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[Scheme Overview 2](#_Toc144988807)

 [Service Overview 2](#_Toc144988808)

[LC responsibilities and terms of usage 2](#_Toc144988809)

[Eligible courses 2](#_Toc144988810)

[Multiple Learning Centres 3](#_Toc144988811)

[EMA Learning Agreements 3](#_Toc144988812)

[Extenuating circumstances 4](#_Toc144988813)

[Nominated Person EMA Learning Agreement Form 4](#_Toc144988814)

[EMA Learning Agreement status 5](#_Toc144988815)

[Students changing school or college 5](#_Toc144988816)

[Entering the Learning Centre's holidays 6](#_Toc144988817)

[Attendance during the holidays 6](#_Toc144988818)

[Course start date 7](#_Toc144988819)

[Collating attendance 7](#_Toc144988820)

[Submitting attendance confirmations 7](#_Toc144988821)

[Changing attendance confirmations 7](#_Toc144988822)

[Absence 8](#_Toc144988823)

[Illness 8](#_Toc144988824)

[New Approved Applications indicator 9](#_Toc144988825)

[System 9](#_Toc144988826)

[Documents 10](#_Toc144988827)

[Reports 10](#_Toc144988828)

[Student information 10](#_Toc144988829)

[Appeals about EMA entitlement 10](#_Toc144988830)

[Record keeping 11](#_Toc144988831)

[Targeted bulk erasure of data 11](#_Toc144988832)

[Promoting the EMA scheme 11](#_Toc144988833)

[Service Standards for EMA in Wales for further education providers 12](#_Toc144988834)

### Scheme Overview

The Education Maintenance Allowance (EMA) provides a non-repayable financial support for Welsh domiciled 16 to 18-year-old students who are continuing their education at recognised school or further education college. It is a means-tested, attendance-based weekly allowance, paid every 2 weeks. EMA is available to students on a range of academic and vocational courses up to level 3, for example GCSEs, A levels, NVQs, Independent Living Skills programmes, pre-entry level, entry level and basic skills courses (the list is not exhaustive).

EMA payments are made according to the student's attendance at school or college, in line with the terms of their EMA Learning Agreement (EMA LA). EMA is normally available for the duration of the programme of full-time academic or vocational education that lasts at least ten weeks, where the student is timetabled to study for at least 12 hours per week and is payable up to the period of three academic years. The student must show some measure of progression from beginning to an end of the programme.

# Service Overview

SLC provides the Learning Centre Portal (LC Portal) and supporting guidance within the Learning Centre Services (LCS) website to allow Learning Centres (LCs) to carry out the administrative tasks required to ensure that all eligible students are paid accurately and on time. This includes inputting Learning agreement data, tracking and submitting attendance data, entering school holidays, and administering students who change course or their learning centre. The LC Portal is the only option available for LCs to perform these EMA administrative activities.

SLC also provides LCs with materials to promote awareness of the financial support available under the EMA scheme, and information and guidance to allow LCs to offer advice about completing and returning the form.

### LC responsibilities and terms of usage

It is the responsibility of each LC to ensure that information held on the LC Portal for their organisation is up to date and accurate. This includes as a minimum of two main LC contacts updated in Profile section of LC Portal, appropriate number of users required for EMA updates, up to date LC address and contact phone number and a signed GDPR Agreement. It is LC’s responsibility to ensure that all student related administrative actions outlined in this document are carried out timely within agreed Service Standards.

The LC is responsible for ensuring that its portal users are aware of, and implement, their responsibilities as defined in this document and in the Joint SLC and LC Service Agreement. LCs are responsible for following the business rules of each function detailed within the guidance documentation held on the LCS Website: <https://www.lcservices.slc.co.uk/>

### Eligible courses

To receive EMA, students must be studying on an eligible course.

All eligible courses must be a programme of full-time academic or vocational education with:

* at least 10 weeks' duration
* at least 12 guided contact hours per week

The school or college is responsible for confirming that the student’s course is valid. This can be actioned on the LC Portal, as part of the process to confirm the student’s EMA LA. If LCs are not sure if course is valid or not, in first instance they should refer to the guidance on LCS Website and for any further course related enquiries contact LCs Partners Support Desk for help.

### Multiple Learning Centres

Students cannot be registered to receive EMA at more than one school or college.

If eligible students are attending more than one LC, EMA is payable through the LC where they spend most of the week.

