Area (EEA) and Swiss Employed Persons Or Migrant Workers (including Self-Employed)**

The EEA consists of all the countries of the European Union, plus Ireland, Liechtenstein and Norway.

A person who is an EEA migrant Worker, or an EEA or Swiss employed or self-employed person (or who is the family member of such a person), may be eligible for an EMA. The person:-

- has been ordinarily resident **in EEA or Switzerland** throughout the three year period immediately preceding the qualifying date; and
- is ordinarily resident **in Scotland** on the qualifying date.

- **European Economic Area (EEA) Frontier Workers And Swiss Frontier Employed Persons (including Self-Employed)**

A “frontier worker” or “frontier employed person” means an EEA or Swiss national who is either a worker (for EEA nationals within the meaning of article 7 of Directive 2004/38) or employed (for Swiss nationals within the meaning of Annex 1 to the Switzerland agreement) in the UK, who resides in Switzerland or in the territory of an EEA state other than the UK, and who returns to his or her residence in Switzerland or that EEA state, as the case may be, daily or at least once a week.

A person who is an EEA frontier worker or self-employed frontier worker or Swiss frontier employed person or frontier self-employed person in the UK or who is the family member of such a person, may be eligible provided:-

- he or she has been ordinarily resident in the EEA or Switzerland for the 3 year period immediately preceding the qualifying date.

- **Refugee Status**

Applicants who have been granted refugee status and have been living **in the UK and Islands** at all times since receiving it (or who are the spouse, civil partner or child of such a person) are entitled to apply for an EMA provided they are ordinarily resident **in Scotland** on the qualifying date.

These applicants should have a letter from the Home Office stating that they have been **recognised as a refugee** and/or awarded leave to remain **as a refugee**.

- **Leave To Enter Or Remain (where refugee status has been refused)**

Applicants who have been refused refugee status but granted a form of leave to enter or remain as a result of a failed asylum claim are also eligible, provided they:-

- have been ordinarily resident **in the UK and Islands** at all times since receiving that status.; and
- are ordinarily resident in Scotland on the qualifying date

The spouse, civil partner or child of such a person is also eligible provided he or she is ordinarily resident in Scotland on the qualifying date.

These applicants should have a letter from the Home Office which will indicate that they **have not been recognised as a refugee**, and **detail the leave granted**.

- **EU Temporary Protection**

Students may be granted Temporary Protection where there is a mass influx of displaced persons. The EU will determine when such a situation exists. To date this provision has never been used by the EU.

Students who have been granted Temporary Protection will be eligible to apply for an EMA if they:-

- have been ordinarily resident **in the UK and Islands** at all times since receiving that status; and
- **are under 18** on the qualifying date; and
- are ordinary resident in Scotland on the qualifying date

EMA paid to a person under this paragraph must not continue beyond the end of any academic year in which that person attains the age of 18 years.

- **Non-UK EC Nationals**

Non-UK EU nationals (or their family members) may be eligible for an EMA, provided they:-

- are a non-UK EU national or the family member of such a national;
- are ordinarily resident in Scotland on the qualifying date; and
- have been ordinarily resident in the UK and Islands throughout the preceding 3 year period.

Where the residence in the UK and Islands during the 3 year period has been wholly or mainly for the purposes of receiving full-time education (for example where an EMA applicant has been in secondary education in the UK), they may still be eligible, provided that they were ordinarily resident in the EEA or Switzerland immediately before the start of that 3 year period.

- **Child Of Swiss National**

The child of a Swiss national will be eligible, provided:-

- they are ordinarily resident in Scotland on the qualifying date; and
- have been ordinarily resident in the EEA or Switzerland throughout the 3 year period immediately preceding the qualifying date.

Where the residence in the UK and Islands during the 3 year period has been wholly or mainly for the purposes of receiving full-time education they must also have been ordinarily resident in the EEA or Switzerland immediately before the start of that 3 year period.

- **Child of a Turkish Worker**

A student who is the child of a Turkish worker (defined as Turkish national who is ordinary resident in Scotland and is or has been lawfully employed in the UK) is eligible to receive EMA if they

- are ordinarily resident in Scotland on the qualifying date and
- have been ordinary resident in EEA, Switzerland or Turkey throughout the preceding 3 years.

