



Northern Ireland  
Assembly

## Research and Information Service Briefing Paper

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# Education Maintenance Allowance – The Scottish Model

## 1 Introduction

The following paper discusses the Scottish Model of EMA and how it differs from the system as delivered in Northern Ireland.

Please note, Appendix 1 details the EMA systems in each of the UK regions<sup>1</sup>.

## 2 Key Points

- There are two types of Education Maintenance Allowance used in Northern Ireland – Means Tested and Non-means tested;
- Means tested is the standard EMA, used across the UK (although EMA is no longer used in England);
- NI is the only UK region to use non-means tested EMA which is available to young people taking part in Training for Success;

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<sup>1</sup> PricewaterhouseCooper and Department for Employment and Learning, EMA: A review of the Education Maintenance Allowance Scheme December 2010

- The Scottish model of EMA is similar to NI's, although variation does exist through the flexibility applied to vulnerable students;
- In Scotland Vulnerable students are entitled to four years EMA rather than three;
- Activity Agreements can be used by Learning Centres rather than Learning Agreements, which allow for a more flexible approach to introducing a young person to formal learning;
- In addition, Learning Centres in Scotland are defined as Schools, Colleges and other learning organisations approved by the Local Authority – In Northern Ireland Learning Centres are defined as Schools and Colleges; and
- A PWC report on EMA found that the Department may want to give consideration to providing some flexibility for pupils with support needs and learners with special education needs through the provision of activity agreements.

### 3 EMA in Northern Ireland

As stated by the Department of Employment and Learning (DEL) there are two types of EMA in Northern Ireland<sup>2</sup>:

- The **non means-tested** Education Maintenance Allowance is payable only under the provisions of the Employment and Training Act (Northern Ireland) 1950 and, as such, to unwaged trainees on the Training for Success Programme (including Programme Led Apprenticeships). When put in place, it formed part of a package of financial incentives directed at young people undertaking specifically structured training of a minimum of 30 hours per week and leading to recognised professional and technical qualifications. The legislative basis on which the package is provided is intertwined with United Kingdom wide Social Security and Child Benefit legislation and cannot apply to a programme such as the Give and Take scheme or to other pre-vocational training not provided by the Department under the Act. This is the only scheme of its kind in the UK and allows young people on it to access both EMA and social security benefits whilst training for future employment; and
- The **means-tested** Education Maintenance Allowance (EMA) scheme was jointly introduced in September 2004 by the Department (DEL) and the Department of Education. The main purpose of the scheme is to enable young people from lower income backgrounds to remain in post-compulsory education at school or college with the express purpose of raising participation, retention and achievement rates in the eligible group; and addressing the well-established link between low attainment and low income. In order to be eligible to receive the means-tested Education maintenance allowance, students must, amongst other criteria, be aged between 16 to 19 years and studying full-time at school or a minimum of 15 hours at a Further Education college in Northern Ireland.

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<sup>2</sup> Department for Employment and Learning, Response to Committee for Employment and Learning Queries 13 October 2011

It should be noted that means-tested EMA is the norm across the UK, with Northern Ireland the only UK region that has a non-means tested EMA in operation, although England has previously run a scheme which has since been discontinued.

As with the other systems in operation, young people who want to access EMA must complete a Learning Agreement (LA). The LA has two parts<sup>3</sup>:

- Part 1: this includes conditions on attendance linked to receipt of the weekly payment and is signed by both the student and the Learning Centre; and
- Part 2: This is an individually tailored agreement regarding a student's agreed learning goals and may also specify behaviour.

The issue of pre-vocational schemes accessing non-means tested EMA has been raised a number of times, with the Minister for Employment and Learning stating in 2011 regarding EMA:

*My Department and the Department of Education are currently considering options for its future, it is intended that options will be presented to the Executive as soon as practically possible and this will be followed by a public consultation. I must stress, however, that these options will be based on findings from the review in relation to the scheme as it **currently** operates. It will **not**, therefore, be feasible or appropriate, either as part of or outwith the consultation, to consider widening the eligibility criteria of the means-tested allowance to schemes such as Give and Take, which are targeted at students, aged 16 to 21 not in Education, Employment or Training and have entirely different objectives<sup>4</sup>.*

It should be noted that in discussions with DEL officials regarding the potential expansion of the non-means tested EMA to pre-vocational schemes it was found that:

*The parity rationale on which the package was based no longer exists.*

As a result it is not possible to expand the non-means tested EMA scheme to encompass non-government pre-vocational programmes as a result of stipulations within legislation and the funding requirements of DFP and the HM Treasury.

