



Ministry of Defence

Ministry of Defence
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Our Reference: FOI2015/04107

28 May 2015

Dear [REDACTED]

Thank you for your email of 24 March 2015 in which you requested the following information.

* The official MOD investigation report leading to the termination of Ronin's (ELCAS Centre 1603) accreditation

*The exact reasons for the termination of Ronin's (ELCAS Centre 1603) accreditation.

*The appeals procedure, including the appropriate contact details for the lodging of an appeal against your / the decision to terminate Ronin's (ELCAS Centre 1603) accreditation.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOI Act). A search for the information has now been completed within the Ministry of Defence (MOD), and I can confirm that the MOD does hold information within the scope of your request; this is provided in the attached PDF Documents

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

Defence Personnel Secretariat FOI



MINISTRY OF DEFENCE
MOD Main Building,
Whitehall, London SW1A 2HB

To all ELC Approved Providers

Our Reference:

Your Reference:

Date: 27 February 2013

MINIMUM QUALIFICATION LEVELS FOR PACKAGES OF TRAINING COURSES

1. One of the cornerstones of Enhanced Learning Credit (ELC) Policy is the level of learning that the scheme is designed to promote and support. By its very nature, this level of funding provided by the public purse, is for the purpose of ENHANCED learning, that is to say, learning and study which leads to the award of a nationally recognised Level 3 qualification and above, as set out by the National Qualifications Framework/Qualifications and Credit Framework (NQF/QCF), or Level 6 qualification and above, as set out by the Scottish Credit and Qualifications Framework (SCQF).

2. Since Service Leavers have been able to use their ELCs for resettlement purposes, it has been accepted that they may wish to fund a package of courses which leads to a suitable qualification. This is permissible under ELC policy but that policy, as laid out in Joint Service Publication 898, Part 3, Chapter 4, is absolutely clear when it states that: **"In addition to the final outcome of the course being at NQF Level 3 or above, at least 75% of the study must be of that level"**. Upon their initial application or when applying to include new courses within their portfolios, Approved Providers must show the **breakdown of guided learning hours** to establish the percentage of level 2 study within such packages. Failure to comply with this 75% minimum level of Level 3 study will result in the course(s) being withdrawn from the ELC approved list. Providers are not permitted to upload courses to the ELCAS website unless they have been formally approved by MOD. Persistent inclusion of any such ineligible courses may result in the Approved Provider being suspended from the ELC Approved Providers List.

Sent for an on behalf of the MOD ELC Policy Lead

Enhanced Learning Credit (ELC) Scheme

The Enhanced Learning Credit Scheme (ELC) was introduced as a major initiative in Apr 04. The ELC scheme provides support for higher level learning, although personnel are also able to use ELCs in association with planned resettlement activities, as long as this activity is training/education which meets the ELC criteria. Personnel may be eligible to make 3 claims towards the cost of learning leading to a Level 3 or above academic or vocational qualification on the National Qualifications Framework/Qualifications and Credit Framework (NQF/QCF). The claim limit is currently 80% of the annual fee and individuals can draw down a maximum of £1000 per annum for 3 years (those years do not have to be consecutive) 4 years after registration or £2000 per annum for 3 years 8 years after registration. Claims can also be made up to 10 years after leaving the Service.

██████████ Following the ELC Scheme launch in April 2004 ██████████ were among the first training companies to deliver training to Service personnel and Service Leavers under the ELC scheme in Oct 2004. On 25 October 2004, a student satisfactorily attended the ██████████ Close Protection course using a lower tier award Enhanced Learning Credits (ELC).

██████████ (ELCAS Approved Learning Provider ██████████) was approved to deliver City and Guilds Level 3 Close Protection Officers' course on 20 December 2005 when their formal ELC approved Learning provider registration was approved.

The process for administering the approval of courses and Learning provider applications to join the ELC scheme was updated on 1 October 2012. ██████████ signed the ELC Learning Provider Obligations on 22 October 2012.

Summary of Decision to suspend ██████████

In summary ██████████ were claiming for approved and non-approved courses under the ELC Scheme. The final invoicing provided showed that the course on the invoice was different to the approved course on the ELCAS website. ██████████ had modified the course with non-approved elements, and had not sought to get the modified/new course approved, which therefore made the whole course non-approved. Ultimately, what this meant in practice is that because these other elements were adding additional cost to the course (the overall course cost was higher than the approved course) then more public money was being spent on the course than should be. Following this discovery, further course discrepancies were found by comparing some previous CANs (Claim Authorisation Notification) and invoices etc and it was clear that ██████████ had been doing this for some time.

