



Ministry
of Defence

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9 May 2018

Dear [REDACTED],

Thank you for your letter of 4 April requesting the following information:

- a. *Confirm or otherwise whether, under the rules that apply today, an individual who moves from a Special Regular to a RegC Commission in the circumstances that applied to me in 1984, as per my letter of 26 March 2018, is subject to a reduction in pay.*
- b. *In the event that the rules have changed so that no individual in the circumstances that applied to me in 1984 can be put at a disadvantage through a reduction in pay, please explain the actuality of the current rules.*
- c. *With respect to b. above, if the rules have changed, please advise the date of the change and the circumstances and reasons that led to any change.*

A search for the information has now been completed within the Ministry of Defence (MOD), and I can confirm that some of the information in scope of your request is held. It might help if I first explain that whilst the Freedom of Information Act 2000 makes provision for a requestor to ask for recorded information, including questions, the authority does not have to answer the question if this would mean creating new information, or giving an opinion, or judgement that is not already recorded. As some of your request is specific to your circumstances, and how it relates to policy today, to respond would require new information to be created. Therefore, responses have been provided to your questions based on what is recorded.

Under section 16 (Advice and assistance) you may find it useful to note that Special Regular Commission's (SRCs) no longer exist, the nearest current equivalent would appear to be Intermediate Regular Commission (Late Entry) (IRC(LE)) which offers 10 years commissioned service. There are, however, three types of Late Entry (LE) commission – Short Service Commission (SSC) (LE), IRC(LE) and Regular Commission (RegC) (LE) and conversion to Direct Entry (DE) Terms and Condition of Service (TaCoS) is possible from any of these.

With regards to implications on a Service Person's (SP) pay and pension when converting from LE to DE, these could be affected by a range of factors including rank, length of time served, current pay level and the comparable DE pay scale, point of eligibility for and achieving the next promotion, and the length of time that the policy allows SPs to remain on mark-time or stand-still rates of pay. A SP should discuss these issues and any potential impact with Defence Business Services (DBS) Pay and Pensions. As a matter of current policy, Career Managers at the Army Personnel Centre (APC) are not allowed to provide advice and guidance on the pay and pension

implications of any change to a SP TaCoS. Instead a SP is directed to seek specialist advice from DBS. Current policy is that APC will write to SP with details of the revised TaCoS when they convert from an LE to a DE commission (and other changes of commission), however, this correspondence does not contain detailed pay and pension impacts as APC are not qualified nor allowed to do so. The correspondence, however, clearly articulates that there are pay and pension implications, and individuals are required to sign to confirm that they have satisfied themselves that they are happy with these.

If you have any queries regarding the content of this letter, please contact this office in the first instance. Following this, if you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

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