



Scottish Funding Council
Comhairle Maoinachaidh na h-Alba

Education Maintenance Allowance Guidance for Colleges AY 2021-22

SFC Guidance

Issue Date: 12 November 2021

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Reference: SFC/GD/27/2021

Summary: Guidance on the Education Maintenance Allowance (EMA) programme for colleges in Academic Year (AY) 2021-22.

FAO: Principals and Directors of Scotland's Colleges.

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Education Maintenance Allowance guidance for colleges in AY 2021-22

Introduction

1. This document sets out guidance on the Education Maintenance Allowance (EMA) programme for colleges in Academic Year (AY) 2021-22. This publication builds on existing guidance provided by both the Scottish Funding Council (SFC) and the Scottish Government.

Background

2. The EMA programme aims to provide a financial incentive to young people from low-income households to remain in education beyond the minimum school leaving age. This programme is available on the same terms to students who remain in school and to those who go to college.
3. Within the Scottish college sector, SFC manages the programme on behalf of the Scottish Government and acts as the agent of the Government under a separate agreement from its other activities. EMA funds do not form part of the Scottish Government's grant-in-aid to SFC. The programme is subject to separate regulations from other student support funds and there are separate reporting requirements for both colleges and SFC.

EMA programme

4. The EMA programme provides a weekly term-time allowance for students aged 16-18 years old from low-income households who are at college studying non-advanced courses on either a full or part-time basis.
5. The household income of the young person will determine their eligibility for an EMA. Details of income thresholds and other eligibility criteria can be found in Part 1 of the Scottish Government's 'EMA Scotland Guidance and Processes' document for 2021-22, which was issued to college Student Support Administrators during October 2021.
6. For both the full-time and part-time EMAs there is a single award available of £30 per week. Once students have been assessed and deemed to meet the requirements, they will be eligible for this payment. Full details of the application assessment process are available in Part 2 and Annex B of the 'EMA Scotland Guidance and Processes' document for 2021-22.
7. Students must have 100% **agreed** attendance to receive the weekly payment, and any absences authorised by the college should be treated as a day of attendance. Colleges are reminded that authorised absences are permitted and that they may exercise flexibility when considering the attendance criteria for

vulnerable students. This flexibility should be considered on a case-by-case basis and be part of the learning agreement. Detailed guidance on attendance is set out in Part 1, pages 11-14 and in Part 2, Annexes E and G of the 'EMA Scotland Guidance and Processes' document for 2021-22. It should be noted that in AY 2021-22, absence relating to COVID-19 should be regarded as an authorised absence, whether that is the forced closure of the college or through self-isolation.

8. These funds are available to all college sector bodies funded by SFC, with the following exceptions:
 - Shetland and Orkney Colleges will receive payments from, and report to, their respective local authorities for EMAs.
 - Sabhal Mòr Ostaig does not currently have any relevant activity for EMAs.

Policies and guidance

9. The 'EMA Scotland Guidance and Processes' document governs the use of EMA funds. This document is prepared and updated regularly by the Scottish Government; with input from SFC, colleges, local authorities and schools.
10. The Scottish Government has provided the final version for AY 2021-22 and this document has already been circulated. The terms of this document cover both the school and college sectors to ensure consistency across Scotland.
11. This guidance covers both full-time and part-time EMA provision. Colleges are reminded that, for students to be eligible for a part-time EMA, they should be:
 - On a course that is eligible for SFC funding, as detailed in [SFC's Credit Guidance](#).
 - On a course that leads to a recognised qualification, meets an employer's need or is a formal access course. Students on leisure courses and taster courses are not eligible for SFC funding or an EMA. Students on evening or weekend courses may be eligible for a part-time EMA but only where they meet the above criteria and where their attendance on the course is monitored.
 - On a course with a duration which is less than the full-time definition. The minimum course duration is 1 hour.
 - Claiming an EMA from one source and for one course only. Colleges are asked to make explicit to students when they apply that they should not claim an EMA for more than one course at a time, or at more than one college, or at a school and a college simultaneously. Colleges should also inform students that SFC monitors enrolments to identify students making dual claims. If students are found to be making dual claims, they will be

liable to repay any EMA that is over-claimed to the college. Colleges should have systems in place to recover this money from students under these circumstances.

