



**Ministry  
of Defence**

**JSP 822  
Defence Direction and Guidance for Training and  
Education**

**Volume 9: Elective Education**

# Preface

## How to use this Volume

1. JSP 822, Volume 9 sets out Defence Policy Direction and Guidance on Elective Education<sup>1</sup>. The volume contains the majority of Defence Learning and Development policies for Elective Education; where Defence policy sits outside of Volume 9, it is clearly referenced throughout the volume, and in the Coherence section at Para 5 of Volume 1.
  2. The volume is made up of Direction and Guidance:
    - a. **Policy Directives** which provides the Direction that must be followed in accordance with statute or policy mandated by Defence or on Defence by Central Government.
    - b. **Policy Guidance** which provides the Guidance and best practice that will assist the user to comply with the Directives.
  3. The volume employs '**must**', '**should**' and '**could**' language as follows:
    - a. **Must**: indicates that the policy direction is a legal or key policy requirement and is **mandatory**.
    - b. **Should**: indicates the policy guidance is a **recommendation**. Although not compulsory, if a decision is made that any part of this policy cannot be complied with, then the Senior Responsible Owner who is ultimately responsible for that decision must thereby own and manage the inherent risks that arises.
    - c. **Could**: indicates that the policy guidance is good practice and encouraged.
  4. JSP 822 is the authoritative policy that directs and guides Defence people to ensure that training in Defence is appropriate, efficient, effective and, most importantly, safe. Organisations across Defence have their own policy documents which local policy teams populate and manage, based on their interpretation of the policy contained within JSP 822.
- Users should consult those policies and policy teams, within their organisation prior to JSP 822 and the TSLD Training Policy Team that manages JSP 822.

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<sup>1</sup> Note that Organisational Learning is captured under the Defence Organisational Learning Structure (DOLS) Framework owned by Joint Warfare in STRATCOM and is not within the scope of JSP 822. The Pan Defence Skills Framework (PDSF) currently sits in Ch 4 of JSP 755

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# 1 The Defence Learning Framework (DLF)

1. The DLF develops the Defence People Strategy's direction to maximise the talent of Defence People, providing a high-level framework encompassing the span of Defence individual and collective learning. The DLF provides key principles across ten component areas, covering all aspects of the Defence Learning Ecosystem. Detailed information on the DLF can be found in Volume 1.

