Guidance Notes for EMA
Year 2006/07
Helping you fill in the EMA Application Form

These notes will help you fill in the form to apply for an Education Maintenance Allowance (EMA). Read them before you start filling in the form.

Who fills in which part?

- The young person must fill in Part A.
- The adult(s) must fill in Part B.
- If the adult(s) received social security benefits in the tax year 2005-06, they will need to fill in Part C.

Use a black pen and use BLOCK CAPITALS. Write as clearly as you can. If we cannot read the form clearly, we may send back your application.

If we ask you to mark a box, do so clearly like this: X

When you have filled in all the parts of the form that we have asked you to, check that you have signed the form and that you have enclosed the information we have asked for.

If you read these notes and you still need help, visit www.direct.gov.uk/ema any time or call 0808 10 16219 between 7.00am and 8.00pm Monday to Friday.

If you need a version of these notes in another language or in large print visit www.direct.gov.uk/ema
About Education Maintenance Allowance

Who can claim EMA? .................................................................................................................. 3
How to claim EMA ....................................................................................................................... 3
How much EMA will you get? ...................................................................................................... 4
Residency Conditions ................................................................................................................ 5

Helping you fill in Part A - Part A must always be completed ................................................ 6

Question A3: Date of Birth .......................................................................................................... 6
Questions A5 & A6: Bank or Building Society account ............................................................ 6
Question A7: Do you live with adults who are mainly responsible for you? .............................. 7
Question A8: Are you in Local Authority care or with Foster Parents, or are you a Care Leaver? ......................................................................................................................... 7
Question A9: If you are not living with adults who are mainly responsible for you, and you are not in care, do you currently receive Income Support? .................................................................................. 8
Question A10: Are you a parent yourself who is mainly responsible for at least one child? .... 8
Question A11: Data Protection statement .................................................................................... 8
Question A12: Equal Opportunities Monitoring ......................................................................... 9
Question A13: Young Person Declaration .................................................................................... 9

Helping you fill in Part B - Part B must always be completed ................................................ 10

Question B4: Important information about the Disability Discrimination Act .......................... 10
Question B5: Do you have a Tax Credit Award Notice which states your income for the tax year 2005-06? ......................................................................................................................... 11
Question B6: Did you receive Income Support, Income-based Jobseeker’s Allowance or Pension Credit for the whole of the tax year 2005-06? ........................................................................ 13
Question B7: During the tax year 2005-06, did you receive any of the ‘other’ kinds of income listed in the guidance notes for this question? ....................................................................................... 13
Question B8: Write in your total taxable pay as an employee from all jobs before taking off Tax and National Insurance contributions ...................................................................................... 14
Question B9: Write in the value of any benefits in kind .............................................................. 16
Question B10: Write in the total income from self employment .................................................. 18
Question B11: Work out the total for both adults of any miscellaneous income, including pensions, over £300 .............................................................................................................................. 18
Question B12: Write in any personal pension contributions you paid direct ................................. 21
Question B13: For each week during the tax year that either adult received Statutory Maternity Pay, Statutory Paternity Pay or Statutory Adoption Pay allow £100 and put the total in this box .... 21
Question B14: Data Protection statement and Adult Declaration .................................................. 21

Helping you fill in Part C .......................................................................................................... 22

Who fills in Part C? ..................................................................................................................... 22

Other information ..................................................................................................................... 23

What to do now .......................................................................................................................... 23
What happens next? .................................................................................................................... 23
List of main kinds of income that we do not take into account when we assess your household income ................................................................................................................................. 24
List of allowable deductions ...................................................................................................... 25
Information to help you open a Bank/Building Society Account ............................................. 27
Confirmation of Bank/Building Society Account Form ............................................................. 28

If you need help filling in the form, call us on 0808 10 16219. For people with speech or hearing difficulties who use a textphone, please call us on 0800 056 5344. Please take care to use the correct number.
Who can claim EMA?

You can apply for EMA

if

you are thinking of starting a full-time further education course at a college or school, an LSC-funded Entry to Employment (e2e) programme, or a course that leads to an Apprenticeship from 1st September 2006 OR you are leaving school in the summer of 2006 and intend to start an LSC-funded Entry to Employment (e2e) programme or a course that leads to an Apprenticeship from 3rd July 2006;

and

you were born between 1 September 1987 and 31 August 1990

or

you were born between 1 September 1986 and 31 August 1987, and you have had two years or less EMA support so far; your Connexions Personal Advisor will be able to tell you if you can qualify for EMA support for a third year;

and

the adults' income in your household in the year from 6 April 2005 to 5 April 2006 was £30,810 or less

or

you live independently and you currently receive Income Support. If you are not on Income Support we may still be able to help you, please call us on 0808 10 16219.

EMA will only be paid if you enrol onto a valid learning programme in England and attend that course as agreed each week. A valid learning programme may be a further education course up to and including Level 3 requiring at least 12 hours guided study per week; or a Programme Led Pathway/Entry to Employment (e2e) programme requiring at least 16 hours guided study per week.

If you are not sure if you will be continuing with a learning programme in the 2006/07 EMA year, you can still apply.

Please Note If you are starting a learning programme before w/c 28 August 2006 and your date of birth is between 1 September 1987 and 31 August 1989.

Call the helpline on 0808 10 16219 in case you need a different form.

How to claim EMA

You should fill in Part A.

Any adults who are responsible for you must also fill in other parts of the form.

Fill in the form as honestly and completely as you can. Make sure you fill in the form using BLACK INK and writing in BLOCK CAPITALS.

If you make a mistake on the form, make sure changes are clear. Do not use correcting fluid. You can always get another form by visiting www.direct.gov.uk/ema or calling 0808 10 16219.

Once you have completed the form, send it to us as soon as you have all the evidence you need to complete your application. If we receive your application within four weeks of you starting your learning programme, you may be entitled to receive payments from the start of your learning programme.
About Education Maintenance Allowance

How much EMA will you get?

If your application is accepted we will write to you and tell you how much your payments will be. You will only receive money if the school, college or learning provider tell us that you have enrolled on a valid learning programme and that you are attending as agreed. When you go to enrol remember to take the letter with you and mention that you qualify for EMA payments.