- **Iraqi Nationals (LESAS)**

Some Iraqi nationals have been granted leave to remain in the UK through the Locally Engaged Staff Assistance Scheme (LESAS) also known as the Iraqi Direct Entry Scheme. LESAS was established to assist Iraqis who worked for the British armed forces and civilian missions in Iraq. After their employment they have the option to settle in the UK.

For those who were employed between 1 January 2005 and 7 August 2007, the Home Office allowed them to enter the UK as a recognised refugee under the Gateway Protection Programme. However this part of LESAS closed to new applicants on 19 May 2009. For those who were employed from 8 August 2007 onwards, the Home Office now allows them to enter the UK with Indefinite Leave to Enter (ILE). The Regulations were amended in September 2009 so that Iraqi nationals and their children who have been awarded ILE under the LESAS scheme are eligible for EMA from the date of their entry to the UK without having to meet the normal 3 year residency requirements.

Iraqi nationals (or their children) will be eligible if:

- they have been ILE under LESAS;
- they have been ordinarily resident in the UK and Islands at all times since they were first granted ILE; and
- they are ordinarily resident in Scotland on the qualifying date.

Syrian Vulnerable Persons Relocation Scheme (VPRS)

A provision has been made to enable Syrian nationals who have entered the United Kingdom through the Syrian Vulnerable Persons Relocation Scheme (VPRS) to be eligible EMA providing they meet the following conditions:

- Are a Syrian national who has been granted humanitarian protection to enter the UK under the Syrian VPRS; and
- Has been ordinarily resident in the United Kingdom and Islands at all times since they were granted Humanitarian Protection; and
- Are ordinarily resident in Scotland on the relevant day

OR

- is the spouse, civil partner or child of a person above and;
- is ordinarily resident in Scotland on the relevant day

- **“Cross-Border” Students**

The EMA programme was rolled out nationally across Scotland, England, Wales and Northern Ireland in academic year 2004/05. From academic year 2011-12, England replaced EMA with an enhanced discretionary learner support fund.

Students from a part of the UK other than Scotland travelling daily across the border to study in Scotland will not be eligible to apply for Scottish EMA.

Students who move to Scotland from other parts of the UK solely for the purpose of undertaking a course of education are considered to be ordinarily resident in the place in the UK from where they moved. They are not eligible to claim EMA ie a student from England who was in Scotland on the qualifying date but was only in Scotland to study would not be eligible for EMA.

3.3 Income Requirements

Your **household** income will determine your eligibility for an EMA.

Please note if you have indicated your child will be entitled to free school meals for session 2023/2024 you do not need to send any documentation relating to household income. However we may contact if we require any further information.

Please Note: Household income does not include income from siblings who reside within the household.

There will be a number of methods of determining income:

Employed

A Tax Credit Award Notice (TCAN) for 2023/24 based on **actual** household income for 2022/2023.

OR

FULL most recent Universal Credit online statement. Please note additional evidence may be required if employed in 2022/2023

OR

A 2023 P60 from employer/inland revenue confirming earnings from employment.

Self-Employed

A Tax Credit Award Notice (TCAN) for 2023/24, based on **actual** household income for 2022/2023.

OR

A Self-Assessment Tax Calculation 2022/23 (SA302) should be submitted, alternatively a completed Accountant's certificate form, should be submitted (part B in application form), until a SA302 form is available this must be signed, dated and stamped by your accountant. Any parent(s)/guardian(s) in the household who is/are employed or self-employed will need to provide evidence of income. Confirmation will also be sought about any benefits or pension income for all those people who provide details on the application form.

In receipt of Social Security benefits or occupational pension

Any parent(s)/legal guardian(s) in the household who is/are in receipt of benefits should submit a P60u or have the "**Certificate of Benefits Received**" form completed by their local Department for Work and Pensions Office. Any parent(s)/legal guardian(s) in the household who is/are in receipt of an **occupational pension** should provide a **P60** supporting these earnings.

OR

FULL most recent Universal Credit online statement.

EMA Income and Weekly Payments Bands

Income up to £22,421	£30
Income up to £26,884	£30 (more than 1 dependant child)

3.4 Course Requirements

You must have a current signed Learning Agreement and you must adhere to the conditions of the Learning Agreement. The Learning Agreement for school pupils will be sent to the Local Authority by the school. Please note that EMA payments will not be made until a signed Learning Agreement has been completed and sent back to the Local Authority.

