Authorised and Unauthorised absences:
The Derbyshire approach 2007-2008

The 2007/08 Education Maintenance Allowance Guidance for Providers of LSC-funded Entry to Employment and Programme Led Apprenticeships document highlights the need for all training providers to have a ‘clear documented policy of attendance and authorising absence that fits within the framework set’ in the national guidance document.

This document details the Derbyshire approach to attendance and authorising absences and should be read in conjunction with Annex 1: Authorised and Unauthorised absence — in the national guidance. All members of your staff involved in administering EMA should read this document.

As training providers you will need to present the attached policy document to the EMA auditors when they are audited.

Issued by Kelly Henstock, EMA Coordinator
August 2007
Authorised and Unauthorised absences: a policy for Derbyshire training providers

Please note — this policy is for internal staff use only and should not be given to learners.

This policy document details the Derbyshire approach to attendance and authorising absences and should be read in conjunction with Annex 1: Authorised and Unauthorised absence — in the national guidance. As training providers you will need to present this document to the EMA auditors when they are audited.

The Derbyshire policy on authorised and unauthorised absences takes into account the diverse nature of the client group that training providers are working with. No two learners are exactly the same — all learners are different and many have very complex needs that need to be addressed and taken into account. For this reason, the policy that is being used by Derbyshire to consider authorised and unauthorised absences relates to the individual learner’s e2e Passport or Individual Learning Plan (ILP).

The overall guiding principle of the Derbyshire policy states that:

“For learners to gain their weekly EMA payments, they need to meet the agreed levels of time-keeping and attendance as agreed in their e2e passport or ILP.”

This allows for flexibility on an individual basis. It is suggested that, ordinarily, flexibility should be given for a maximum of three weeks. This is to help support those learners who may be experiencing problems settling in to the agreed attendance pattern and who would be in danger of disengaging. After this time, it is expected that a learner should have settled on to their course and be attending the full 30 hours a week as per the expectations of the programme — although there may be some extreme cases where this flexibility is extended. The degree of flexibility is further explored below.

Deciding the level of flexibility

It is usual for learners to undergo an initial assessment interview with their chosen training provider. This initial assessment along with the referral form should highlight any problems or personal circumstances that you, the provider, should be aware of. For example, a learner who has been referred to an e2e programme may not have been in school for a prolonged period of time. In such cases, the learner may have attendance issues and attending three days out of four would be a big milestone for them.

In a case like the one outlined above, the e2e Passport or ILP may say: “To gain your weekly EMA payments you need to make sure you meet the agreed levels of time-keeping and attendance as discussed with your tutor.”
Your usual training days are Monday, Tuesday, Wednesday and Thursday of each week. You need to report to your tutor by 9am on each of these days.
Week one – you need to attend by 10am on Monday, Tuesday and Wednesday to receive your weekly payment.
Week two – you need to attend by 9am on Monday, Tuesday and Wednesday to receive your weekly payment.
Week three – you need to attend by 9am on Monday, Tuesday, Wednesday and Thursday to receive your weekly payment.
If you do not attend or are late for any of these sessions you may not get your EMA payment for the week.”

In less severe cases, you as the training provider may find, through the initial assessment, that the learner might have problems getting in for 9am in a morning. If this is the case, the learner’s passport would say: “To gain your weekly EMA payments you need to make sure you meet the agreed levels of time-keeping and attendance as discussed with your tutor. Your normal training days are Monday, Tuesday, Wednesday and Friday of each week. You need to report to your tutor by 9am on each of these days.
For the first week, you need to report to your tutor by 10am.
For the second week, you need to report to your tutor by 9.30am.
For the third week and all following weeks, you need to report to your tutor by 9am.
If you do not attend or are late for any of these sessions you may not get your EMA payment for the week”

Training providers need to ensure that any changes to a learner’s circumstances are clearly documented in the Passport or ILP. For example, you may have a learner who has been on a course for six weeks and has attended every session they should for this period. In week seven they may become homeless and may not be able to maintain their good attendance record. In a case like this, you may need to be a little more flexible about the learner’s attendance. You would need to record that the learner has become homeless and you should have a discussion with the learner about your attendance expectations. It might be that they can come in late for a period of one week whilst they sort out their living accommodation. If the learner meets these new criteria, they would be able to receive their payment for the week. A learner should NOT be paid their EMA if they have attended less than 16 hours in any one week.