Even if your application is accepted and you enrol on a valid learning programme, you cannot claim EMA if you do not fulfil the residency conditions stated on page 5 of these notes.

The amount of EMA you will get depends on the amount of income that came in to your household in the tax year 2005-06:

- If it was £20,817 or less, you will receive £30 a week.
- If it was between £20,818 and £25,521, you will receive £20 a week.
- If it was between £25,522 and £30,810, you will receive £10 a week.
- If it was more than £30,810, you do not qualify for EMA.

If your application is rejected we will write and tell you why.
To get EMA you must either be:

- a person who is ‘settled’ in the UK, and been ordinarily resident in the UK for at least the three years prior to the start of your learning programme;
- a national of any European Union (EU) country or the child of an EU national, and been ordinarily resident in the UK for at least the three years prior to the start of your learning programme;
- an EEA migrant worker or the spouse/child of an EEA migrant worker, and been ordinarily resident in the UK for at least the three years prior to the start of your learning programme;
- recognised as a Refugee by the UK Government, the spouse/child of a refugee, have been granted Humanitarian Protection, or have EU Temporary Protection.

If you do not meet these conditions, do not apply for EMA. If you meet these residency conditions at some future point, you should apply then.

‘Settled’ means having either Indefinite Leave to Enter or Remain or having the Right of Abode in the UK. British citizens have the right of abode in the UK:

- those with the European Community – United Kingdom of Great Britain and Northern Ireland passports;
- British Dependent Territory Citizens (now known as British Overseas Territory Citizens);
- those whose passports have been endorsed to show they have Right of Abode in the UK;
- those who have a certificate of naturalisation or registration as a British Citizen.

You will not be eligible for EMA if any of the following apply.

- Spouses of EU Nationals are not eligible unless they are eligible in their own right
- EU Temporary Protection only applies where the EU have invoked the Temporary Protection Directive
- Asylum seekers and anyone with discretionary leave or exceptional leave to enter or remain will not be eligible for EMA.

If you intend to study in Scotland, Wales or Northern Ireland

Do not apply for an EMA using this application pack. For more information you should contact the relevant authority for an application form. See websites:

Scotland: www.emascotland.com
Wales: www.learning.wales.gov.uk/ema
Northern Ireland: www.ema.ni.gov.uk

HM Forces Serving overseas

If you live overseas as part of a family serving with HM Forces or civilian component employed by the MoD and attend a Service Children’s Education school in Germany or Cyprus, you may be eligible for EMA as if you were studying or training in England. If this applies to you, ask your school, or ring Service Children’s Education on (0049) 2161 908 2525, for further advice.
Helping you fill in Part A

**Question A3**

**Date of Birth**

Fill in your date of birth in numbers, like this:

```
2 5 0 9 1 9 8 8
```

Put the date of the month in the first box, and the month in the second box.

**Question A5**

**If you received EMA payments between September 2005 and August 2006, mark this box.**

You should mark this box if you had an EMA Notice of Entitlement for the 2005/06 academic year, even if you did not take up EMA by enrolling at a school or college.

If you mark the box and if your application is accepted and you enrol on a valid learning programme, we will make payments into the latest bank account that you told us about when you applied for the 2005/06 academic year. You do not have to enclose your bank statement.

If you do not wish us to make payments into that account and want to have payments paid into a different account, please give us the details of your new account in Question A6. You must enclose a bank statement or other evidence of your new bank account - see the notes for question A6 below.

**Question A6**

**Your bank or building society account details.**

*Complete this question only if you did not mark the box in Question A5.*

To receive EMA, you must have a UK bank account in your own name that we can make payments into. We cannot make payments to you by cheque. You cannot have payments made into someone else’s account. We can make payments into a joint account, so long as you are one of the account holders.

If you already have a UK bank account and it is an account that can accept payments directly, you do not have to open a new one for your EMA payments. Just give us details about the account that you want us to use.

If you have a Credit Union account you may be able to use this - check with your Credit Union to make sure that your account will accept EMA payments.

If you have a Post Office® card account you will not be able to use this - these accounts do not accept EMA payments.

If you do not have a UK bank account, you **must** open one before you apply for EMA, and it must accept payments directly into your account. See the useful information on page 27 about opening a Bank/Building Society account.
You must enclose evidence from your bank or building society showing your name, home address and account details (account number, sort code and roll number if applicable), with your application. Although some banks may send you a letter when you open an account, this information is normally found on a statement of your account. If you have an internet bank account, you should be able to get a statement from them by asking for a posted statement.

A mini statement from a cashpoint, or a print-off of an internet bank statement are not acceptable.

If you do not have a statement yet, detach the Confirmation of Bank/Building Society Account Form on the back page of these guidance notes and ask your bank or building society to complete and stamp it. You can then enclose it with your application instead of a statement or a letter showing your full account details. If you have any problems or concerns about using or opening a bank account, please call us on 0808 10 16219.

**Question A7**

Do you live with adults who are mainly responsible for you?

For EMA, adults are mainly responsible for you if you usually live with them. For many young people this means your parents, but it can mean another relative or someone who is not related to you but is responsible for you on a day-to-day basis. If you spend some of your time living in different households, it means the adult(s) in whose household you live for most of the time.

If you are living with a partner and you form a household in your own right, you should mark the ‘Yes’ box and your partner should complete Part B. Please ring us on 0808 10 16219 if you require guidance.

If you live alone, mark the ‘No’ box.

If you are living with Foster Parents, or are in Local Authority care or are a Care Leaver, mark the ‘No’ box.

**Did you mark the ‘Yes’ box?** Skip questions A8 and A9 and go to question A10.

**Did you mark the ‘No’ box?** Go to question A8.

**Question A8**

Are you in Local Authority care or with Foster Parents, or are you a Care Leaver?

If you are in Local Authority care or if you are living with Foster Parents or if you are a Care Leaver, mark the ‘Yes’ box.

If you mark the ‘Yes’ box, you must enclose an original letter from your Local Authority that shows your address and confirms that you are in care or living with Foster Parents, or are a Care Leaver. A letter from your Foster Parents is not sufficient.

