

include YOUTH

**Response to the joint Department for
Employment and Learning and Department of
Education's consultation on the future of the
Education Maintenance Allowance Scheme**

Date: 2 November 2012

For further information contact Sara Boyce,
Policy Co-ordinator (Employability)
Include Youth, Alpha House, 3 Rosemary Street, BELFAST, BT1 1QA

028 9031 1007
www.includeyouth.org

sara@includeyouth.org
twitter.com/includeyouth

Include Youth

Include Youth is an independent non-governmental organisation that actively promotes the rights, best interests of and best practice with disadvantaged and vulnerable children and young people.

The young people we work with and for include those from socially disadvantaged areas, those who have had poor educational experiences, those from a care background, young people who have committed or are at risk of committing crime, misusing drugs or alcohol, undertaking unsafe sexual behaviour or other harmful activities, or of being harmed themselves.

The Give and Take Scheme aims to improve the employability and increase the self-esteem of young people in need or at risk from across Northern Ireland. The Scheme works with approximately 135 young people from a care or criminal justice background. The Scheme aims to support young people to overcome particular barriers that prevent them from moving into mainstream training or employment and towards independent living. 75% of young people on the Scheme are care experienced while over a third has a background in offending. We have strong partnerships with all Health Trusts, the Youth Justice Agency, the Probation Board Northern Ireland and the Department for Employment and Learning's Careers Service. The Scheme provides essential skills training (Literacy, numeracy and ICT) to all of the young people.

Include Youth's Young Voices project is a way of delivering participative democracy to marginalised young people in Northern Ireland. Its main aim is to support marginalised young people at risk or with experience of the criminal justice system, to become involved in decision making processes which impact on their lives, particularly in social welfare, education and criminal justice matters. The project works with a range of groups of young people in the community, in Woodlands Juvenile Justice Centre and in Hydebank Wood Young Offenders Centre.

Reflecting the profile of the young people we work with, Include Youth's two main policy priority areas are employability and youth justice. We have engaged closely with the recent reviews of both the Youth Justice System in Northern Ireland and the Prisons Review, by the Department of Justice, as well as with the development by the Department for Employment and Learning of the recently published Pathways to Success Strategy. We are currently engaged in follow up work arising from all of these reviews.

Approach to this consultation response

Include Youth has concerns regarding all five policy options presented for consideration in the consultation document - given that a sixth option, that of retaining EMA in its current form is not also included as an option, it would appear that the broad parameters of a consultation outcome has already been decided.

We also have concerns regarding this consultation, on the basis that the potential impact of each of the five policy options on young people within section 75 groupings, many of whom will be recognised as being vulnerable or disadvantaged on the basis of that identity, has not been adequately or fully assessed (see section on EQIA below).

However for the purposes of this response the main concern we wish to highlight is in relation to the consultation document's proposals around 'vulnerable' students.

Provision for vulnerable students

Paragraphs 5.6 and 5.7 of the consultation document provides information on the changes to EMA introduced in Scotland in April 2011 whereby tailored provisions have been developed for 'vulnerable' students, in terms of the use of Activity Agreements, attendance requirements and eligibility criteria.

'Vulnerable' students are defined as those who are at risk of non-participation and of under-achieving. The Scottish guidance document¹ also includes a section (8.3) on vulnerable students who are looked after or care leavers.

The guidance provides for an extension of the eligibility period for payment of EMA to vulnerable students, including care leavers, for up to 4 years. This means in effect that they will be able to continue to receive the Allowance beyond their 20th birthday up to a point where they have received 4 years support.

In considering other policy considerations within the consultation document the possibility of greater flexibility for students with 'special educational needs' is mooted. The consultation document states that the EMA Review suggested that consideration be given to the provision of Activity Agreements for 'such' learners, in an apparent reference to students with special educational needs. The document goes on to state that this would be in line with developments in Scotland outlined earlier in the consultation document (at paragraphs 5.6 and 5.7).

¹ The Scottish Government (2011) Education Maintenance Allowance Guidance Released to Stakeholders March 2011 Version 10

However, having closely studied the Scottish Guidance it is our view that what is being proposed in the consultation document is not in line with developments in Scotland, and in fact is not fully clear in what it is proposing. It is unclear to us if there is a clear policy proposal contained in paragraphs 6.35 and 6.36 and secondly, whether it is intended to apply only to students who have been assessed as having special educational needs or to learners *'who are unable to meet the guided hours criteria of the scheme'*.

We strongly recommend that the approach adopted in the Scottish guidance (Section 8) is followed in full by DE and DEL with similar changes introduced in any amended EMA provision. The principal changes include the adoption of the broader Scottish definition of vulnerable students, the additional flexibility in terms of attendance patterns and the extension of the eligibility period up to 4 years.

We also note that while paragraph 6.37 talks about reinvestment of potential savings *'in new services for the NEET category and for those with special educational needs'*, the actual consultation question Number 4 asks for views on using savings *'to invest in services for young people not in education, employment or training or for those with special educational needs?'* (Emphasis added). We assume that the intention was not to pose this as an *'either or'* scenario, and Include Youth would certainly not support such an approach.

EQIA

Include Youth is concerned at the lack of evidence presented in support of the conclusion reached by the EQIA undertaken, as set out in paragraph 5.14 of that document, that while the proposed changes in financial support may result in some young people receiving less money than previously there is no data to suggest that this will have adverse differential impacts on young people in section 75 categories. There is no information presented on any assessment of the potential impact of any of the various policy options proposed on particular section 75 groups. The information provided relates to the current level of uptake among young people within various section 75 groupings. On the basis of this it is not possible to draw conclusions as to any potential adverse impact on particular groupings of young people.

As one example to illustrate this, has any specific consideration been given to any potential adverse impact of any of the policy options on Protestant working class male students, a group whose poor educational outcomes have been well documented in recent times? Without that level of analysis it is not possible to reach the definitive conclusion reached that none of the policy options being proposed will have any adverse differential impact on young people in the section 75 categories.

Include Youth recommends that further work is carried out on the EQIA, including the collation of data and focused consultations with specific section 75 groupings of young people.