You must normally be on a recognised full time course of study. If you are repeating a same level course, for example retaking examinations, or if in your second year at a course of similar or lower academic standard, you are still eligible for an EMA provided that the school agrees that the student is progressing and where appropriate the course is leading towards a recognised qualification.

3.5 Short Courses

There may be cases where a student is following a course that is shorter than one academic year. Providing it is a recognised course and meets all other criteria, the student may be accepted for an EMA.

3.6 If You Leave Your Course

If you previously started a course and leave early you are still eligible for future funding, up to a maximum of three years in total. When you apply for the EMA for your second course, provided that you satisfy the eligibility criteria, you can be considered from the start of your new course, up to the point at which you have received a total of three years funding.

3.7 If You Change Courses During the Academic Year

You will still be eligible for an EMA for the new course provided you and your course continue to meet the eligibility criteria. An amended or renewed Learning Agreement would require to be set up and signed.

3.8 If You Move School During the Academic Year

This will not affect your entitlement to an EMA, provided that you renew your EMA Learning Agreement. If you move to a school outwith East Renfrewshire you will have to apply to the Local Authority where that school is located.

3.9 If You Are On Work Experience During Term Time

You will continue to receive payments, but only if this work experience is a pre-arranged integral part of the course, takes place during term time, and you do not receive a wage.

3.10 Hours Per Week

For EMA purposes "Full Time" means **at least 21** guided learning hours per week.

You can attend separate courses which individually are less than 21 hours, provided that they amount to 21 hours together and are integrated into the EMA Learning Agreement.

4. EMA SUPPORT FOR STUDENTS WITH ADDITIONAL SUPPORT NEEDS OR “VULNERABLE” YOUNG PEOPLE

Students within the category will qualify for flexibility in their entitlement to an EMA.

Note: A student with additional support needs (including disabilities, behavioural problems, mental health problems) may not need to be working towards a recognised educational qualification in order to receive an EMA. This will depend on their disability or additional support needs. In typical circumstances the student will have had a Record of Needs/Co-ordinated Support Plan opened during their school years. Their Learning Agreement should therefore be constructed in such a way that the education provider is satisfied that it provides a specific locally agreed education aim that measures progress for that young person.

Meeting the educational needs of students is a key challenge, critical to the creation of a fully inclusive society. As a step towards this, these guidelines have been drafted to ensure that the particular needs of these young people are taken into account.

4.1 Definition of “Vulnerable”

“Vulnerable” students are those who are at risk of non-participation and of under-achieving. The following are examples, but this is not an exclusive list:

- Students who are, for example, teenage parents, homeless or who are estranged from their parents
- Students who are in care or are care leavers
- Students who are, or have been, young offenders

the decision as to whether an applicant should get this additional flexibility will be made by the school with assistance from Pupil Support Staff, Careers Scotland, Social Work or Educational Psychologists who will confirm the applicant is eligible for additional support.

4.2 Extension of Eligibility Period

Local authorities and colleges will have the power to pay EMA to any young people whom it deems “vulnerable” for up to 4 years. This will apply to any young person who has a Record of Needs when they finish compulsory education. They will be able to continue to receive the Allowance beyond their 20th birthday and provided they continue to meet the other eligibility criteria, either (a) up to their 21st birthday, OR (b) up to the point where they have received 4 years’ support, whichever is sooner. This will be the case even if the local authority, on the student’s admission to college, has ended their Record of Needs. This also applies to care leavers.

4.3 Attendance

A flexible weekly attendance pattern may be arranged for vulnerable young people or those with Additional Support Needs.

In temporary extenuating circumstances, for example when a student is pregnant or has restricted mobility through illness, attendance of less than 21 hours per week may be allowed. The school must be satisfied that all other aspects of the Learning Agreement can be met and that the course can be completed satisfactorily.

4.4 Learning Agreements

The requirements for a parent/carer signature for school pupils will be waived for students who are estranged from their families and assessed as independent. (See section 8 for explanation of independence) for state benefits purposes. This may include students who are in care.

The requirements for the student's signature will be waived if the student has additional support needs that make it impractical.

4.5 Exceptions to the Financial Assessment Process

The Local Authority will assess the income of some young people in their own right. These include:

- a) Estranged young people or teenage parents receiving benefits in their own right
- b) All eligible young people in the care of their Local Authority, such as those living in foster homes, children's homes or supported housing, would be treated as "independent" for the purpose of EMA, and would automatically be eligible for the maximum EMA weekly rate without recourse to parental income assessment. Such students would require to provide a letter at the time of application from the Local Authority stating that they were in the care of the Local Authority.