**Did you mark the ‘Yes’ box?** Skip questions A9 and A10 and go to question A11. If you mark this box, Parts B or C of the form do not need filling in but you must remember to enclose the letter from your Local Authority.

**Did you mark the ‘No’ box?** Go to question A9.
Helping you fill in Part A

**Question A9**

If you are not living with adults who are mainly responsible for you, and you are not in care, do you currently receive Income Support?

If you do not live with adults who are mainly responsible for you, and you currently receive Income Support, mark the ‘Yes’ box. EMA payments do not affect your entitlement to Income Support.

**Did you mark the ‘Yes’ box?** Fill in the rest of Part A and then fill in your details on Part C where you are asked to do so. You then need to send Part C to the office that normally deals with your benefit payments. They will complete it, sign and stamp it to prove that you receive Income Support. You do not have to fill in Part B.

**Make sure you wait until you get Part C back and enclose it with your application - do not send it separately.**

**Did you mark the ‘No’ box?** We may still be able to help you, please call us on 0808 10 16219

If you are a parent yourself please see Question A10 and contact the Helpline on 0808 10 16219 for advice.

**Question A10**

Are you a parent yourself who is mainly responsible for at least one child?

If you are a parent yourself, and you are the person mainly responsible for at least one child, mark the ‘Yes’ box and call us on 0808 10 16219 for advice. When you call, you will need to tell us when your child or children were born.

It does not matter if you are the mother or the father; but for EMA you are mainly responsible for a child if he or she usually lives with you and you are receiving Child Benefit for him/her. You can still be the main carer if someone such as a relative or childminder looks after your child when you are attending your valid learning programme, but you cannot be the main carer if your child is in care or lives at a different address to you.

**EMA does not affect your entitlement to Child Benefit.**

If a child you are responsible for lives with another family for part of the time, you must decide who has the main responsibility for the child. If it is you, mark the ‘Yes’ box. If not, mark the ‘No’ box. If you have any questions about who has main responsibility for the child, please call us on 0808 10 16219.

**Did you mark the ‘Yes’ box?** Before you fill in any more of the form, call us on 0808 10 16219. We will tell you what to do next as there are special arrangements for EMA applicants who are parents.

**Did you mark the ‘No’ box?** Go to question A11.

**Question A11**

Data Protection statement

There are four boxes with this question.

**Box A** is about allowing the Learning and Skills Council (LSC) to contact you about surveys and research. The LSC would like to find out what you think about the education or training that you receive. If you do not mark Box A, you are saying that you are happy to be contacted for your views. If you mark the box, you are saying that you do not wish to be contacted.
Box B is about allowing the LSC to contact you about courses or learning opportunities that may be relevant or of interest to you. If you do not mark Box B, you are saying that you are happy to be contacted about courses that you may be interested in. If you mark the box, you are saying that you do not wish to be contacted.

At no time will your personal information be passed on to other organisations for marketing or sales purposes.

Important information if you live with adult(s)/carer(s).

As your EMA application is assessed according to household income and the application form contains your parents'/carers' financial details, it is important that we know if you will let us talk about your application to your parent/carers. We won’t give out information about your application or payments to anyone without your agreement, including over the telephone or by post.

If you agree to let us talk to your parents or carers they will be asked questions about details on your application form as a security measure before we talk to them.

If you do not mark the box(es) next to the declaration, you are saying that we can discuss your EMA application with the adult(s) named on the form.

We have asked some questions so that we can be sure we are reaching all parts of our community. You do not have to answer the questions, and it will not make any difference to your application. The information you give us will be completely confidential.

Do you consider yourself to have a disability?

The Disability Discrimination Act 1995 defines a disability as a physical or mental impairment which has a substantial and long term (i.e. more then 12 months) adverse effect on a person’s ability to do normal daily activities. You may still be considered to have a disability if you are not currently adversely affected but the impairment is likely to recur.

You should read the declaration very carefully before signing. You need to sign the box and write the date where we have asked you to do so. By signing the declaration, you are telling us that you have read and understood these guidance notes and the statement on data protection at Question A11. You are also telling us that even if you receive a Notice of Entitlement for EMA, you will not claim EMA if you do not fulfil the residency conditions set out on the front page of the form and in these guidance notes.

If you are accepted for EMA, you are also agreeing to abide by the rules of the EMA scheme.

If you do not sign the declaration, we cannot accept your application and the form will be returned.
To be completed by the adult(s) who are mainly responsible for the young person; or by the young person if they are a parent themselves.

For EMA, you are mainly responsible for a young person if he or she usually lives with you. This normally means the parent(s) of the young person applying for EMA, but it can mean the legal guardian, such as another relative, if the young person usually lives with them.

If the young person is in Local Authority care, living with foster parents or is a Care Leaver, question A8 should be marked ‘Yes’ and Parts B and C should be left blank. If this is the case, do not forget to include a letter from the Local Authority stating that the young person is in care or is a Care Leaver.

About your income
The amount of EMA awarded will depend on your annual income. For the purposes of this EMA application, your annual income is your income for a tax year (your joint income if you are a couple). The form asks for details of your income for the tax year 2005-06, that is from 6 April 2005 to 5 April 2006. Do not tell us how much income you receive now.

Couples
The term couple means a man and a woman who are married to each other, or living together as if married. From 5 December 2005, this definition is extended by the Civil Partnership Act to include two people of the same sex who are in a civil partnership, or living together as if they are in a civil partnership.

If you are part of a couple the amount of EMA is based on your joint income. That means you each need to supply details of your individual income for the year 2005-06. Even if you were not a couple in that year we need details of both of your individual incomes for the whole year.

If you are part of a couple, give details of one of you in the ‘Adult 1’ column and the other in the ‘Adult 2’ column. It makes no difference who completes which column, as long as this stays the same throughout the form.

If at the time of applying your household income is lower than it was in the tax year 2005-06, and this is due to disability as defined by the Disability Discrimination Act, we may be able to take your current household income into account for EMA assessment purposes.