### EMA Learning Agreements

EMA Learning Agreements (LAs) specify exactly what students need to do to receive their weekly allowances. They are signed by both, the student, and the LC. Both the LC, and the student need to keep a copy of the EMA LA. Both paper copies must have original signatures. The agreements can also be emailed to the students. An email should be requested from the student as a confirmation that they agree to their EMA terms. The emails should be stored in an electronic file.

The copies of all EMA records must be kept for 7 years for audit purposes.

The EMA LA should clearly define the acceptable attendance, along with what is expected from the student and the role of the Learning Centre.

All eligible EMA students need a new EMA LA for each year, whether they are new or returning.

Approved students will not receive any payments until they've signed their EMA LA at their LC. When the agreement has been signed, the LC is required to record this on the student’s record on the LC Portal.

The EMA Learning Agreement sets out the responsibilities of the student and the LC around the student’s attendance on their course. The student commits to attending the timetable the LC has set, in return for a weekly EMA payment.

As a minimum, the EMA LA should confirm that the student has enrolled on a valid course, that the student has been made fully aware of how their LC administers the EMA scheme, including the attendance and authorised or unauthorised absence procedure. It is the student’s responsibility to tell the LC about their absence. It should also outline the appeals system in case of a dispute over unauthorised attendance confirmations and what extra support is available. You must also select a language preference on LC Portal.

EMA payments are only made if the student has signed their EMA LA and has met the attendance criteria the LC has set out (or has an acceptable authorised absence) and has been confirmed on the LC Portal as having full attendance or authorised absence for all scheduled classes during the given week. When students sign their EMA LA, they commit to the objectives their LC has set, in return for a weekly EMA payment.

When the LC signs the EMA LA, they also agree to confirm the student’s weekly attendance on the LC Portal.

Learning agreements should be signed before LCs break for the summer holidays. The deadline to sign them is the end of the academic year. If the student cannot do this due to compelling personal reasons, they must sign no later than the end of the first month (September) of the next academic year.

### Extenuating circumstances

The EMA LA includes a question about extenuating circumstances. This may prompt a discussion between you and the student about whether they’re experiencing extenuating circumstances that may affect their attendance.

The purpose of this is to support vulnerable students who are at risk of not participating in education. This may include, but is not limited to, caring responsibilities, such as looking after a family member who is ill or a disabled.

If the student has highlighted extenuating circumstances, you can capture this on the EMA LA and the LC Portal, but you must have the student’s consent first. We recommend that you follow your own established processes for supporting vulnerable students, rather than record the circumstances on the EMA LA.

You should acknowledge the circumstances when you confirm weekly attendance. Please consider the circumstances of the student case by case when you decide if they should receive their EMA payments.

Returning student applications

For returning students, signing their EMA LA acts as a formal application for EMA support under the terms and conditions of that academic year. This replaces the need for them to return a new application form.

The application of an eligible returning student is automatically rolled over to the next academic year (subject to a HMRC Household income check). However, the LC must still confirm that both the LC and the returning student have signed the EMA LA. This will let SLC know that the application remains valid. Returning students must sign their EMA Learning Agreement within 13 weeks from the start of their course to have their payments backdated.

### Nominated Person EMA Learning Agreement Form

LCs can use the Nominated Person EMA LA Form if a student is not capable of signing the EMA LA. This form lets a nominated third party sign it on their behalf.

The nominated third party could be a parent, guardian, or carer responsible for the student’s administrative or financial affairs.

The EMA LA should also include a clear statement that EMA payments can be withheld if the student does not meet their EMA LA objectives.

LC must use the mandatory EMA LA template for all students, it can be download from the LC Portal.

### EMA Learning Agreement status

**Active**

This status is automatically set by the system when LC confirms that a student has signed their EMA LA.

If the LC needs to discontinue an EMA LA, the method to use for this depends on the student’s circumstances.

**Suspended**

If a student is absent from the LC for a longer period and it has not been confirmed if the absence will be permanent, EMA LA should be suspended. This allows reactivation if the student returns.

LC should avoid using the Stop function, as the suspension can be reversed if an error has been made or if the student changes their mind.

LC will not have to make attendance confirmations for students whose EMA LA has been suspended until these are reactivated.

**Stopped**

If a student leaves the LC permanently, their EMA LA must be stopped. This places a stop on the student’s record and the LC will not need to make any more attendance confirmations.

EMA LA should only be stopped in receipt of a confirmation that the student will not return.