Please note: if it is expected that a learner can meet the attendance requirements that are expected from them from day one of the programme, there is no need to document the level of detail as outlined above.

**Learner documents**

As this policy is for internal staff use only, a separate document outlining attendance requirements should be given to the learner when they enrol on your programme. All learners claiming EMA should be given a copy of the leaflet **EMA – a guide for Derbyshire learners**. The leaflet states
that in order for learners to get their weekly payments, they are expected to attend all elements of their programme of learning as set out in their individual e2e Passport or (ILP). It goes on to say that the e2e Passport or ILP will outline what is expected of the learner in terms of attendance and progress.

As well as issuing learners with this leaflet, you should ask all learners to read and sign a copy of the Attendance policy for EMA learners document. An example of this document can be found in Annex A of this policy and can be tailored to meet the requirements of your programme. You should keep this document in the individual learner’s file for audit purposes.

Notes to training providers

All learners must attend a minimum of 16 hours a week in order to get their weekly payments. If levels of attendance fall below this level for any week, the EMA payment should be stopped for that week and the learner notified in an appropriate manner. The notification of a stopped weekly payment form, in the Derbyshire EMA guidance for training providers, could be used for this.

All absences should be considered to be unauthorised unless there is evidence to prove otherwise. If the reason for absence could have been foreseen in advance, the learner should have applied for an authorised absence at least two days in advance. If they fail to apply for an authorised absence, the absence should be considered unauthorised.
Annex A – Attendance Policy for EMA learners

Training Provider name

Learner Absence Policy

Your e2e Passport or Individual Learning Plan (ILP) that you have agreed with your training provider will outline what is expected of you in terms of attendance. In general you will only be paid your weekly EMA payment if you have attended all of the learning sessions as agreed in your e2e Passport or ILP. If you have missed any sessions without getting an authorised absence from your tutor, you will receive no money for that week.

All absences will be considered to be unauthorised unless you can give evidence to show otherwise.

If you are absent or late on a regular basis, this may result in disciplinary action being taken.

If you know that you need to be off on a particular day, you will need to apply for an authorised absence at least two days before. Your tutor will tell you how to do this. A list of reasons for applying for an authorised absence is included in the leaflet EMA – a guide of Derbyshire learners.

Please remember: sickness is not normally accepted as a reason for authorised absence. If you are away because you are sick you may not receive your money for that week.

EMA will not be paid if you:

- are away — even for half a day — without applying for an authorised absence
- are unable to attend but do not let your tutor know before 9.30am — you will need to have a suitable reason for not attending
- fail to sign in for a learning session
- arrive more than 15 minutes late for a session, or
- go to a medical or dental appointment without applying for an authorised absence — if you make an appointment for the same day you will need to show evidence of this to your tutor.

You will not receive any payment for Christmas holidays if you have not accrued enough holidays.

I have read, understood and agreed to all of the above.

Learner signature: ............................

Print name: ............................

Date: ...........................
Annex B

This text is taken from the leaflet **EMA — a guide for Derbyshire learners.** The designed version of this leaflet is shown from page nine onwards.

**EMA — a guide for Derbyshire learners**

Up to £30 cash a week if you carry on learning.

Now you’ve decided to carry on learning, make sure you receive all the EMA payments and bonuses that you’re entitled to — don’t miss out on money that’s got your name on it!

**EMA — attendance — all you need to know**

EMA is a weekly payment to help cover the costs of attending your place of learning. To gain your weekly payments, you are expected to attend all elements of your programme of learning as set out in your individual e2e Passport or Individual Learning Plan (ILP). You will also be able to claim back your travel costs from your training provider. You will need to see your provider for more information on this.

When you start a programme of learning with a training provider, you will agree either an e2e Passport or an ILP with your chosen provider. This will outline what is expected of you in terms of attendance and progress.

You will be paid EMA only when you have attended all of the sessions that are outlined in your e2e Passport or ILP. If you fail to attend one of these sessions, your training provider will be able to stop your EMA payment for that week. You signed your EMA Contract Part 1 to agree to this.

**Authorised and unauthorised absences**

In some cases your training provider will consider an absence to be authorised. If this is the case, you will still receive your weekly EMA payment as usual. This is only for authorised absences.