<b>Vision:</b> Defence enables Joint Operational excellence through high quality learning that maximises the use of all the talent available to Defence.									
<b>Mission:</b> To enable the competent, efficient and effective delivery of UK Defence Strategic Objectives by FE@R through the provision of high quality, timely and relevant learning to Defence People.									
<b>Key Components of Defence Learning</b>									
<b>Learning Governance:</b>	<b>Learning Design:</b>	<b>Learning Delivery:</b>	<b>Learning Environment:</b>	<b>Learning Culture:</b>	<b>Individual Skills Development (Professional):</b>	<b>Individual Skills Development (Personal):</b>	<b>Collective Skills Development:</b>	<b>Partnerships:</b>	<b>Learning Futures:</b>
Effective governance structures exist with defined responsibilities and robust H2A mechanisms.	The DSAT QMS and DSAT policy and processes are applied effectively to all Defence Learning.	Modern, flexible learning delivery methods are employed to meet Defence and learner needs.	Modern learning environments and technologies engage the learner in achieving high quality learning outcomes.	A positive, proactive approach to Through Life Development (TLD) pan-Defence is embedded across the workforce	Identification, acquisition and recording of Defence Professional Skills is enabled & embedded pan-Defence.	Defence people are encouraged and enabled to attain personal Skills that maximise their talent (KSE-B)	Deliberate and targeted learning occurs that develops team effectiveness and operational capability.	Strong strategic, operational and tactical partnerships are nurtured to maximise Defence Learning outcomes and benefits.	Research, experimentation and innovation drives continuous improvement in Defence Learning.
<b>Principles of Defence Learning</b>									
1. Effective structures and responsibilities are implemented.	1. Learning meets documented requirements and supports the attainment of Skills.	1. Evidence-based methods are employed to achieve learning outcomes.	1. Physical and virtual learning environments are safe, engaging and accessible high-quality places.	1. Positive attitudes to learning are demonstrated at all levels of Defence.	1. WF Skills are captured and recorded in a single pan-Defence repository.	1. A personalised learning pathway, a Skills Passport, and coaching and mentoring provision is available for all.	1. Collective Training is focussed on the development of teamwork capabilities.	1. Collaboration with PAGs, UK Defence Allies and external organisations is harnessed to improve learning outcomes for the benefit of Defence.	1. Lesson exploitation and horizon scanning identifies opportunities and priorities for learning research.
2. Functional and Capability Sponsors are involved from the outset.	2. DSAT Analysis, Design & Evaluation functions are implemented.	2. Experiential Learning is integrated into the workplace.	2. Learning technology capabilities are developed iteratively in an 'evergreen' approach.	2. WF have the opportunity and support to undertake purposeful learning.	2. Defence Skills records are utilised to:	2. Individuals 'own' and 'value' their personal learning journey, supported with access to learning, qualifications, time and resources.	2. Methods and tools are used to accurately measure and assess teamwork capabilities and skills.	2. Collaboration with DfE influences Government learning policy for the benefit of Defence and its WF.	2. Research work in partnership with DST, DSTL and contracted partners is:
3. Learning Requirements are clearly articulated.	3. Design staff have the necessary Skills to maximise the efficacy of learning interventions.	3. A Blended Learning approach is adopted wherever relevant.	3. A pan-Defence Learning Management and Delivery System:	3. Learning achievement is rewarded and recognised.	a. Exploit workforce talents to meet Defence Strategic Objectives.	3. Individuals are encouraged to develop Skills and gain qualifications to prepare them for life beyond Defence.	3. Identify, measure and evaluate collective team & task outcomes at all levels.	3. Collaboration with partner organisations enables the delivery of apprenticeships, professional accreditation and intellectual development programmes.	a. based on agreed requirements;
4. Continuous improvement is driven across Defence Learning.	4. Interventions are modularised by default and access maximised.	4. Learning diagnostics are employed to establish WF Skills and enable a "fixed mastery, variable time" approach.	a. Provides coherent information to enable evidence-based investment and policy decisions.	4. Informal learning opportunities are encouraged, supported and exploited.	b. Enable professional development and career progression.		4. A full mix of Live, Synthetic and Blended methods are used to provide Collective Training interventions.	4. Outsourced Defence Learning contracts are managed and assured effectively.	b. supported and exploited into practice.
5. Risk is managed, and resource prioritised to maximise Defence Learning outcomes.	5. Existing content is reused / repurposed to reduce duplication and maximise usage.	5. Delivery staff have the necessary Skills to achieve enhanced learning outcomes.	b. Enables coherent and efficient Governance, Design, Delivery, Assessment and Evaluation.	5. Duty of care and trainee welfare is prioritised in all learning environments.	3. Professional Skills Development is based on clear learning outcomes and recognition of accredited / prior qualifications & learning.				3. Opportunities to experiment and innovate are created, and outcomes are transferred into BaU where appropriate.
6. Robust H2A mechanisms provide assurance at all levels of Defence Learning.	6. Capability development addresses the Training DLoD coherently and in a timely manner	6. Learners have the necessary learning and technology Skills to achieve enhanced learning outcomes.	c. Enables immersive learning.	6. Learning design & delivery account for the learning needs of a neuro-diverse workforce.					

# 2 Defence Direction for the Standard Learning Credit Scheme

Policy Sponsor: TESRR, CDP

The MOD promotes lifelong learning among members of the Armed Forces, and this is encouraged through the Learning Credit schemes. The Standard Learning Credit (SLC) scheme supplies financial support, throughout the career of Service Personnel (SP), for multiple, small-scale Learning Purposes to further motivate Regular and Reserve SP to pursue personal development throughout their Service. All SP seeking SLC support are required to adhere to this Direction.