**Old and revised EMA LAs must be kept for audit purposes**.

EMA LA Confirmations service standard is 100% within an average of 10 working days of an Approved Application or start of the EMA Year, whichever is later. The count for the 10 days starts for the new students from date of approval and returning students from first full week of a new academic year (knows as the EMA Year).

### Students changing school or college

The original school or college must stop the EMA LA if the student has left. The student’s EMA payments will then stop until they tell us they’ve moved to a new LC.

Once SLC has the transfer details from the student and can complete the transfer, the new school or college will see the student’s details on the LC Portal from the following Monday.

The new school or college must confirm that the student is on an eligible EMA course. They must also set up a new EMA LA with the student.

Students who change their LC mid-week will still be eligible for the weekly EMA payment, so long as they have attended all scheduled classes that week. The LC where the student started the week must confirm attendance on the LC Portal. They should work with the new LC to confirm attendance for the week of the move.

If a student moves to another LC or significantly changes their programme of study during the academic year, SLC will need to confirm if the student is repeating their studies and if there is a reason outside of their control for repeating.

### Entering the Learning Centre's holidays

Before the LC can enter any attendance confirmations, they must enter LCs annual holidays on the LC Portal. This ensures that the 'two-day rule' for the start of the AY is met when deciding which weeks qualify as EMA learning weeks. Students will not receive an EMA payment for the Holiday weeks.

LCs must use the Holidays functionality of the LC Portal to enter their holidays. All holidays should be added, including summer holidays, for the upcoming academic year before it starts in September. These can be added from May and there must be at least 8 weeks in total. LC will not be able to confirm any attendance for students until the minimum 8 weeks holidays have been entered in the system. The 8-week minimum requirements can be overridden at student level for exceptions. For example, this may apply to a student who attends a placement during holidays as part of their course.

LCs should ensure that all their holidays scheduled for the full academic year have been entered. Failing to do so the LC Portal will be looking for attendance submissions and this affects the attendance confirmations average rate for the LC and in turn can affect the LC to meet their Service Standards.

The 'two-day rule' means that students must have the opportunity to attend the LC for at least 2 days of any week to be eligible for EMA.

For example, if the AY or new term begins on either Monday, Tuesday, Wednesday or Thursday, students who attend all scheduled classes or have authorised absence are eligible to receive EMA for the first week. However, if the new term begins on a Friday, students are not eligible to receive EMA for the first week.

Students are eligible for EMA payments if the LC is open for 2 days, but they are only timetabled for one of them. EMA will be payable for that week so long as they have attended their classes

Students who are not timetabled to be in at all during the shortened week will not be eligible for a payment. The EMA weekly payment is attendance based and they have not been in attendance.

### Attendance during the holidays

Most students will not attend their LC or a work placement out of term or during the holidays. Therefore, they will not be eligible to receive EMA payments during these periods.

However, some students may be eligible to receive EMA payments during the holiday periods. This includes students on summer courses or work placements which are an integral part of their programme of study.

These students must still fulfil the attendance criteria and dealt with on case by case. LC should ensure that there are sufficient processes in place to track and record attendance during the holiday period.

### Course start date

LC must enter the student’s course start date on the LC Portal before they can confirm the EMA LA or an attendance for the student.

The start date determines when the student becomes eligible for EMA payments. When the start date has been recorded on the portal, it cannot be changed. (LC would need to contact emainfo@slc.co.uk)

### Collating attendance

LCs need to collate students’ attendance data each week, as it is used for authorising the weekly EMA payment. This is the evidence that lets LC to decide if the student is in attendance or not.

LCs should use the processes their LC already has for determining attendance and collating the data.

There are 3 attendance confirmation options that an LC can use up to the end of the academic year.

**In attendance** – students are entitled to EMA while they are in learning. This can include full time study; study leave and blended learning.

**Not in attendance** – students are not in learning and their absence is not authorised.

**Holiday** – students are still on the school register but are not undertaking learning. They should therefore not receive payments.

Most students will be eligible for payment provided they're in learning up to their final exams.

### Submitting attendance confirmations

Once the LC has decided if a student was in attendance or not, they must submit the attendance confirmation on the LC Portal by selecting either ‘In attendance’ or ‘Not in attendance’. This should be done weekly.

If the LC is unsure if a student has attended, the Not in attendance option should be selected for that week until LC has the confirmation of attendance. Each academic week must have a confirmation of ‘In attendance’, ‘Not in attendance’ or ‘On holiday’. This should not be left blank.