Please read the information below carefully. If you feel that the circumstances described here apply to you or you need further information, please call us on 0808 10 16219 and we will advise you on how to complete the application. You must be aware that the onus will be on you to prove the disability by means of a medically based statement. We will provide you with details of what we can accept when you ring us.

Below we provide you with some initial information about the Act which may help you. The Disability Discrimination Act 1995 defines a disability as a physical or mental impairment which has a substantial and long term (i.e more than 12 months) adverse effect on a person’s ability to do normal daily activities. If you would like to know more about the Disability Discrimination Act 1995 and whether your medical condition is covered then information can be found at www.drc.gov.uk.

The Act sets out the circumstances in which a person is “disabled”. It says you are disabled if you have:

- a mental or physical impairment
- this has an adverse effect on your ability to carry out normal day-to-day activities
- the adverse effect is substantial
- the adverse effect is long-term (meaning it has lasted for 12 months, or is likely to last for more than 12 months or for the rest of your life).

What are ‘normal day-to-day activities’?
At least one of these areas must be substantially affected:

- mobility
- manual dexterity
- physical co-ordination
- continence
- ability to lift, carry or move everyday objects
- speech, hearing or eyesight
- memory or ability to concentrate, learn or understand
- understanding of the risk of physical danger
There are some special provisions, for example:

- if your impairment has substantially affected your ability to carry out normal day-to-day activities, but doesn’t any more, it will still be counted as having that effect if it is likely to do so again;
- if you have a progressive condition and it will substantially affect your ability to carry out normal day-to-day activities in the future, you will be regarded as having an impairment which has a substantial adverse effect from the moment the condition has some effect on your ability to carry out normal day to day activities;
- cancer, HIV infection and multiple sclerosis are covered effectively from the point of diagnosis;
- people who have had a disability in the past but are no longer disabled are covered by certain parts of the DDA.

Examples of Reduction in Income

Please also note that this will only be of benefit to you if the household income has reduced. Here are some examples:

- If your household income in 2005-06 was more than £30,810 (EMA cannot be paid if you earn more than this amount) but due to disability it has now dropped below this amount, you may now be eligible for EMA. Please ring us.
- If your household income in 2005-06 was £22,000 but it has now reduced to £15,000 due to disability, you may now be entitled to a higher rate of EMA. Please ring us.

If your household income in 2005-06 was lower than £20,817 then you would already qualify for the maximum rate of EMA, even if your income has reduced further due to disability. If these circumstances apply then there is no need to ring us, simply continue to complete the application on the basis of your 2005-06 information.

If you have read the information but are still not sure what to do please call us on 0808 10 16219.
Helping you fill in Part B

If you have a Tax Credit Award Notice, write in your total income from 6 April 2005 to 5 April 2006 as shown on the Award Notice - not the amount of tax credits you are receiving. The following diagram shown may help you.

**Claimants**
Your tax credits are based on you being part of a couple. If you have separated, please tell us. You may be able to make a new claim to tax credits, either on your own or as part of a new couple.
Tax credits take account of the hours you work. We need to know whether you work:
- under 16 hours a week
- at least 16 hours but under 30 hours a week, or
- 30 hours a week or more.
Tell us if your hours change so you move from one of the above groups into another.

**MR KURT STONE**
You work 16 hours a week.

**MRS GRACE STONE**
You claimed tax credits jointly with the person named above.
You work 16 hours a week.

**Qualifying children and young people**
1 aged one or less.
3 aged between one and sixteen.
3 aged between sixteen and twenty.

**Child care costs**
You have no qualifying child care costs. If you start to pay for child care, and you qualify for Working Tax Credit you may be able to claim the child care element of Working Tax Credit. Contact us for details.

**Income**
This is the information we have about your income. Please check that it is correct.

**Your income for the year 6 April 2005 to 5 April 2006**

**MR KURT STONE**

<table>
<thead>
<tr>
<th>Earnings as an employee</th>
<th>£10000.00</th>
</tr>
</thead>
</table>

**MRS GRACE STONE**

<table>
<thead>
<tr>
<th>Earnings as an employee</th>
<th>£5000.00</th>
</tr>
</thead>
</table>

**Total income for the year from 6 April 2005 to 5 April 2006** £15000.00

You must enclose your Award Notice with the application. You must send the original and not a photocopy, and you must send all the pages. We will return it when we have processed the application, normally within two weeks.

If you have an Award Notice but it does not show your income for the tax year 2005-06, or shows zero income - perhaps because you were on Income Support when you applied - mark the ‘No’ box.

For more information about Tax Credits, visit www.hmrc.gov.uk/taxcredits or call 0845 300 3900 (textphone 0845 300 3909).

**Did you mark the ‘Yes’ box?** Fill in the amount from the Award Notice in the box where we have asked for it, rounded down to the nearest pound. Now go straight to the declaration at B14. You do not have to fill in Part C. Do not forget to enclose the whole of your Tax Credit Award Notice with your application.

**Did you mark the ‘No’ box?** Go to question B6.
Helping you fill in Part B

Question B6
Did you receive Income Support, Income-based Jobseeker’s Allowance or Pension Credit for the whole of the tax year 2005-06?

If you (or your partner) received Income Support, Income-based Jobseeker’s Allowance or Pension Credit for the whole of the tax year 2005-06, you should mark the ‘Yes’ box.

If you did not receive any of these benefits, or if you received them for part of the tax year 2005-06, you should mark the ‘No’ box.

Did you mark the ‘Yes’ box? Go straight to the declaration at B14. You need to fill in your details in Part C and send it to the office that normally deals with your benefit payments. Do not send the application to us until the signed and stamped Part C has been returned to you. You must enclose the completed Part C sheet with your application.

Did you mark the ‘No’ box? Go to question B7.

Question B7
During the tax year 2005-06, did you receive any of the ‘other’ kinds of income listed in the guidance notes for this question?

These are types of income that we do not take into account when we assess your household income but we still need to know about it.