Background

On 23 Feb 2015 [REDACTED] were removed from the ELC scheme because they were in breach of the scheme rules as notified under the Obligations of Learning Providers. ELCAS email dated 23 Feb 2015 refers.

The Obligations of Learning Providers which [REDACTED] had signed make clear that only courses approved by ELCAS as part of the original Provider application or subsequent request for amendment can be offered by the Learning Provider.

[REDACTED] were delivering unapproved courses to ELC students, thereby receiving ELC payments for courses that they were not approved to deliver.

These include:

| Course Title | Course Fee |
|--|------------|
| Hostile Environment & Corporate C P Training | £2227 |
| Tactical Paramedic Training, Threat Analysis and Pro Skills, Special Weapons and Tactics, Advanced Anti Ambush Driving, Final Operational Evaluation | £2229 |

[REDACTED] were only approved to deliver:

| Course Title | Course Fee |
|---|------------|
| BTEC Level 3 In Ambulance Aid | £3330 |
| BTEC Level 4 in Paramedic Practice | £4360 |
| City and Guilds Level 3 Certificate in Close Protection | £2524 |

Only the courses approved for Enhanced Learning Credit (ELC) claims to be made against, as authorised and approved by the Scheme which appear on the ELCAS website can be delivered by approved Learning providers. Courses which are not on the authorised list of courses may not have ELC claims made against them for the non-approved courses.

Where an approved Learning Provider makes a change to a course, perhaps by adding, or deleting modules or other elements of a course, and/or changes the name/title of a course, the modified course is immediately rendered void for ELC claim purposes. The Learning Provider must seek approval from ELCAS for the new/modified course.

Where the Learning Provider does not have an approval for their modified/new course, such courses cannot have ELC claims made against them and such courses remain non-approved.

The Scheme membership regulations clearly explain the process above and which all Scheme members have to agree and sign before they are admitted to the Scheme. [REDACTED] had signed the Scheme regulations when they originally joined the Scheme. It is noted that ELCAS was in contact with

██████████ prior to their removal about their use of non-approved courses and by ██████████ own written admission they stated that "As such we have added some practical components to the "License to Practice in the Close Protection Industry" award". Thus they admitted they had modified a course. ██████████ did not make any attempt to get their modified courses approved, even after they were warned about it. Subsequent action then took place to remove them from the Scheme altogether.

It is noted that there is a history of ██████████ offering courses that were not approved by the ELCAS/MOD Course Approval Panel. Some of this dates back to a time when LPs were permitted access to add courses to the website subject to Panel review/approval rather than the current procedure whereby only ELCAS upload courses to the website after the company provide appropriate proof from the Course Awarding Body, particularly if the course is new. ██████████ refer to being fully accredited by C&G to provide a new Level 3 Certificate for Working as a Close Protection Operative with the Private Security Industry, which incorporates FPOS I, but have not provided evidence from the awarding body to validate this claim.

ELCAS reminded all Learning Providers on 27 Feb 13, of the new procedures for course approvals, copy of letter attached. This included specific instructions that " Providers are not permitted to upload courses to the ELCAS website unless they have been formally approved by MOD. Persistent inclusion of any such ineligible courses may result in the approved provider being suspended from the ELC Approved Providers list". It is fair to say that all ██████████ and all the approved Learning Providers have therefore been duly warned. All LPs including ██████████ sign up to the Learning Provider Obligations which highlights that failure to comply with the Scheme requirements could result in their withdrawal or suspension from the Scheme.

██████████ have been members of the ELC Scheme since 2004 and should therefore be fully aware of its requirements.

Recommendation

It is recommended that ██████████ is suspended from the scheme for non-compliance with regard to course packages and appropriate level of award.

Going Forward

Noting the length of time ██████████ have provided training to Service personnel, an application to re-join the Scheme at a later date would be considered.

On re-application, the company reference to being fully accredited by C&G to provide a new Level 3 Certificate for Working as a Close Protection Operative with the Private Security Industry, which incorporates FPOS I, could be considered. ██████████ would need to provide evidence from the awarding body to validate this claim. A full application will enable ELCAS/MOD to fully re-assess that the company will provide and deliver courses in accordance with Scheme rules.