The attendance confirmations can be submitted for a given week between the Friday of that week and the Wednesday of the following week (before 5pm). This leaves enough time for the payments to reach the students’ accounts by the following Monday.

### Changing attendance confirmations

LCs may change the original attendance confirmation after submitting it if an absence decision has changed from unauthorised to authorised or an absence decision has changed from authorised to unauthorised. It can also be changed if an appeal against an unauthorised absence decision is successful or there were delays in submitting attendance data on the part of the LC.

If there is not sufficient evidence to authorise an absence, the student should be marked as not in attendance until satisfactory evidence has been received. If a student has not fulfilled the attendance criteria, they will not receive an EMA payment for that week.

### Absence

LCs should apply their Learning Centre’s general attendance and absence policy to decide if an absence was authorised or unauthorised. The attendance and absence policy should be the same for EMA and non-EMA students.

LCs should submit a positive attendance confirmation for an authorised absence and a negative one for unauthorised absence.

Reasons for authorising or not authorising absences must be clear. LC needs to apply all rules governing these decisions uniformly to all students at their LC. This helps to ensure that no students are in doubt about what the criteria is and how it is applied.

The LCS website provides LCs with guidance on what constitutes an authorised or unauthorised absence.

### Illness

LCs can count isolated periods of illness as authorised absence if convinced the illness was genuine.

SLC recommends that the LC academic procedures for illness absences are applied for EMA purposes. This is in line with the general rule for authorised absences. For example, a student can self-certify an absence for up to 5 days, but it is at LCs discretion how many 5-day certifications are accepted. Beyond this period, the student must produce evidence such as a medical certificate.

EMA is designed to help with the costs of attending a post-compulsory course at a school or further education college in Wales. For this reason, a long-term illness is not an acceptable reason for authorising absences.
LC must review any medical absence of 3 weeks or more and decide whether it should be categorised as long-term illness. LC should also use their general attendance and absence policy when dealing with EMA for students not in attendance for pregnancy, maternity, or paternity related reasons.

Backdated weekly allowance payments

New students must apply for EMA support within 13 weeks of the start of their course to qualify for backdated weekly allowance payments. If they apply by this date, their weekly allowance payments could be backdated to the start of their course. If the student applies after the 13 weeks from start of their Course, their weekly allowance payments will be backdated to when SLC receives the application.

Similarly, returning students must sign their EMA LA within 13 weeks of the course start date to qualify for backdated weekly allowance payments. If they do, their weekly allowance payments could be backdated to the start of their course. If they sign their EMA LA after the 13 weeks from start of their course, the weekly allowance payments will be backdated to the date of the student’s signature.

For new students, SLC will measure their eligibility from the date they submit their application form. Eligible returning students must sign their EMA LA for payments to begin.

### New Approved Applications indicator

At the top of the Home page on LC Portal there is a **‘New approved applications’** indicator that lets users find any EMA LAs that need signing and alerts to any late applications. By selecting the number, it will allow an access to a list of students who need to sign their EMA LAs.

### System User Administration

Users will access the service through the Learning Centre Portal tab that is accessible from LCS Website <https://www.lcservices.slc.co.uk/>

LCs are responsible for ensuring that a suitable number of staff is fully trained on all aspects of LC Portal processes and that they are available should we need to contact them. Training can be provided upon request by the LCs SLC Account Manager

Each user will require access to the portal which will be administered by a User Administrator at each LC.

There are two separate user roles within the service: - EMA Administrator and EMA User.

Users with EMA Administrator access can access all sections on the LC Portal. They can:

* view applications and EMA LAs
* confirm attendance
* maintain groups
* maintain holidays
* maintain user

Users with EMA User role can access limited tabs on the LC Portal. They can:

* view applications and EMA LAs
* confirm attendance

Any user with the role of EMA Administrator will be responsible for the ongoing management of access of users within their organisation. This includes creating new and maintaining existing users and expiring users who no longer access the portal or who are no longer employed by the LC. There is no restriction on the numbers of users that an LC can grant access to. When a creation of a new user is complete, the system will then email the new user their username and a temporary password. The user will appear on the list of users at the LC.

LCs can also choose to copy the new user’s details to the Profiles tab. This will add the new user to SLC mailing list so they can start receiving emails from the SLC’s EMA Account Manager.