## 4 The Scottish Model

As can be seen in Appendix 1, the Scottish version of EMA operates along the same lines as Northern Ireland. However, a number of differences have been identified, most relating to the flexibility of the model used.

<sup>3</sup> Department for Employment and Learning and Department of Education, Little Book of EMA 2011/12

<sup>4</sup> Assembly Questions, AIMS Portal, AQW 5618/11-15. Please note, emphasis added by the author.

#### 4.1 Flexibility for Vulnerable Students

Within the Scottish Model of EMA there is an additional level of flexibility in the entitlement for vulnerable students<sup>5</sup>. In the examples cited, certain personnel circumstances must be met:

- Homeless young person;
- Those with probation orders;
- Teenage parents;
- Those with caring responsibilities;
- Those in rehabilitation from illness; and
- Those classed with additional needs.

The guidance also states that:

*Flexibility should automatically be extended to looked after young people and care leavers.*

Vulnerable students are entitled to four years EMA rather than three, with the judgment regarding whether or not a young person is entitled to this additional flexibility is made by the Learning Centre, although it is done with guidance from staff, social workers and educational psychologists (as appropriate).

It should be noted that in NI a Learning Centre is defined as being the School or College which is providing the course of education. In Scotland a Learning Centre is defined as colleges, schools and other learning organisations approved by local authorities for the purposes of EMA, adding an extra degree of flexibility in regards young people's access to the allowance.

In terms of attendance, the Scottish model is also adaptable:

*In addition to qualifying for four years of Education Maintenance Allowance support, a flexible attendance pattern may be more appropriate for such students<sup>6</sup>.*

As such as learning centre may ascribe or define an attendance pattern that may mean the student does not attend as many sessions as their peers. Such students may also undertake flexible or broader course content.

This more flexible approach relates directly to the second significant difference between NI and Scotland's EMA. Vulnerable students may sign an Activity Agreement rather than a Learning Agreement.

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<sup>5</sup> The Scottish Government, Education Maintenance Allowance Scottish Business Model March 2011

<sup>6</sup> Ibid

## 4.2 Activity Agreements

Following a pilot scheme in ten Local Authorities, Scotland has recently introduced Activity Agreements (AA) across the region. As stated in the Guidance published in March 2011<sup>7</sup>:

*An Activity Agreement is an agreement between a young person and an advisor that the young person will take part in a programme of learning and activity which helps them to become ready for formal learning or employment. The young person may receive an allowance in return for complying with this agreement.*

The AA were developed to help vulnerable young people who are not ready or able to access formal learning. This may be a result of barriers to participation that result in them needing support to build confidence, social skills or they may need opportunities to develop team working skills and self-esteem.

Non-formal learning may, therefore, be the most appropriate method of continuing to develop their skills and help them progress towards formal learning and qualifications.

Importantly the guidance states that<sup>8</sup>:

*There is a wide range of activity – and routes to recognition or accreditation – which may help young people to develop towards more formal engagement with learning or employment – some of which is not explicitly focused on employability.*

There are two main criteria for eligibility:

- Post 16 (target age 16/17 however young people up to age 20 can be engaged);
- Participation should be based on needs – identifying their current skills and experience and what will be needed to help them engage in and sustain learning, moving towards more formal engagement and ultimately employment.

In addition:

*Young people who are participating in Activity Agreements should have access to financial support in the same way as young people learning in more formal settings.*

The allowance paid to young people participating in AAs is based on the EMA programme. Existing guidance on EMA dictates YPs eligibility for allowances in terms of date of birth, residency and impact on receipt of DWP benefits.

Young people on AAs can receive payments outside the normal school and college term time as their learning may not follow the academic year.

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<sup>7</sup> The Scottish Government, Education Maintenance Allowance Scottish Business Model March 2011

<sup>8</sup> Ibid

Flexibility is also provided to these young people in terms of timetabling and the range of provision they can access. Any specific guidelines can be built into the YP's agreement.

It should be noted that the YPs advisor or Learning Centre is responsible for authorising or stopping payments.