If you lived only on these types of income for all of the tax year 2005-06, or just part of the year, you should mark one of the ‘Yes’ boxes. The main types are listed below, but a full list can be found on page 24:

• Maintenance received from a former partner
• Working Tax Credit
• Child Tax Credit
• Housing Benefit
• Child Benefit
• Council Tax Benefit
• Student loans or grants to meet the cost of tuition fees
• Income your children may have had

Did you mark the ‘No’ box? If you received any social security benefit payments during the tax year 2005-06 you must fill in Part C. Now go to question B8.

If you mark either of the ‘Yes’ boxes, tell us where the income came from in the box provided. You do not need to tell us how much income you received; only what kind(s) of income it was and when you received it. See examples below:

Did you mark the ‘Yes’ box, but only for part of the year? Use the box provided on the form to tell us what kind(s) of income you received from the list on page 24. If you received any social security benefit payments during the tax year 2005-06 you must fill in Part C. Now go to question B8.

Example of what we need

Income support from 6 April 2005 to 30 September 2005 then got a job and this is shown in Part B and I’ve supplied my P60 as evidence.

Did you mark the ‘Yes’ box, for the whole year, and this was my only income? Use the box provided on the form to tell us what kind(s) of income you received from the list on page 24. You do not have to fill in Part C. Now go straight to the declaration at B14.

Example of what we need

Maintenance from ex-partner and child benefit for the whole year.
Where to find details of your pay from employment in the year 6 April 2005 to 5 April 2006 (2005-06)

All of your employers in 2005-06 should have given you a record of your taxable pay. This will be a P60, or a P45 if you left before 5 April 2006.

If you had only one job in the year 2005-06, copy the figure labelled ‘Total for the year’ on your P60, or ‘Total pay to date’ on your P45.

If you had more than one job, add together the ‘in this employment’ figures from all your P60s and P45s.

Before you write in the total(s), read the notes below.

Enter your total income from all your paid employment in the year 6 April 2005 to 5 April 2006. We need to know the amount before taking off Income Tax, National Insurance contributions or other deductions, in particular any contributions from your earnings to buy shares in your employer’s company under a Share Incentive Plan (SIP).

Include

- Statutory Sick Pay. This counts as income for EMA purposes (it will already be included in the pay figure on your P60 or P45).
- Any tips or gratuities you received.
- The taxable part of any payments you received in connection with the termination of an employment, or if the terms of your employment were changed. (Such payments, for example redundancy payments, are taxed if they exceed £30,000. The taxable part is the amount that exceeds the £30,000 exemption).
- Taxable gains from security options (such as company shares, bonds, Government gilts etc) acquired by reason of your employment.
- Strike pay which you received from your trade union if you were involved in industrial action (this counts as income for EMA even though such payments are not taxable as earnings).
Do not include
- Any tax credits or New Deal 50+ Employment Credit you received as part of your wages or separately. These credits are not taxed and do not count as income for EMA purposes.

Deduct
- Any expenses which you met from your earnings and which arose wholly, exclusively and necessarily in the course of your work (as well as travelling expenses necessarily incurred in the performance of your duties). If you paid such expenses and were not reimbursed by your employer, deduct the amount of these from your gross pay. If your employer reimbursed you, do not include the reimbursed amount you received.
- Certain payments from your earnings which are deductible for income tax purposes, such as fees and subscriptions to professional bodies and learned societies, employee liabilities and indemnity insurance premiums, and agency fees paid by entertainers.
- Contributions to charity under a payroll giving (GAYE) scheme. If the amount for GAYE has been deducted by your employer, no further adjustment is necessary.
- Flat-rate expenses agreed by your employer and HM Revenue & Customs, to maintain or renew tools or special clothes (such as a uniform) that are necessary to do your work. The amount of the allowable expenses will be shown in your tax code for 2005-06.

If you had more than one job, use the working sheet below to help you work out your total earnings.

<table>
<thead>
<tr>
<th>Job 1</th>
<th>Job 2</th>
<th>Job 3</th>
<th>Job 4</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Enter this total on the form</td>
</tr>
</tbody>
</table>

If you write anything for question B8, you must send any P60, P60U or P45 form(s) you have relating to the tax year 2005-06 with the application. You must send the originals, and not photocopies. We will return them to you when we have processed the application, normally within two weeks.
You may have received benefits from your employer which were not paid out in wages but which were taxable. These are called benefits in kind. Your employer should have given you information about these by 5 July 2006, usually on a form P9D or P11D. You do not have to work out the amount of each individual benefit - your employer will tell you the taxable values. If you have not received a form P9D or P11D for the year 6 April 2005 to 5 April 2006 and you think you should have, ask your employer.

For EMA purposes we take into account the value of the following benefits in kind:

• Any goods and assets your employer gave you that you could sell for cash or anything bought for; or paid to you, other than at market value. For example, gifts of food, drink, fuel, cigarettes, clothes etc. If you received any goods or assets from your employer, please tell us what the second-hand value would be if you sold them, or what they cost your employer if this is more. These amounts are shown on form P11D (at section A) and P9D (section A(2), in the third and fourth boxes).

• Any payments made by your employer which you should have paid. For example if your employer paid your rent directly to your landlord or paid your income tax liability or your gas, telephone or electricity bills. Again, these amounts are shown on forms P11D (the first box numbered 1.12 in section B) and P9D (at section A(2), in the first, second and, if appropriate, fifth boxes).

• Cash and non-cash vouchers and credit tokens, such as company credit cards. (Ignore the value of any vouchers provided for registered child care.) The value of these benefits is shown on forms P11D (at section C) and P9D (add together all the boxes at section B).
If you earn at a rate of £8,500 or more a year (including any benefits in kind), or you are a company director, the following benefits are also taxable and form part of your income for EMA purposes:

- Authorised Mileage Allowances paid to you by your employer for using your own car for business or where your employer met any of the running costs such as petrol, repairs etc. The taxable amount is shown on from P11D at section E.

Only the excess over the statutory tax-free limit is taxable. For EMA purposes only report this taxable excess. If either:
- your employer does not pay you any authorised mileage allowances for using your own car for business, or
- you receive less than the tax-free limit (the ‘approved amount’) of these allowances you can deduct the difference between the ‘approved amount’ and what you receive from your employer from your earnings as an employee.

- Any company car or fuel benefits provided by your employer. These can be found at boxes 1.16 and 1.17 in section F of the P11D.