12. Students claiming part-time EMAs are not eligible for travel or study costs.
13. Criteria for the residential eligibility for EMA in colleges are set out in the [Education Maintenance Allowances \(Scotland\) Regulations 2007 \(as amended\) \(“the Regulations 2007”\)](#) and the [Education \(Fees and Student Support\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2017](#). Please note that this Direction and Determination is independent of the legislation that underpins the other student support guidance. Colleges should also be aware of the changes in the residency criteria set out in Annex A of the Scottish Government’s EMA guidance following the UK leaving the European Union (EU).
14. Colleges are reminded that Scottish-domiciled students studying in the rest of the UK (rUK) are **not** eligible for EMA. Similarly, under the revised regulations, students domiciled in the rUK (England, Wales or Northern Ireland) but studying in Scotland are not eligible for EMA in Scotland.

Administrative costs

15. Colleges can claim funds for administration costs. Two different types of payments for administrative costs will be made to colleges each year:
 - A flat-rate payment of £8,000 will be paid to all colleges participating in the programme in April 2022.
 - A further payment of £15 per accepted EMA student will be paid after student totals have been received in the data returns that are submitted twice annually, in February and July 2022.
16. Colleges should submit claims via [EMA Online](#) for the administrative cost payments.
17. The EMA administrative funds are ring-fenced for EMA-related expenses and colleges should be able to demonstrate evidence of spend against their allocation.

Authorised signatures

18. Returns claiming funds must be signed by a relevant authorised signatory before being sent to SFC. This signatory will normally be the Principal/Chief Executive Officer or a nominated deputy. In light of the current circumstances and COVID-19 restrictions, we understand that the signatory processes need to be adapted. Therefore colleges may continue to submit their monthly returns from their authorised signatory’s college email address, with the wording as

detailed in the EMA section of SFC's [COVID-19 Student Support FAQ's](#). Colleges are required to complete and return the pro-forma response ([Annex B](#)) to EMAreturns@sfc.ac.uk, giving an update of the details of authorised signatories, by **30 November 2021**. There can be up to four separate signatories. If you would like to amend these signatories at any point please contact Ken Johnston in SFC's Finance Directorate (contact details are provided at the end of this document), as soon as possible.

19. The year-end statement is a declaration of the college's spend within the AY, and it must be agreed and signed by the Principal/Chief Executive Officer. Colleges should refer to the data forms and associated guidance for more detailed information about the timing of returns on [EMA Online](#). Each college has its own login details for this system.

Conditions of funding

20. EMA funding for colleges has specific conditions of grant as set out below.

General

21. Students cannot claim an EMA for more than one course at a time, or at more than one college or at a school and a college simultaneously.
22. Students must sign a declaration agreeing that the college can recover any overpayment of EMA funds.
23. SFC will recover any overpayment of EMA funds from colleges at the earliest opportunity.
24. Colleges are required to comply with the [Education \(Access Funds\) \(Scotland\) \(NO.2\) Determination 2021](#), the EMA Scotland Business Model, National Guidance and other policy documents and updates as issued by SFC and/or the Scottish Government in operating the EMA programme.

Use of funds

25. EMA funds, for both student and college costs, are ring-fenced and should only be used for the purpose(s) for which they are allocated within the EMA programme.

Data returns and quality

26. Monthly data returns should be sent to SFC in good time (see [Annex A](#) for process timetable) as no ad-hoc payments will be made outside the monthly payment schedule. Therefore, colleges that delay making their returns and/or claims will not receive a payment until the following payment run.