If you know that you are going to be absent from your place of learning, you should apply for an authorised absence at least two days before that date.

If you know that you are going to be away, but you forget to apply for an authorised absence your training provider will think that you don’t have permission to be away and you won’t get your EMA payment for that week.

If you are away from your place of learning for a reason that you could not have predicted, your training provider will consider whether or not your absence was unavoidable. Your training provider will tell you what to do if this happens. You must let your training provider know that you are unable to attend by the start time of your session for that day. Unless you
have a really good reason why you can’t contact them on the day, they will consider your absence unauthorised and your EMA payment for that week will be stopped.

**Applying for an authorised absence**

Examples of reasons to apply for an authorised absence include:

- a medical or dental appointment that cannot be arranged outside of training provider hours
- a particular need to look after a family member or another person for whom the learner has caring responsibilities — this would be a one off incident and should not happen on a regular basis
- a religious holiday — subject to the approval of your training provider
- Jobcentre Plus interviews
- a careers-related interview or open day
- an appointment or work placement which is an integral part of a learning programme, and for which the learner does not receive a wage
- if you’re taking part in a significant extra-curricular activity, such as drama, music, sport or volunteering. Authorised absence will only be given where the activity reflects a significant level of personal achievement — such as taking part in a regional or national event or some other one-off event
- a probation meeting
- going to the funeral of a close family member
- going to the wedding of a close family member
- a work trial day that has been set up with a potential employer
- severe problems with your transport — such as where you travel to your place of learning by rail and a rail strike means there is no practical way of getting there
- a driving test, or
- a court appearance.

You will be asked to give evidence to support your absence where you can, such as show your appointment card if you have a medical appointment. This list is not complete and your training provider has the right to make the final decision on whether an absence is authorised or unauthorised. Please ask your training provider for more information on authorised absences.

Reasons that are not usually acceptable for authorised absence include:

- part-time or full-time work that is not part of your programme of learning
- leisure activities
- birthdays or similar celebrations
- babysitting
- shopping
- driving lessons
- if you decide to leave half way through the day without having first having been granted authorised absence
- if you fail to show up for your sessions and fail to phone your provider with a reason
• arriving late for a session with no reasonable explanation, or
• taking an unauthorised holiday.

Again, this list is not complete and your training provider has the right to make the final decision on whether an absence is authorised or unauthorised.

Reasons for absence that would usually be allowed — as long as you have let your training provider know on the day, include:
• an emergency involving a family member or another person you have caring responsibilities for — such as severe sudden illness, or
• transport problems, where these were not known about in advance, and where you have no alternative means of getting to your place of learning.

What happens if you’re too ill to attend?

Sickness will not normally be accepted as a reason for authorised absence, as EMA is a payment to help cover the costs of attending your place of learning — so if you are absent from your place of learning because you are sick, you may not receive your EMA allowance for that week.

Exceptions to this rule are:
• students with ongoing medical conditions — a flexible pattern of learning may be agreed, or
• genuine exceptional circumstances to be agreed by your training provider — such as if you attend your place of learning, but then it is agreed that you need to go home because you are ill.

Training providers will have their own sickness absence policy. You should ask for a copy if this policy and make sure you know what to do in case you are ill.

General authorisations

Your training provider may give you a general authorisation of absence in some cases — for example, when there is bad weather, where a session can’t run due to illness or industrial action of tutors. Your training provider will tell you if this happens.

If you have any questions about any of this information, please ask your training provider.
Up to £30 cash per week if you carry on learning

A guide for Derbyshire learners

Now you’ve decided to carry on learning, make sure you receive all the EMA payments and bonuses that you’re entitled to – don’t miss out on money that’s got your name on it!

EMA — Attendance — all you need to know

EMA is a weekly payment to help cover the costs of attending your place of learning. To gain your weekly payments, you are expected to attend all elements of your programme of learning as set out in your individual eQ Passport or individual learning plan. You will also be able to claim back your travel costs from your training provider. You will need to see your provider for more information on this.

When you start a programme of learning with a training provider, you will agree either an eQ Passport or an individual learning plan (ILP) with your chosen provider. This will outline what is expected of you in terms of attendance and progress.

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In some cases your training provider will consider an absence to be authorised. If this is the case, you will still receive your weekly EMA payment as usual. This is only for authorised absences.

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For more information on EMA log on to www.direct.gov.uk/ema