An LC should have at least 2 users listed on the Profiles section on the LC Portal. These should be the main users of the LC Portal. It is the LCs responsibility to ensure the profiles are up to date with the correct contact information. Only users who have their contact details on the Profiles section will receive emails from SLC about the EMA scheme. LC can also update the address and telephone number of the LC on the same section. It is important that these details are kept up to date SLC can deliver printed materials to the LC, such as application packs and pre-launch materials.

LCs should expire any old accounts as soon as the user no longer needs access to the portal.

### Documents

The downloads section has some important EMA related documents available on a PDF Format. These include EMA LA forms that are required to be completed prior to student payments being released and the payment guides to advise the dates for the student payment.

### Reports

Service Standard reports are available for all LCs to view for their LC on the LC Portal to provide and update on how the LC is performing during the year and check how LC is doing compared to the national average.

### Student information

Student Information is available from the Customer search function from the Menu bar on the LC Portal. The Customer Search area of the portal supplies information about individual students and administer their accounts.

The Customer Search area has access to the following details that the LCs are required for administration of the student accounts:

* view application details
* maintain EMA LA
* confirm attendance

The View Application Details functionality lets LC to find students who have submitted an EMA application for a selected academic year and see the status of their application, what date the student applied, if the student is an auto rollover student. The Auto rollover indicator is active when an eligible student has been automatically rolled over into the new academic year. Typically, this will apply to a second- or third-year students. If required, the LC can add notes to a student’s account as well as remove an individual student here. However, students should only be removed if they have not signed their EMA LA.

### Appeals about EMA entitlement

Appeals about eligibility for the EMA scheme should first go the EMA Customer Services team.

Any subsequent appeals should be made in writing, with all supporting evidence, to the Welsh Government. Appeals should be emailed to Student Finance Wales.

More information is available from the following link: https://www.studentfinancewales.co.uk/complaints-and-appeals/

If students have any questions about EMA policy or scheme rules, they should email the Welsh Government at studentfinancedivision@gov.wales or isadrancyllidmyfyrwyr@llyw.cymru.

### Record keeping

The EMA scheme is paid for by public funds. As such, it is subject to both internal and external auditing.

LCs must keep all school and college records relating to financial data for at least 7 years. This includes student data, EMA LAs, payment confirmations, correspondence between LC and the student and SLC’ Partners Support Desk, supporting documentation of eligibility, such as course and academic year, management information, documentary evidence supplied in support of a request to authorise an absence.

This includes electronic and paper-based records.

In compliance with the Data Protection Act 2018, LCs must keep their records in a secure and suitable format and environment.

### Targeted bulk erasure of data

As part of SLC’s work to comply with the Data Protection Act 2018, SLC will delete some information from our systems that we no longer have a reason to keep.

This includes deleting applications and customer information where no payment has ever been made and agreed retention triggers and periods have passed.

There are some exceptions where SLC will be keeping the data for longer, such as cases of fraud.

The normal retention triggers are:

* EMA applications that have not been approved – the end of the current academic year (31 August)
* EMA applications that have been approved – the end of the following academic year (31 August) if no payment has been made
* The retention period after the trigger is 6 months for all applications.

### Promoting the EMA scheme

Schools and colleges play a vital role in the promotion of the EMA scheme. They are an important resource for students seeking guidance. SLC therefore ask LCs to promote awareness of the financial support available under the EMA scheme.

SLC will make available publicity material that includes leaflets, guides, and application packs and asks LCs to distribute these to students or refer students to online materials, including the link and QR code to the online application which is the preferred method where possible. Application form and notes are also available to download from Welsh Government website in a PDF format: <https://www.studentfinancewales.co.uk/further-education-funding/>

SLC recommends that LCs email the link/QR code to the online application form and guidance to all their potential students prior to the launch of EMA Service. SLC will inform LCs via an email once these are available. Coming Soon and Apply Now posters are only available in a PDF format to download from LC Portal.

Although the EMA application has information and guidance for students, SLC asks LCs to offer advice about completing the application. This could also apply to parents or guardians.

### Service Standards for EMA in Wales for further education providers

The Service standards for EMA are there to assist LCs to carry out the administrative tasks required within set timescales to ensure that all eligible students are paid accurately and on time. These can be found from the following link on LCS Website and are also available from a PDF link to download.

<https://www.lcservices.slc.co.uk/ema-wales/service-standards/>

<https://www.lcservices.slc.co.uk/media/20yiv3cn/ema-wales-service-standards.pdf>