27. Colleges are also required to agree and sign-off an Academic Year-end data return. The return will include the information for the full AY and will be issued by SFC in September 2022.
28. It is the college's responsibility to ensure that data is submitted on time and quality requirements are met. Any delay and subsequent non-payment by SFC for a particular month should not lead to students being disadvantaged.
29. Detailed information on the specific data requirements and processes is available on [EMA Online](#). Colleges should also refer to the 'EMA Scotland Guidance and Processes' document for 2021-22.

Audit requirements

30. EMAs will require a separate audit on the basis of the signed Academic Year-end statement. The audit cycle is on an AY basis.
31. Audit requirements are set out in the 'EMA Scotland Guidance and Processes' document for 2021-22. Colleges should note that the audit must include evidence that spot-checks have been carried out on 5% of EMA applications and payments.
32. An audited year-end statement for the period August 2021 to July 2022 should be sent to SFC by 30 October 2022.
33. Further information on audit procedures and timing for 2021-22 will be contained in the forthcoming audit guidance due to be published in Summer 2022.

Acceptance of grant

34. Colleges are asked to complete and return a signed copy of the funding offer pro-forma (Annex B, parts 1 and 2) **by 30 November 2021** to indicate they accept the offer of EMA funds and the conditions attached to them. The pro-forma should be sent to EMAreturns@sfc.ac.uk and colleges should retain a signed completed copy of these documents for their records.

Information required by Scottish Government for 2021-22

35. The Scottish Government is seeking additional information from colleges on the following issues:
 - Number of provisional awards made to students.
 - Details of how colleges use the administrative funds they receive in the year.

36. Copies of the forms to be completed can be found at [Annex C](#) and [Annex D](#). The returns are also scheduled in the timetable in [Annex A](#). They are due to be returned to the Scottish Government in April 2022. SFC will co-ordinate the college responses and send them to the Scottish Government (we will issue a reminder in March 2022).

Further information

37. Please contact Ken Johnston, Funding Policy Officer, tel: 0131 313 6562, email: kjohnston@sfc.ac.uk.

A handwritten signature in black ink, appearing to read 'Chris Brown'.

Chris Brown
Acting Director of Finance

Payment of EMA funds to all colleges

1. The payment dates for AY 2021-22 are set out in the table below. Colleges should complete EMA online returns for each month, and these should be with SFC within the allotted time. Failure to make the return in time sets the risk of non-payment of funds (see paragraphs 26-29 of this letter for information on the monthly online returns). Colleges can email scanned copies of the signed return to EMAreturns@sfc.ac.uk, or follow the COVID-19 email authorisation process.
2. College claims for EMA payments to students will be made in arrears.

Payment schedule

3. The schedule detailing payment and data return dates is set out in the table below. This is based on the turnaround time for data and payments as set out in the EMA Scotland Business Model and to fit with SFC's standard monthly payment schedule.

Timetable of EMA returns and payments between all colleges and SFC AY 2021-22				
Description	Month end date	Monthly return due to SFC (EMA online)	SFC payment to college	Notes
Aug claim payment	27/08/21	01/09/21	14/09/21	
Sept claim payment	24/09/21	29/09/21	14/10/21	
Oct claim payment	29/10/21	03/11/21	15/11/21	
Nov claim payment	26/11/21	01/12/21	14/12/21	
Dec claim payment	31/12/21	12/01/22	20/01/22	
Jan claim payment	28/01/22	02/02/22	14/02/22	
Feb claim payment	25/02/22	02/03/22	14/03/22	
February head count (biannual data) return	25/02/22	02/03/22	14/03/22	Payment on receipt of first head count (biannual data) return with student numbers*. Paid for student registrations from August to December.
Mar claim payment	25/03/22	30/03/22	14/04/22	