## 2.1 Introduction

### SCOPE

1. The generic use of the term SP throughout this Direction implicitly includes serving Regular and Reserve Armed Forces personnel who meet the eligibility criteria for this scheme. The following definitions provide the scope for this Direction:

- a. 'Ed Staff' refers to all RN/RM, Army and RAF education and resettlement staff, including: RN Regional Service Resettlement Advisors, RM Unit Education Officers (UEOs), RN Education and Resettlement Officers (EROs), Learning and Development (Operations) Officers (LDO Ops) and Army Learning and Development Officers (LDOs); and Individual Education and Resettlement Officers (IEROs), and RAF Learning Centre and Education Staff.
- b. The term 'Learning Provider' (LP) is used to describe any educational or training institutions who deliver courses that **may** or **may not** result in the award of a nationally recognised qualification.
- c. The term 'Learning Purpose' is used to describe the reason or objective of learning, which **could** be in direct pursuit of a nationally recognised qualification in order to be eligible for SLC support. There is no restriction on the way the training can be delivered i.e. self-tuition packages, computer-based training, distance learning, informal teach-ins are all acceptable as are more formal classroom-based methods.
- d. The terms 'applicant,' 'claimant' and 'learner' describe individuals accessing this education support scheme. For ease, the term SP will be used throughout.

### AIMS

2. The aims of the SLC scheme are:

- a. To provide funding support to SP who wish to enhance their educational or vocational achievements.

- b. To enhance the reputation of the MOD, thereby encouraging the recruitment and retention of high-quality SP.

## FEATURES

3. SLC is a personal development refund scheme and operates as an annualised allowance, available each FY. It does not operate as an account in which the allowance can be carried forward from FY to FY, nor does the scheme permit retrospective payments from previous FY, except in exceptional operational or compassionate circumstances. SLC is paid, as a refund, to SP upon completion of a Learning Purpose. Where SLC courses are due to be completed **after the March Payroll** and before the end of the FY (ie 31 March) respective SLC claims would normally be processed on 1 Apr and will be applied to the next FYs entitlement. TESRR and the three Service leads for SLC have agreed that should the SP wish to claim SLC against their current FY SLC entitlement they are to gain confirmation, in writing from the appropriate learning provider at the beginning of March, that they have been satisfactorily attending the course and will complete it prior to 31 March. The SP may then submit their SLC claim, **in advance of the March Payroll**, to their Local Training Manager/Unit HR Administrator for processing within the current FY. The responsibility to obtain the learning providers confirmation and submitting the claim prior to the March Payroll date lies with the SP only (Link to JPA BPG for SLC claims is [here](#)).

4. SLC is not an entitlement. Provided SP fulfil the relevant criteria (set out below) they will be eligible to claim SLC support. Eligible SP may claim 80% of fees, up to a maximum of £175 per FY, paid to LPs for certain personal development courses, examinations and support. This support is provided on a 'sharing' basis reflecting the mutual benefit that personal development brings to the SP and the organisation. SP in receipt of funding will make a personal contribution using their own funds, as well as using off-duty or leave periods for study. Undertaking SLC funded study does not confer duty status and does not count towards Reserve training commitments or bounty arrangements.

## 2.2 Eligibility Criteria

5. Before embarking upon an activity for which SLC may be claimed, the SP is to be interviewed by Ed Staff. SP should consider:

- a. Relevance of the course, books and training materials, or qualification to their personal development goals and choice of funding.
- b. Their ability to cope with the pressures of study (or provision of evidence for assessment), the flexibility of the study method and the risk of disruption, and loss of course fees, by exigencies of Service life.
- c. Furthermore, all the following conditions must be satisfied:
  - (1) The SP must be authorised to undertake the activity and registered with Ed Staff in accordance with single Service (sS) instructions.