5 STUDENTS IN HOME EDUCATION

EMAs will be available to eligible young people who are undertaking a full-time non-advanced programme of study through home education. The EMA programme will be administered for these students by the Local Authority in which the home education is based. Applications should be made to the Local Authority.

Given the nature of home education, there will be particular elements of the EMA programme which will vary. Full details are available on request from the Business Support Section of the Education Department 0141 577 3760.

6. ADMINISTRATION OF EMAs

Where a young person is living in one Local Authority and is attending a school in another, responsibility for payments fall with the Local Authority in which that school is situated.

If a student is attending a school and a college, the Local Authority in which the school is situated will be responsible for making the EMA payment.

7. WHY AN EMA PAYMENT MAY BE STOPPED?

- **Conduct**

When a student is not complying with the school's discipline policy or is frequently arriving late for school, registration or classes.

- **Absence**

Students must maintain 100% attendance. When attendance falls below 100% in any week, payment will not be made for that week.

- **Progress**

All students should progress in their studies. EMA payments can be stopped if students do not make progress in their studies.

8. INDEPENDENT STUDENTS

A student is classed as independent if:

- They are estranged from their parent or guardian
- They are a parent to whom child benefit is being paid
- They live alone
- They are married

9. EMA LEARNING AGREEMENT

To be eligible for an EMA, students must have signed an EMA Learning Agreement that must also be countersigned by their parent/carer and by an appropriate representative of the school where they are studying.

A Learning Agreement is an agreement between the student and a school that spells out the learning that will be offered and the responsibilities of both student and the school. It is the student's responsibility to ensure that they have a valid Learning Agreement.

The requirement for a parent/guardian signature for school pupils may be waived when the student is not currently residing with their parents or guardian and has been assessed as independent for Benefits Agency purposes. This may apply to students in care.

The requirements for the student's signature will be waived if the student has additional support needs that make it impractical. A new EMA Learning Agreement should be completed for each academic year.

The Local Authority may discontinue EMA payments where the information supplied by the school states that the student has failed to comply with their Learning Agreement.

Where the learning programme is undertaken at more than one school, the student will require a separate EMA Learning Agreement, signed by all parties, for each school at which he/she is registered, or a composite agreement constructed and signed by all relevant parties.

Where review of the learning programme results in a change of course at the same school, the EMA Learning Agreement can be amended and will remain valid for EMA payments provided that the variation is signed by the student and the school concerned. Where a student changes school mid-year, a new EMA Learning Agreement, signed by the student, school and parent/guardian, will be required. The onus will be on the student to ensure that he/she has a valid Learning Agreement.

10. GENERAL CONDITIONS FOR EMA SUPPORT

- You must have reached 16 between 1 March 2023 and 29 February 2024
- You must live in a household with annual income of **(see section 3.3)**
- You must meet the residential requirements
- You must attend a school for a minimum of 21 hours of programmed study each week (see Section 4 for exceptions)
- You must have 100% attendance each week (you will be allowed to self-certify for up to 5 consecutive days absence in an academic session)

11. ATTENDANCE/ABSENCE

ATTENDANCE

Students are required to have 100% attendance each week to qualify for their weekly EMA payment unless they are ill. They will not be paid for part attendance.

However, absences authorised by the educational provider where there is good cause for absence should be treated as a day of attendance for EMA purposes. If total attendance falls below a satisfactory level the EMA should be reviewed.

Students are required to produce documentary evidence (Letter from parent/carer) that they were unfit to attend due to ill health. Other forms of evidence, such as a copy of a doctor's prescription supported by a letter from the parent/guardian/carer confirming period of absence may also be acceptable at the discretion of the learning provider.

SELF CERTIFICATION

We recommend that if a student is absent due to ill health a letter from the parent/carer should be submitted to confirm this absence; however, it will be at the institutions' discretion how many times they will accept this. We suggest that they use their existing bursary guidance, or employment guidance for staff members, for determining this.

MEDICAL CERTIFICATES

Beyond the normal 5 working day / 7 day absence, a medical certificate should be produced. As GPs are not obliged to provide medical certificates this may have to be at the student's own expense. A medical certificate should only be obtained from GPs if the student has been absent due to illness for a period of more than 5 consecutive working days.

In no circumstances should local authorities or learning providers require medical certificates for shorter absences for the purpose of determining authorised absence for EMAs.

