

For further information on West Lothian HYPE Learning Agreements contact dawn.roden@westlothian.gov.uk
Version 9 Updated February 2020

WEST LOTHIAN HYPE LEARNING AGREEMENT GUIDANCE

Introduction

This paper has been written in collaboration with West Lothian partners who form the HYPE Learning Agreement Steering Group. Helping Young People Engage (HYPE) previously fell under the banner of Activity Agreements, a programme to support young people into employment. HYPE Learning Agreements have been borne from the Scottish Government review of Employability Services where the vision is to ensure there is “No One Left Behind”.

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What is a HYPE Learning Agreement?

A HYPE Learning Agreement builds on the good practice established through Activity Agreements developed and delivered between 2011 and 2019. It is an agreement between a young person and an advisor that the young person will take part in a programme of learning and activity which helps them to become ready for formal learning or employment. This will form a key element of the senior phase of Curriculum for Excellence for some of our most vulnerable young people. The young person may receive an allowance in return for complying with their agreement.

HYPE Learning Agreements are not for everyone. They should only be undertaken by those young people whose learning and skills needs have been assessed and it has been recognised that without this first step engagement and support they would not make a successful transition toward and into further learning or training and ultimately employment.

HYPE Learning Agreements are considered to be stage 1 of the Strategic Skills Pipeline, and the ultimate aim will be to support young people to move along this continuum and onto opportunities within stage 2, 3 or 4 of the pipeline.

The success of HYPE Learning Agreements is judged by the extent to which they assist young people to progress into, and sustain, further learning, training or employment. Those young people who undertake a HYPE learning Agreement should be assessed as capable of making this progression on completion of the HYPE Learning Agreement.

Assessment of Need

1. HYPE Learning Agreements, and young people's participation in them, should not be developed in isolation. They must take account of young people's previous experiences, both in school and outside; they must recognise the wide range of influences on vulnerable young people's lives; and they **must** form a clear pathway towards more formal engagement with learning or employment. This will require those involved in delivering and supporting young people undertaking HYPE Learning Agreements to have an understanding of the local labour market and of the expectations of employers.
2. While some young people are at higher risk of disengaging post-16, and therefore more likely to need support through HYPE Learning Agreements before they are ready to engage with further learning or employment, this should be based on an assessment of their individual learning and skills needs – not assumptions based on other factors in their lives. This process requires robust protocols for sharing information about young people's needs and interests, so the services they access can be appropriately tailored.

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3. For the most vulnerable young people, a strong relationship with a trusted professional, acting in an advisory and guidance role will be a critical element of participating in and sustaining learning. Evidence suggests that this advisory role or trusted professional relationship is central to HYPE Learning Agreements. There are a wide range of agencies and partners who have a role in supporting vulnerable young people, and may carry out this advisory role depending on the needs of the young person. The development of this guidance ensures a close alignment to the principles of Getting It Right For Every Child
4. HYPE Learning Agreements work best where those professionals who are fulfilling the advisory/trusted professional role are able to access accurate information about the range of learning opportunities and support – in the public, private and third sector – which are available in the local area.

Young People's Eligibility for HYPE Learning Agreements

1. HYPE Learning Agreements are focused on young people who on leaving school are likely to enter a negative destination. Given the other interventions from outside agencies such as DWP on young people 18 and over, the main focus of HYPE learning Agreement should be on 16 and 17 year olds. However, young people up to 26 can be engaged as appropriate should an assessment (based on their individual need) determine this is the right option for them.
2. A young person can undertake a HYPE Learning Agreements providing they have reached their statutory school leaving date and are off the school role – for some young people they will still be 15 years old, and they may participate. In such instances where a young person is 15 years old, additional risk assessments must be administered to comply with child protection legislation. The Trusted Professional should liaise with the HYPE Course coordinator (Heather Thomson) and the HYPE Learning Agreement coordinator (Wendy Stuart) in this instance.
3. The initial target group for HYPE Learning Agreements are young people entering a negative destination when they leave school. The official school leaving dates are 20th December and 31st May. It is important to note that:
 - A HYPE Learning Agreements will not be appropriate for some young people who initially enter a negative destination – e.g. because they have a deferred offer, or already have a clear and realistic expectation of what they want to do and are pursuing opportunities.