- (2) The SP must demonstrate that the activity will directly benefit the Service, unless the activity is being undertaken as preparation for planned resettlement.
- (3) The proposed activity has substantial developmental value or, where applicable, resettlement content, and is appropriate to the SP personal development needs and within their ability. Evidence the activity is part of a Personal Development Plan (PDP) contained within a Personal Development Record (PDR) will assist in securing this support.
- d. SP who claim ELC support may not simultaneously claim SLC support (e.g. SLC may not be used to fund an exam for a course which has been supported by ELC funding).
- e. For eligible courses it is permissible for Service Leavers (SL) undergoing resettlement to use the Individual Resettlement Training Cost (IRTC) grant, in addition to SLC. It is permitted, in these circumstances only, for SL to use the IRTC grant to offset, or pay in full, the 20% personal contribution required when using SLC. Allowing SL to use both funding streams ensures that they have the greatest level of flexibility when financing their preferred Learning Purpose.
- f. Claims for both SLC and IRTC to pay towards a single resettlement learning activity should continue to be submitted in accordance with each scheme's regulations. Any unspent IRTC may be directed towards another training activity. It is the SLs responsibility, using the advice and guidance from Ed Staff and Resettlement Advisers, to determine how best to optimise the funding support available when undertaking resettlement.
- g. Other than the use of SLC and IRTC when undertaking resettlement, the SP must not be in receipt of any other funding from Service sources for the proposed activity, including ELC<sup>2</sup>.
- h. Proof that learning has taken place must be produced, this is not limited to formal certificates and can include electronically held records of learning, such as progress reports and records of learning hours. The SP must agree what evidence will be produced at the time of the SLC authorisation with their Ed Staff.

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<sup>2</sup> SLC is not to be used to pay for Summer/Residential school fees.

## 2.3 Eligibility to Claim

6. Subject to the eligibility criteria above, where applicable, Regular and Reserve<sup>3</sup> SP may be eligible to claim from SLC for the following:

a. External courses.

(1) Part-time academic and vocational courses at Further Education (FE) colleges and similar institutions.

(2) Learning courses which require regular attendance at a local access centre.

(3) Courses of individual tuition (including foreign language).

b. **Scottish/National Vocational Qualifications (S/NVQs).** S/NVQs are recognised national qualifications designed to be gained in the workplace and are eligible. SLCs cannot be claimed for an S/NVQ gained only through submission of a portfolio of evidence; there must be evidence of fresh individual work (not merely work previously undertaken) leading to the completion of a portfolio of evidence. Recognition of Prior Learning (RPL) assessment fees leading to partial or complete qualifications are eligible. Applicants must prove to Ed Staff that they have undertaken a minimum of 30 hours new additional work.

c. **Distance learning courses.** Distance learning and online courses are eligible, provided that Ed Staff, or appropriate sS Authority, approve them. Distance learning and online courses for resettlement during the last 24 months are administered under normal SLC arrangements.

b. **External examinations.** Fees paid for examinations are eligible. This includes fees paid for examinations<sup>4</sup> taken following an eligible resettlement training course, including those at Regional Resettlement Training Centres. A refund is also admissible for the cost of an assessment, which leads to the award of a recognised qualification following a course for which no fees have been paid.

c. **Professional bodies and institutes.** Initial registration and accreditation fees paid to professional bodies and institutes expressly to gain qualifications (i.e. Certificates or Diplomas rather than categories of membership) are eligible.

d. **External examinations.** Fees paid for examinations are eligible. This includes fees paid for examinations<sup>5</sup> taken following an eligible resettlement training course, including those at Regional Resettlement Training Centres. A refund is also admissible for the cost of an assessment, which leads to the award of a recognised qualification following a course for which no fees have been paid.

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<sup>3</sup> From 1 Apr 2014, the following categories of Reserve personnel may be eligible to SLC:

- Volunteer Reserves – RN Reserve, RM Reserve, Army Reserve (excluding Reserves in category B), Royal Air Force Reserve.
- Full-Time Reserve Service (FTRS) (including personnel serving on Full Commitment, Limited Commitment, Home Commitment and Home Commitment Reserve Staff Group (RSG)).
- Additional Duties Commitments (ADC).