N.B. Although medical certificates would be desirable, it must be recognised that some GPs will not supply Medical Certificates to students, therefore there will be instances where determining whether a medical absence is genuine or not must be left to the teacher / tutor / school / college or learning provider in question.

A periodic medical absence that extends over a period of 3 weeks will be the subject of review.

Absence due to the illness of someone other than the student will not be counted towards attendance. In exceptional circumstances, where they are responsible for a dependent adult in the same household you may accept a medical certificate on behalf of the adult. The Director of Education will decide whether this action is appropriate, depending on individual circumstances.

12. HOW WILL YOU GET PAID?

EMA payments are for weekly attendance and will be made in fortnightly instalments in arrears. Payment to you is made on an instruction from the school to the Local Authority. Payment will be made through the BACS system directly into the applicant's bank account.

The Local Authority may discontinue EMA payments where the information supplied states that the student has failed to comply with their Learning Agreement.

13. LATE APPLICATIONS

It is possible that a student might start their course and only hear about EMAs afterwards. Payment of arrears can be made to the beginning of the current term, if the application is received by the cut off date (see details below).

Autumn Intake

If application is made before 30 September 2023 payment will be backdated to the beginning of the academic year, provided that the Learning Agreement criteria have been met. Otherwise payment will be made from the date that the application was received.

Winter Intake

If application is made before 29 February 2024 payment can be backdated to the beginning of that term, provided that the Learning Agreement criteria have been met. Otherwise payment will be made from the date that the application was received.

In all cases, the onus is on the student to prove that they have satisfied the conditions of the EMA Learning Agreement from the beginning of that term.

NO APPLICATION WILL BE CONSIDERED AFTER 31 MARCH 2024

Arrears will not be considered for any previous term.

14. OVERPAYMENTS

The Local Authority will claim back any amount that has been overpaid.

If you do not repay any amount we ask you to, we may take court action against you or we may refuse to give you an EMA in the future. If you are overpaid for any reason, keep the money safe so you can repay it when we ask you to.

We may pay you too much because:

- You have not told us about any changes in your circumstances
- You have withdrawn from the course and we didn't know about it
- The amount of award was based on information you gave us and this is incorrect
- We made a mistake when we worked out how much you were entitled to

We have a right and a duty to reclaim any overpayments we have made for any reason, and will normally do so.

15. WHAT TO DO IF YOUR APPLICATION IS REFUSED

If you want to appeal against the decision we have made about your application you should write to the Head of Education Services at the address below within one calendar month of the letter notifying you of the decision.

You will have been informed of the reason(s) your application was refused and any appeal on your behalf should clearly state the grounds for appeal. You should supply any new information or facts to assist your appeal which you think will help.

Your appeal will then be considered by officers who are experienced in administering EMA policy. If your appeal is successful you will be advised of this and your payment will be processed as quickly as possible.

If your appeal is unsuccessful you will be advised of the reason(s) why it was unsuccessful and you can then appeal for a second time. If, after due consideration, you feel you have good grounds for a second appeal you should write with 14 days (again providing new information) to:

Director of Education
East Renfrewshire Council
211 Main Street
Barrhead
East Renfrewshire
G78 1SY

Your previous correspondence will be passed to the Director of Education and your case will be considered by a panel of Councillors who will meet for this purpose.

If your second appeal is successful you will be duly notified. **If, however, your second appeal is unsuccessful, there is no further right of appeal.**

16. CONDITIONS OF AWARD

An EMA is awarded to help you financially with your studies. To receive an EMA, you must have an acceptable Learning Agreement and 100% attendance.

If you are successful in getting an EMA, we will send you a Learning Agreement and an Award Letter explaining a number of conditions. If you agree to follow the conditions (which will be strictly enforced and may result in an account for overpayment being issued if you fail to keep them), you and your parents/guardians must sign the Learning Agreement and return it to your school for signing. The school will forward this Learning Agreement to the local authority. Your payments will not start until the Local Authority receives your signed Learning Agreement. If you fail to keep to any of the conditions attached to your EMA award, your payments will stop without warning and we will send you an account if there has been any overpayment.

You must write to the Business Support Section immediately if:

- Your parent(s)/legal guardian(s) financial circumstances change
- You change your bank details
- You decide not to continue with your course

This will allow the Business Support Section to reassess/stop your payments immediately and reduce the amount of any overpayment.