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- Some young people will initially enter a positive destination but not sustain it. An assessment of their needs will determine whether they require the additional support provided through a HYPE Learning Agreement
4. A HYPE Learning Agreements only begins when a young person has left school. For individual young people, it is good practice for the learning they undertake while still of compulsory schooling age to form part of a coherent experience which carries on post-16, and planning should take account of this. If a young person has reached their statutory school leaving date but has not reached the age of 16, they will be eligible to take part in a HYPE Learning Agreement

Advisory Role

1. Vulnerable young people's choice of learning, and their ability to sustain that learning, will often require intensive advice and guidance. That advice must come from someone who:
 - has, or can build, a strong relationship with a young person;
 - has an awareness of the learning and support opportunities available locally;
 - has an awareness of the local labour market;
 - can act quickly at point of contact with a young person;
 - is able to deal with a range of young people, many of whom will display challenging behaviour or have complex needs;
 - has credibility with the organisations who work with a young person;
 - has the ability to negotiate and advocate on behalf of the young person;
 - takes a solution-focused, non-judgemental approach.
2. There are many professionals who engage with vulnerable young people, and who may carry out this role. All partners have a duty to undertake the trusted professional role, where appropriate and this should not specifically fall to one organisation, unless this is the process agreed by local partners.

Participation in Activity

1. The key driver for determining the most appropriate activity for a young person should be the assessment of that young person's needs and interests. The activities should provide opportunity to develop the young person's skills for learning, life and work, with a continuous focus on literacy, numeracy, and health and well-being.
2. For some young people, participation in a HYPE Learning Agreement will be a first step towards further learning which will include qualifications; this might be usefully reflected in the Agreement where the young person has identified a clear goal, with employability being the ultimate aim.

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3. The Agreement should reflect, and build on, young people's previous experiences – both within and out with school. This is a critical element of fulfilling young people's entitlement to a coherent curriculum from 3 to 18.
4. Community Learning and Development opportunities – in both the public and the third sector – as well as volunteering opportunities will be key aspects of the offer to young people. An individual HYPE Learning Agreement will be a reflection of the young person, and be bespoke to them.
5. A range of courses (HYPE courses) will be available for young people to develop their learning. These courses will link with the local labour market, offer accreditation, aim to support mental wellbeing and take a youth work approach to engagement. It is important to note that while these courses are available for young people, the trusted professionals have the creative freedom, to build a bespoke learning package. For more on HYPE courses, please see appendix A.
6. The ultimate aim of a HYPE Learning Agreement is to enable those young people furthest from the labour market to develop the learning and skills they need to progress toward and into work. Developing an understanding of the world of work is therefore an important element of HYPE Learning Agreements; this requires a focus on the local labour market and the expectations of employers. A local opportunities publication known as 'Snippets' is published weekly by Livingston SDS. Additionally, a West Lothian specific website 'Positive Destinations' is a website designed for young people, and will bring together LMI, local opportunities and a range of employability support.
7. Young people on a HYPE Learning Agreement could benefit from some direct employability experience through:

Work tasters - where those undertaking the work taster attend for short periods of time to get a sense of what is required in a work environment.

Volunteering opportunities - formal opportunities, perhaps accessed through local volunteering organisations undertaken in more obvious places such as charity shops and are undertaken on a voluntary basis.

Work experience placements - a more formal structured process where someone works in an environment on a formal basis, with hours set over a period of time.

When this forms part of a HYPE Learning Agreement, it is the responsibility of the trusted professional to support this process. Opportunities need to have the correct health and safety checks in advance of the placement commencing and the Trusted Professional should link with Michelle Robertson at West Lothian Council for advice on this michelle.robertson@westlothian.gov.uk

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8. Young people who are doing a HYPE Learning Agreement are also eligible to access funding through an Individual Training Account (ITA) More information can be found at:

<http://www.skillsdevelopmentscotland.co.uk/our-services/individual-learning-accounts/>

Administration – Local arrangements

1. The assessment of a young person's needs should determine the minimum requirements for taking part in a HYPE Learning Agreement. For some young people, the initial stage of a HYPE Learning Agreement will be largely or entirely focused on intensive advice and guidance, before appropriate learning activity can be identified. For those young people, that guidance process should be recognised as part of the Agreement and accurately recorded as a young person having been signed up.
2. It is the responsibility of the Trusted Professional to draw up the HYPE Learning Agreement with a young person and manage the agreed programme of learning.
3. The HYPE Learning Agreement should be submitted electronically as a working document to wendy.stuart@westlothian.gov.uk
4. All young people taking part in a HYPE Learning Agreement will firstly go through a 4-6 week assessment period. During this time the young person will have access to all the learning opportunities afforded within HYPE Learning Agreements, but they will not be eligible for EMA at this stage. If the young person successfully engages with all agreed learning during this time they will progress to a formal HYPE Learning Agreement (at which time all EMA payment will be backdated from to their first week of engagement). For those young people who do not successfully meet the conditions of their HYPE Learning Agreement will be referred back to SDS. All young people will be encouraged to re-engage in a HYPE Learning Agreement when they are ready to do so.
5. A HYPE Learning Agreement assessment period, can be activated from as little as two hours of learning per week, with no maximum upper limit. When a young person has finished their assessment period and progressed to a

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HYPE Learning Agreement, they will be required to engage in a minimum of 8 hours per week. The assessment period should be used as a time to build up young person's capacity and engagement time.