- Expenses payments made to you or on your behalf (shown at Section N on form P11D). However, the amount of these payments may be reduced by claiming a deduction of expenses allowed for certain income tax purposes. For example, for expenses incurred wholly, exclusively and necessarily in the course of your work, or for travelling expenses incurred necessarily in the performance of your duties.

If you have had benefits in kind from more than one employer, add the figures together to show the amounts received from all employments.

**If you write anything for question B9, you must send us any P9D or P11D forms you have relating to the tax year 2005-06 with the application. For most documents about your income we need an original and not a photocopy, but we will accept copies of your P9D or P11D forms. We will return them to you when we have processed the application, normally within two weeks.**
If you are in self-employment (either on your own or in partnership) you need to tell us the total amount of income you received in the tax year 2005-06.

If you have an SA302 for the tax year 2005-06, please enter the amount of total income shown and send your SA302 form with the application. You must send the original, and not a photocopy - we will return it to you when we have processed the application, normally within two weeks.

If you do not have an SA302 please contact the helpline on 0808 10 16219 for advice.

In addition to social security benefits and earnings from your work, we also take into account any miscellaneous income received in the year 6 April 2005 to 5 April 2006. You only need to include miscellaneous income if it adds up to more than £300. If it does, you only need to enter the amount of miscellaneous income that exceeds £300 (in the case of a couple, £300 should be deducted from your joint income). Use the table on the application form to work out your total miscellaneous income.

If you receive Adult Dependant’s Grant, please call us to find out whether it counts as income for EMA purposes. If you are not sure what to include, please call us on 0808 10 16219.

B11. Work out the total for both adults of any miscellaneous income, including pensions, over £300 using the table below.

<table>
<thead>
<tr>
<th>Type of miscellaneous income</th>
<th>Adult 1</th>
<th>Adult 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income from savings and investments</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Income from property</td>
<td>391</td>
<td>500</td>
</tr>
<tr>
<td>Trusts, settlements and estates</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Foreign income</td>
<td>12000</td>
<td>4112</td>
</tr>
<tr>
<td>Pensions (state, occupational or personal)</td>
<td>1604</td>
<td></td>
</tr>
<tr>
<td>Notional income</td>
<td>14295</td>
<td>4612</td>
</tr>
<tr>
<td>Totals</td>
<td>18907</td>
<td></td>
</tr>
<tr>
<td>Now add together the totals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deduct £300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total other income (round down to the nearest pound)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For income paid in a foreign currency, state the equivalent in pounds sterling.
**Helping you fill in Part B**

**Income from savings and investments**
Include interest from any personal or joint bank or building society accounts. This is the interest before tax was taken off (the gross interest). Your pass book or statement will help you work out this figure. If you received company dividends, add the tax credit shown on the voucher supplied by the company to the dividend. Ignore tax-free savings (for example ISAs, TESSAs PEPs, Index Linked and Fixed Interest National Savings Certificates and Children’s Bonus Bonds). Also include here a ‘chargeable event’ gain from a life insurance policy. For EMA purposes, we need to know the full amount of that gain, before any ‘top-slicing’ relief for income tax purposes.

**Income from property**
Include income from property or land in the UK that you owned or leased out. Ignore any income covered by the ‘Rent a Room’ scheme (briefly, if you let furnished accommodation in your own home for up to £4,250 a year). If your rental property made a loss, relief for this loss (for EMA purposes) is generally given in the same way as for income tax. Normally the loss should be carried forward and set-off against profits from the same source in the following year.

If, however, part of the loss arises from capital allowances or from agricultural land, that part of the loss may be set against other income which you (but not your spouse or partner) may have, either in the tax year in which the loss was made or in the following tax year. In such cases, the amount of loss relief available for EMA purpose is based on your tax calculations.

**Trusts, settlements and estates**
If you received income from a trust, settlement or a deceased person’s estate the trustees or administrators will have given you a certificate telling you what income was paid to you. Include the gross income (that is the amount before any tax was taken off).

**Foreign income**
For example, income from investments and property overseas and social security payments from overseas governments. Include the full amount, whether or not it was remitted to the UK, in **British pounds not the foreign currency**. Also include the gross income (the amount before any foreign tax was taken off) even if it is not taxable in the UK because of a double taxation agreement.

If you receive a foreign pension, whether or not it was remitted to the UK, you should include 90% of the full amount received (in British pounds, not the foreign currency). You may deduct any banking charge or commission paid when converting foreign currency to British pounds.

**Pensions (state, occupational or personal)**

**State Pensions**
Enter the amount of any state pension you received, including:
- the basic (or old age) pension,
- The social security pension lump sum,
- State earnings related pensions (SERPS),
- Graduated pension (graduated retirement benefit),
- Industrial Death Benefit,
- Widow’s Pension,
- Widowed Mother’s Allowance, Widowed Parent’s Allowance,
- any increase for a dependant child,
- any incapacity addition or addition for a dependant adult, and
- any increases paid by the Department for Work and Pensions to uprate a guaranteed minimum pension.

**Do not include** the Christmas Bonus and the Winter Fuel Payment.
Other UK pensions
If you received a pension other than a State pension, include the full amount before any tax was taken off. Your pension provider should provide you with a P60 (or similar certificate) by the end of May each year showing the amount of pension paid and tax deducted. Also include any annuity payments from a pension scheme.

If your pension includes an extra amount because you were disabled by injury on duty, or by a work related illness (compared to what would have been paid had you retired at the same time on ordinary ill health grounds), exclude that extra amount.

Notional income
Capital treated as income
We will not normally take capital into account when we work out the level of EMA payment. By capital, we mean deposits in current and savings accounts at banks and building societies, many lump sum payments, the value of property, shares and other investments.

However, in some cases the income tax rules treat capital as income and tax it as such. For example, if you hold shares in a UK company and the company gives you new shares (called a ‘stock dividend’) instead of a cash dividend. This is part of what we call ‘notional income’ and you would be expected to include it as income in your application.