A PWC report on EMA as implemented in Northern Ireland examined a number of the other models in operation and stated that consideration should be given to<sup>9</sup>:

*Providing some flexibility in the system for pupils with support needs and learners with Special Education Needs through the provision of 'activity agreements' for those more vulnerable learners who may be unable to meet the 15 hours per week criteria. This is line with developments in Scotland.*

In regards EMA legislation it should be noted that the legislative framework around which NI's EMA is based includes the Employment and Training Act (Northern Ireland) 1950 and a large body of Social Security legislation. Scotland has developed a number of Statutory Instruments that relate directly to EMA (including recent changes to the Regulations regarding residency requirements) and Wales has previously had specific legislation related to EMA but have subsequently begun to use the Education Act 2002 as the specific statutory instruments were found to be cumbersome (the Regulations needed to be altered every year to take account of factors such as inflation, resulting in a large degree of resource allocation).

In addition, Wales is considering expanding EMA to work place training.

## 5 Summary and Recommendations

Northern Ireland is the only UK region which operates both a means tested and non-means tested EMA scheme. The non-means tested scheme, based around the Training for Success programme, was introduced in 2008 and allows young people to access an EMA payment of £40 per week without losing access to additional benefits.

The means tested scheme runs along similar lines to that of the rest of the UK.

The Scottish Model of EMA runs along similar lines to the scheme in NI, although via legislation from 1998 it has recently introduced Activity Agreements that allow a degree of flexibility in the system for young people classed as vulnerable. This expands the number of years they have access to EMA and also allows Learning Centres to accept fewer hours of attendance at a course as eligible for payment of the allowance.

The Scottish Model has run successfully in a number of pilot schemes across the region and has now been rolled out across Scotland.

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<sup>9 9</sup> PricewaterhouseCooper and Department for Employment and Learning, EMA: A review of the Education Maintenance

As stated in the PWC report on EMA in Northern Ireland, an expansion of the Activity Agreements into Northern Ireland may be of benefit as it could provide additional provision to students with support needs and learners with Special Education Needs.

### Appendix 1: Overview of the EMA Scheme across the UK

	Northern Ireland	England	Scotland	Wales
<b>Scheme launched</b>	September 2004	September 2004	August 2005	September 2004
<b>Numbers in receipt of EMA (2009/10)</b>	24,000	636,883	39,000	34,280
<b>Eligibility criteria</b>	<ul style="list-style-type: none"> <li>• 16, 17, 18 or 19 Years;</li> <li>• 15 guided learning hours at an FE college or studying full time at school in Northern Ireland.</li> </ul>	<ul style="list-style-type: none"> <li>• 16, 17, and 18 Years;</li> <li>• Average 12 guided learning hours per week in college or school.</li> </ul>	<ul style="list-style-type: none"> <li>• 16, 17, 18 or 19 Years;</li> <li>• 21 guided learning hours per week in college or school.</li> </ul>	<ul style="list-style-type: none"> <li>• 16, 17, and 18 Years;</li> <li>• Minimum of 12 guided learning hours per week in college or school.</li> </ul>
<b>Allowance payment and income bands</b>	<b>£30:</b> £0 - £22,331 <b>£20:</b> £22,332 - £27,388 <b>£10:</b> £27,389 - £33,061	<b>£30:</b> £0 - £20,871 <b>£20:</b> £20,818 - £25,521 <b>£10:</b> £25,522 - £30,810	<b>£30:</b> £0 - £20,351 + 1 dependent child in h/hold <b>£30:</b> £22,332 - £27,388 + 2 dependent children in h/hold. Note: £10 and £20 payments no longer exist in Scotland	<b>£30:</b> £0 - £20,351 + 1 dependent child in h/hold <b>£30:</b> £22,332 - £27,388 + 2 dependent children in h/hold. Note: £10 and £20 payments no longer exist in Scotland
<b>Bonus Payments</b>	Bonus payments of £100 if satisfactory progress with learning during the year paid in January and July. There is also a returner bonus for those returning to their course in September (the subsequent year).	Bonus payments will no longer be made for 2010/11. Prior to this learners could receive a £100 bonus in January and July. <b>Please note England abolished its EMA scheme in 2011.</b>	Bonus payments will no longer form part of the scheme from academic year 2010/11 onwards.	Bonus payments are no longer part of the scheme since 2010/11.
<b>Administration</b>	EMA resides with DEL in the HE function. The administration of the Scheme is completed by the Student Loans Company.	EMA currently sits with the Young People's Learning Agency (YPLA). The administration of the Scheme is undertaken by Capita.	EMA sits with the Scottish government but is administered through the 32 Local Authorities.	EMA is operated through Student Finance Wales, part of the Welsh Assembly Government. Payments are administered by the Student Loans Company.