6. A HYPE Learning Agreement will be a six month programme with room for flexibility on a case by case basis. The HYPE Learning Agreement will be reviewed at the end of the 6 months. If an extension is required it will be the responsibility of the Trusted Professional to present a case on why the extension is required, how long that is likely to be for, and what action is going to happen during the extension period to progress the young person.
7. A pipeline of Activities is available to provide a visual journey for the trusted Professional and the young person. This is for guidance only, and should be used to help the young person map their journey. See appendix A.
8. Bespoke learning requirements i.e. individual learning that will be bought for a specific young person, should be submitted to wendy.stuart@westlothian.gov.uk
9. When a young person progresses off their HYPE Learning Agreement, an email should be sent to wendy.stuart@westlothian.gov.uk immediately detailing the young person's progression. This in turn will be forwarded to Skills Development Scotland on a weekly basis.
10. All young people engaging in a HYPE Learning Agreement or an Assessment Period will be asked to sign an Education Services **Photography and Video Consent** form. Any young person over the age of 12 who has the capacity to do so, can sign the form themselves. Every young person has the right to refuse or to remove consent at any time. Photographs will be stored centrally with West Lothian Council, and will be saved for five years. Photographs and videos published on the website or social media feeds will remain indefinitely. If a young person declines to sign the photographic consent form this wish will be respected. In this instance, Trusted Professionals should let the young person know that photographic evidence is required for Dynamic Youth Award accreditation on some courses. In this circumstance, they young person will be asked for permission.

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Education Maintenance Allowance (EMA)- National

1. Young people who are participating in HYPE Learning Agreements should have access to financial support in the same way as young people learning in more formal settings. This is an important part of meeting those young people's entitlement to support, set out in Building the Curriculum 3.
2. The EMA is means tested and eligibility will depend on household income and whether there is more than one dependent child in the household. The same rules for income assessment applies to young people on HYPE Learning Agreements as those receiving an EMA in school or college and is based on Her Majesty's Revenue and Customs Tax Credits Awards, which also takes into account household income.
3. If household income is £24,421 or less, the young person will be eligible, and will be awarded a weekly allowance of £30. Young people from households with more than one dependent child and where the household income is £26,884 or less will also be eligible for a weekly payment of £30 per week. (As at August 2019)
4. A dependent child is one who is 16 or under or is between 16 and 25 years old and is in full-time further or higher education.
5. Most EMA applicants will be able to provide a Tax Credit Award Notice (TCAN) or P60 as proof of household income. If they do not have a TCAN or P60, details of income can be completed on the application form. EMA contacts within local authorities will be able to provide guidance on how to complete the forms. If a current TCAN is available then this will reduce the amount of the form that has to be completed.
6. The Department of Work and Pensions have implemented significant changes to the benefits system which includes Universal Credit. This replaces the previous suite of benefits and their notification forms.

Child Benefit and Child Tax Credit

7. Child Benefit legislation specifies programmes of learning which qualify a young person for Child Benefit - HYPE Learning Agreements **do not count** as eligible learning for the purposes of child benefit and child tax credit. Therefore, a young person engaging on a HYPE Learning Agreement will not be eligible for Child Benefit.

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8. However, young people continue to be eligible for Child Benefit and Child Tax Credit for up to 20 weeks after they leave school, college or attendance on Employability Fund related provision. This is referred to as the *run on* period. **This means that young people who begin a HYPE Learning Agreement within 20 weeks of leaving school will continue to be eligible for Child Benefit and Child Tax Credit at the start of their engagement.** It is important to note that these young people are eligible for Child Benefit and Child Tax Credit because they have recently left school, not because they are taking part in a HYPE Learning Agreement.
9. If a young person is estranged from their parents or carers, they should be assessed on their own income and is therefore likely to be eligible for EMA. Young people in care or leaving care should automatically be awarded EMA.

Duration of Allowance

10. Payment of EMA will normally be restricted to a maximum period of 3 years and recipients must be between **16 and 19 years old**. Vulnerable young people may be eligible for up to 4 years support.
11. For young people on HYPE Learning Agreements, payments can be made for up to 52 weeks per year. Young people on HYPE Learning Agreements can receive payments out-with the normal school and college term-time as their learning may not follow the academic year.
12. Young people on HYPE Learning Agreements can have their EMA payments back dated, to the day of first engagement in the relevant activity within the current financial year. Scottish Government will not pay claims, or part of a claim which relates to the previous financial year. If a local authority decides to make backdated payments to the previous financial year, this cost will need to be met from the local authority budget. A new EMA application should be submitted each year.