Income that you are treated as having received
Notional income also includes income that you are treated as having received, even though you may not have. It may include:

• Trust income that, under income tax rules, is treated as the income of another person. For example, investment income of a minor child where trust funds have been provided by a parent and the amount exceeds £100. For EMA we also treat it as belonging to another person.
• Income that you have deprived yourself of to get EMA or more EMA.
• Income that you were entitled to but did not apply for. For example, a social security benefit or allowances paid to local government councillors or civic dignitaries. This does not apply to a deferred state pension (although when it is paid, a social security pension lump sum or an enhanced state pension will count as a ‘pension income’ for EMA purposes), a deferred personal pension, a deferred retirement annuity or compensation for personal injury.
• Income you lost out on because you worked for less than the going rate (or for nothing) if the person you are working for, or to whom you are providing a service, has the means to pay. This does not apply to voluntary work or employment or training programmes.
Helping you fill in Part B

**Question B12**

Write in any personal pension contributions you paid direct. Enter the gross figure before any tax relief.

If you have made contributions to an HM Revenue & Customs registered pension scheme (other than through your employer) take off the gross amount you paid during the year 6 April 2005 to 5 April 2006. If you paid into a Personal Pension Plan, you will have received tax relief by paying less than the contributions set out in the Pension Plan schedule. This includes Free-Standing Additional Voluntary Contributions (FSAVCs) and Stakeholder pensions. Enter the gross contributions, before tax relief was given. Pension contributions are usually paid monthly. Add together the gross monthly contributions shown on your Pension Plan Schedule.

If you paid your pension contributions through your employer you do not have to deduct anything. Your employer will already have deducted your pension contributions from the pay figure entered on your P60 or P45, so you do not have to fill in this box. This also applies to Additional Voluntary Contributions (AVCs). If you are a doctor or a dentist making contributions both to the NHS superannuation scheme and to a retirement annuity contract or a personal pension, and you work out the tax relief due under the HM Revenue & Custom’s Extra Statutory Concession A9, then the deduction for EMA purposes may be made on the same basis. The amount deductible is the allowable amount for income tax.

**Question B13**

For each week during the tax year that either adult received Statutory Maternity Pay, Statutory Paternity Pay, or Statutory Adoption Pay, allow £100 and put the total in this box.

If either adult received Statutory Maternity Pay, Statutory Paternity Pay, or Statutory Adoption Pay at any time in the year from 6 April 2005 to 5 April 2006, you can allow £100 for each week you received it. Write the total in this box and we will deduct it from your income.

If you were on maternity leave but your employer did not pay Statutory Maternity Pay, you may have claimed Maternity Allowance instead. Maternity Allowance is not counted for the purposes of EMA and should not be included anywhere on the EMA application form.

If your circumstances do not seem to be covered by any of the income options above, please call us on **0808 10 16219** and we will advise you on what to do.

**Question B14**

Data Protection statement and Adult Declaration.

You should read the Data Protection statement and Declaration very carefully before signing. You need to sign and date the form where we have asked you to do so. By signing the declaration, you are telling us that you have read and understand these guidance notes, including the statement on data protection. You are also telling us that to the best of your knowledge, the young person applying for EMA fulfils the residency conditions set out on the front page of the form and in these guidance notes.

If the declaration is not signed, we cannot accept your application. If two adults have provided income details, you must both sign.
Helping you fill in Part C

Who fills in Part C?

Only fill in your details on Part C if:

• You are the adult(s) mainly responsible for the young person, and you received the social security benefits listed below in the tax year 2005-06.

or

• You are the young person, and you live independently, and you currently receive Income Support. If you are living independently and currently not on Income Support we may still be able to help you, please call us on 0808 10 16219.

If you received Carer’s Allowance ONLY in the tax year 2005-06 you will need to send Part C to the Carer’s Allowance Unit at the following address:
Carer’s Allowance Unit, Palatine House, Lancaster Road, Preston, PR1 1NS

You only need to fill in the young person and adult 1 details in the section at the top of the page. These should be the same details that you used in Parts A and B.

If there are two adults mainly responsible for the young person, and one of the adults received Income Support, Income-based Jobseeker’s Allowance or Pension Credit during the tax year from 6 April 2005 to 5 April 2006, then that adult should fill in their details on the page headed ‘Part C - first adult’. If you do this, the second adult does not need to fill in their details on the page headed ‘Part C - second adult’.

When you have filled in your details in Part C, send it to the office that normally deals with your benefit payments. They will complete their part of the form, stamp it and return it to you. Do not send us your application until you can enclose the signed and stamped Part C. Please do not send these to us separately.
What to do now

Send back the parts of the form that you have filled in. You must also send us any evidence that we have asked for. Any documents you send with your application must be originals.

Young Person . . . .
- You must fill in and sign Part A.
- You must send us recent bank evidence that shows your full name, home address and bank/building society account details (account number, sort code and roll number if applicable), unless you received EMA payments between September 2005 and August 2006 and you want us to continue making payments into the same account.
- If you are living independently and you currently receive Income Support, you must fill in Part C.
- If you need to fill in your details on Part C, you must send it to the office that normally deals with your benefit payments. They will complete their part of the form, stamp it and return it to you. You must wait until you have received the stamped Part C and include it with your application.

Adult(s) . . . . .
- You must fill in and sign Part B.
  - You must send any evidence about your income we have asked for.
- If you have a Tax Credit Award Notice that states your income for the tax year 2005-06 you must enclose it. If you enclose it you do not have to fill in Part C.
- If you received social security benefits in the tax year 2005-06:
  - You must fill in Part C.
  - If you fill in your details in Part C, you must send it to the office that normally deals with your benefit payments. They will complete their part of the form, stamp it and return it to you to be included with the application.

Very important: When you send the application to us, please use the reply-paid envelope provided and do not fold the form.

What happens next?

We will normally tell you within three weeks whether or not the young person is entitled to EMA.

We will:
- Write to the young person and tell them whether or not they are eligible to receive EMA. If they are, we will tell them how much they will get if they enrol on a valid learning programme. We will also send them an ‘EMA Contract Part I’ which they will need to take with them when they enrol on a full time further education course at a college or school, an LSC-funded Entry to Employment (e2e) programme or a Programme Led Pathway.
- Write separately to the adult(s) and tell them whether or not the young person is eligible to receive EMA. We will also tell them what income we have used to make the assessment.
This is a list of the main kinds of income that we do not take into account when we assess your household income.