Timetable of EMA returns and payments between all colleges and SFC AY 2021-22				
Description				Notes
Main administration payment to college	25/03/22	30/03/22	14/04/22	
Information required by Scottish Government		01/04/22		Provisional award information and breakdown of use of admin fees returns due to SFC.
Apr claim payment	29/04/22	04/05/22	16/05/22	
May claim payment	27/05/22	01/06/22	14/06/22	
June claim payment	24/06/22	29/06/22	14/07/22	
July claim payment	29/07/22	03/08/22	15/08/22	
July head count (biannual data) return and administration payment	29/07/22	03/08/22	15/08/22	Payment on receipt of second head count (biannual data) return with student numbers. Paid for student registrations from January onwards
AY-end data return to be signed off by college	01/10/22			Data return to be signed-off by college Principal and returned to SFC with College Audit Certificate. Should include 5% spot checks carried out by college.

** Please note that the data return will be kept open for student numbers only until the February claim is due, to allow colleges to reflect as accurate numbers as possible at this time.*

***Please note that these dates may be subject to change.*

EMA funding offer, pro-forma response (part 1)

To be received by SFC no later than 30 November 2021

Acceptance of EMA Conditions of Grant

College name

.....

I agree to the EMA conditions of grant for AY 2021-22 (August 2021 - July 2022), as set out in SFC's EMA grant letter 2021-22. I note that as part of these conditions, I will receive payment of administration costs for EMAs, which will be used for EMA-related expenditure only.

Signed

.....

Principal/Chief Executive Officer (or principal designate or equivalent)

.....

Name (please print)

.....

Position

Date.....

Please return by 30 November 2021 to: EMAreturns@sfc.ac.uk.

EMA funding offer, pro-forma (part 2)

To be received by SFC no later than 30 November 2021

EMA claims and payments - authorised signatories for 2021-22 onwards

The following are authorised to claim EMA funds from SFC on behalf of

..... (College name) from November 2021

Please inform SFC of any changes to these signatories as soon as possible.

Authorised signatories for claims:

Name:

Name:

Position:

Principal/Chief Executive Officer

Position:

Vice Principal/Director of Finance

Signature:

Signature:

Official email address:

Official email address:

Date:

Date:

Name:

Name:

Position:

Position:

Signature:

Signature:

Official email address:

Official email address:

Date:

Date:

Please return by 30 November 2021 to: EMAreturns@sfc.ac.uk.

Education Maintenance Allowances (EMAs)

Provisional Award Data 2021-22

Name of College: _____

SFC must provide data on Provisional Awards for Financial Year 2021-22 to the Scottish Government as outlined in the Provisional Assessment section (Annex B, page 47) of the EMA Scotland Guidance and Processes document.

	Number of provisional awards paid	Number of provisional awards finalised	Number of provisional awards ongoing	Number of provisional awards stopped	Total value of provisional awards stopped (£)	Number stopped due to confirmed income over threshold	Number stopped due to income confirmation not received	Number stopped due to leaving college	Number stopped due to other reasons
Total					£				

I certify that the entries on this form are fairly stated, and the payments on which they are based have been properly incurred in accordance with the EMA (Scotland) Guidance and Processes.

Signed: _____

Date: _____

Position: Director of Finance or (please state) _____

Please return by 1 April 2022 by email to EMAreturns@sfc.ac.uk.

Education Maintenance Allowances (EMAs)

Yearly Administration Breakdown 2021-22

Name of College: _____

The college should provide a breakdown of spend against the £8,000 administration allowance for Financial Year 2021-22 detailing how the allowance was used to support the processes set out in the EMA Scotland Guidance and Processes document.

Expenditure	Spend (£)
Printing costs for application forms/leaflets/posters, etc.	
Promotion costs of EMA (please specify below how EMA was promoted)	
Website update costs	
Staff costs	
Other costs (please specify)	
Total	

I certify that the entries on this form are accurate, and the payments on which they are based have been properly incurred.

Signed: _____

Date: _____

Position: Director of Finance or (please state) _____

Please return by 1 April 2022 by email to EMAreturns@sfc.ac.uk.