Vulnerable Students

13. Vulnerable young people may require extra support in the application process and in developing the learning agreement as well as throughout the duration with their course work. For the purpose of HYPE Learning Agreements, all young people will be considered as vulnerable.
14. Flexibility should also be afforded to these young people in terms of timetabling and the range of provision they can access. Any specific guidelines can be built into the young person's agreement. This may include

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a low level of engagement in the activity to begin with and progressing towards greater engagement.

Making Payments

15. The young person's advisor or learning centre is responsible for authorising or stopping payments. For young people undertaking a HYPE Learning Agreement, we would generally expect trusted professional to make this decision, although for some there may be someone else who is more appropriate. In all cases, partnership areas should ensure there is a clear process – similar to the process which operates between schools and the local authority – for authorising or stopping payments.

Information Management

16. Local Authorities need a record of young people on HYPE Learning Agreements receiving EMA. We would suggest that this information is recorded in the same way as for young people attending independent schools or who are home educated. This may be that a dummy student candidate number (SCN) is assigned to each young person so that they can be included in the information management system.

Benefits

17. Young People on Jobseekers Allowance can take part in a HYPE Learning Agreements, subject to the maximum number of hours allowed by Jobcentre Plus rules. They cannot receive an EMA whilst receiving this benefit.
18. Young People receiving Universal Credit can take part in a HYPE Learning Agreement. In this instance, young people can receive EMA and Universal Credit.

Re-assessments

19. As a young person on a HYPE Learning Agreements can enter and leave at any point during the course of the year, it may be necessary to carry out a reassessment of their circumstances. This may be needed to ensure that you have current financial information for them particularly if they have been on an HYPE Learning Agreements for some time, possibly more than 52 weeks. There is no cut-off date for this set nationally, but local authorities may find it helpful to carry this out around the time that new applications are being sent out to the school sector for the new academic year.

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Education Maintenance Allowance (EMA)- Local

1. A young person may be eligible for EMA when they build the HYPE Learning Agreements up to eight hours or more per week. This will be an all or nothing approach to payment. This is to say the payment will only be released if the young person has engaged in **all of their agreed activities** unless there is a valid reason for not doing so.
2. EMA will be administered through West Lothian Council. Contact details are educationbenefits@westlothian.gov.uk or 01506 281952
3. If a young person is applying for EMA, then the Trusted Professional must ensure that their HYPE Learning Agreements is in place before submitting an EMA form.
4. It is the responsibility of the Trusted Professional to let the EMA team know if the young person has/has not attended training that week in order to release EMA payment. If this communication does not happen, it will be assumed that payment is not to go ahead.
5. The young person's Scottish Qualifications Authority (SQA) number must be entered onto the EMA application form.
6. EMA can be authorised over the Xmas period, even if no learning takes place over that period.
7. If a course is cancelled, then the young person can still get their EMA as it was through no fault of their own that learning did not go ahead.

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Appendix A - HYPE Courses

HYPE Courses continue to offer young people in West Lothian most in need of support, a wide range of employability focused learning opportunities; where young people can grow in self-confidence, begin to address the barriers to them moving on to their 'next step' and develop a range of life skills. These courses are delivered through partnership working with local businesses and training providers. The HYPE Team engage with young people through a youth work approach. Young people can access specialist support to build on their numeracy, literacy and employability skills.

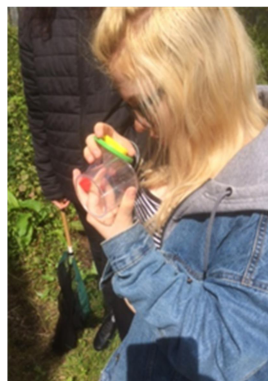
At the end of each course all young people are awarded a HYPE certificate of achievement providing details on the practical skills that they have learned during the course. Their certificate also includes details of the 'soft' skills that they have developed from attending the programme and working as part of a group.

All HYPE participants are encouraged to work towards formal accreditation.

HYPE Courses are closely linked to the labour market supporting young people to learn about careers and gain practical skills with courses such as Café Culture, Introduction to Animal Care, Gardening and Landscaping and Introduction to Beauty and Customer Service.

At HYPE we are always looking at ways to improve our offer to young people, address their needs & ensure the learning on offer is relevant to their future plans. We aim to:

- Link Young people with wider opportunities in the community
- Supporting Mental Health & Well Being through programmes
- Increase in employment focussed courses in response to current labour market trends
- Improve opportunities for employment related accreditation



Appendix B - HYPE Agreement Pipeline