- Income Support
- Income-based Jobseeker’s Allowance
- Pension Credit
- Child Benefit
- Child Tax Credit
- Working Tax Credit
- New Deal 50+ Employment Credit
- Disability Living Allowance
- Severe Disablement Allowance
- Attendance Allowance
- Housing Benefit
- Council Tax Benefit
- Industrial Injuries Disablement Benefit
- Maternity Allowance
- Incapacity Benefit (short term lower rate)
- Benefit paid for a period of incapacity that began before 13 April 1995 and for which Invalidity Benefit used to be payable or any child dependency increase with these payments
- Maintenance received from a former partner
- Student loans or grants (except The Adult Dependant’s Grant) to meet the cost of tuition fees, child care etc
- Income your children may have had
- Parent’s Learning Allowance
- Pension Christmas Bonus
- Winter Fuel payment
- Tax-free savings income (for example ISAs, TESSAs, PEPs, Index Linked and Fixed Interest National Savings Certificates and Children’s Bonus Bonds)
- War pensions, or pensions or annuities payable under the German or Austrian law to victims of Nazi persecution
You are also allowed to make certain deductions from your total income. These should not be included anywhere on the application form.

These include:

• Gross contributions to an HM Revenue & Customs registered pension scheme such as an occupational pension scheme, personal pension scheme or retirement annuity contract
• Any expenses which you met from your earnings which arose wholly, exclusively and necessarily in the course of your work e.g. travelling expenses
• Fees and subscriptions to professional bodies/learned societies
• Employee liabilities and indemnity insurance premiums
• Agency fees paid by entertainers
• Gross payments under Gift Aid or payroll giving scheme GAYE (Give As You Earn)
• Any personal pension contributions (before tax relief was given) you paid direct. For example Free-Standing Additional Voluntary Contributions (FSAVCs) or Stakeholder pension contributions
• Any banking charge or commission paid when converting foreign currency to British pounds
• Flat-rate expenses agreed by your employer and HM Revenue & Customs, to maintain or renew tools or special clothes (such as a uniform) that are necessary to do your work
• If self employed, any trading losses brought forward from a previous year
• If self employed, any amount added on for averaging in the case of fluctuating profits

If you received some other kind of income not shown above, please call us on 0808 10 16219 for advice.
Things to remember

Have you...

- enclosed evidence of the young person’s bank account that shows, address, account number, sort code and roll number (unless they currently receive EMA and will continue to use the same account)

- checked the young person has completed Part A / the young person has signed Part A

- completed and signed Part B and enclosed income evidence for 2005/06

- checked that, if you need to use Part C, it has been stamped by the office that normally deals with your benefit payments

If you require any assistance please call the helpline number: 0808 10 16219
EMA is a weekly payment of £10, £20 or £30 paid to young people who stay in learning beyond 16 by either: starting a full time further education course at a college or school, joining a Learning and Skills Council – funded Entry to Employment (e2e) programme, or a course that leads to an Apprenticeship.

How is EMA paid?
EMA is paid direct into a young person’s bank or building society account.

What sort of account is required to receive EMA?
Any bank or building society account that accepts BACS will be suitable to receive EMA payments.

How to choose the right account
There is a wide range of bank and building society accounts to choose from therefore it may be helpful to speak to your local bank or building society to decide which account is best for you. For those already 16, ‘basic bank accounts’ are designed to be the easiest to open and are available to almost everybody. For young people not yet 16, there are a range of accounts which will accept BACS.

What is a basic bank account?
A basic bank account is a very straightforward account that allows you to pay money into your account and get cash out by card. You do not get a cheque book and cannot overdraw with a basic bank account. With most banks or building societies you don’t need to put any money into a basic bank account to open it. With others £1 is usually enough to get you started.

Banks and building societies call their basic bank accounts different names. If you would like to know which banks or building societies offer basic bank accounts and what they call them, please see the Financial Services Authority (FSA) website www.fsa.gov.uk/consumer/consumer_publications/index.html or call the FSA Consumer Helpline on 0845 606 1234 (calls charged at local rate) for full details.

How to open a bank account
Banks and building societies are legally required to check your identity before opening an account. So, if you want to open a bank account you have to be able to provide proof of who you are and where you live, such as a current passport, a current driving licence, or a household bill. Staff at the bank or building society will be able to tell you the sort of proof they need.

If providing this kind of proof is difficult for you don’t worry, some banks/building societies will accept something else such as an original letter or statement from any responsible person who knows you, like a social worker, teacher, Connexions advisor or hostel manager.

Just take this document into your local bank or building society, explain that you want to open a bank account for EMA and they will discuss with you what sort of account will be best for you and what proof you need to provide. If necessary the member of staff can refer your application to someone who can authorise accounts in exceptional circumstances.
Confirmation of Bank/Building Society Account Form

If you do not have a statement or letter from your bank or building society showing your name, address and full account details, detach this page and ask your bank or building society to fill in the form below. You will then need to enclose it with your application.

To: **EMA Assessment & Payment Body**

We confirm that the following person has an account with us able to receive automatic payments made via the UK BACS system

Name of Bank / Building Society ..............................................................................................................................

Branch ........................................................................................................................................................................

Full name of account holder ..................................................................................................................................

Account holder’s address ...........................................................................................................................................

............................................................................................................................................................................. Postcode ........................................

Sort code  __ / __ / __

Account number __ __ __ __ __ __ __ __

Roll number (if applicable) __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ __ 

If the account does not have a roll number; please cross out this line

Stamp

Signature of bank/building society employee ............................................................................................................

Name ........................................................................................................................................................................

Date .......................................................... 

Once this form is completed, please return it to the account holder so that they can include it with their EMA application.

April 2006

Printed on behalf of the Learning and Skills Council (c) 2006

To get an extra copy of this booklet or an EMA application pack, visit www.direct.gov.uk/ema or call us on 0808 10 16219