<sup>4</sup> SLC cannot be used to pay for an exam for a course which has been funded by ELC.

<sup>5</sup> SLC cannot be used to pay for an exam for a course which has been funded by ELC.



g. **Resettlement preparation courses.** Resettlement activities are eligible once a SL has formally commenced their resettlement. Fees paid for courses which form part of a SL's resettlement strategy may be eligible for a full or partial refund:

Ser	Time period eligibility and admissibility	SLC for educational purposes (inc personal development, S/NVQ) <sup>1</sup>	SLC for resettlement purposes <sup>2</sup>
1	Throughout career up to last 24 months	YES	NO
2	Last 2 years of Service - eligible for Graduated Resettlement Time <sup>1, 2, 3</sup>	YES	YES <sup>3</sup>
3	Earlier than last 2 years of Service for those over 50 years of age or with 30 or more years' Service <sup>1, 3</sup>	YES	YES
4	Last 2 years of Service - ineligible for Graduated Resettlement Time	YES	YES

<sup>1</sup> S/NVQ - Individuals cannot claim SLC for an S/NVQ gained through witness testimony only. There must be evidence of fresh individual work, preferably in written format, although audio/video recording is an acceptable form of evidence of a professional discussion. Branch or trade training is not admissible.

<sup>2</sup> Agreed Tri-Service resettlement preparatory phase normally the last 24 months.

<sup>3</sup> For details of the Graduated Resettlement Time Scheme, see JSP 534: Tri-Service Resettlement Manual.

h. **Deferred resettlement.** The use of SLC during deferred resettlement is subject to the scheme regulations that would have applied if the SLC had been used pre-discharge. A request for deferral of SLC is subject to approval through the Service Resettlement Advisor and will be deferred alongside all other resettlement entitlements at their value at the point of exit.

i. **Specific Learning Difficulties / Differences (SpLD)<sup>6</sup>.** SP, identified by a SpLD Adviser as likely to have a SpLD, are eligible at any stage in their career to claim SLC support for formal external assessment, in line with sS policies. Before such an external professional<sup>7</sup> is engaged, clearance for funding must be sought in line with this Direction. The external professional must be made aware of the overarching ethos behind the Defence approach to SpLD. Specialist tuition and support<sup>8</sup> for a SP professionally diagnosed with a SpLD need can be funded through SLC, provided: the support has been recommended in the Individual Learning Plan (ILP)

<sup>6</sup> Defence Direction for SpLD is provided elsewhere in this JSP and is in line with sS policies.

<sup>7</sup> Such as an Educational or Occupational Psychologist.

<sup>8</sup> Such as assisted technology. Note this **excludes** tints/lenses for use by SP with SpLDs.

produced by the SpLD Adviser or the external professional's report; any software is bought in direct support of the SP's SpLD; and all other requirements for claiming SLC are observed.

j. **Credit transfer fees.** Fees charged by FE or Higher Education Institutions (HEIs) to calculate the amount of course credits which may be awarded to a SP based upon previous academic and vocational qualifications and experience are eligible.

k. **Coaching and management of sport and Adventurous Training (AT).** Courses and qualifications which are required for the coaching and management of sport or AT in the Services, provided that they are in support of a SP's PDP, and recorded, are eligible. There must be evidence of intellectual development. Cases of this kind are to be examined by Ed Staff and where there is any doubt, they should be referred to appropriate sS Authority. SP must prove either that the activity is not provided under the auspices of Joint Service Adventurous Training Schemes (JSAT) or that a place is not available on such a course<sup>9</sup>. In some cases, qualifications are available through courses sponsored and authorised by sS Sports Boards. Ed Staff should check availability before approving the use of SLC.

l. **Initial driver training courses.** For SP outside their resettlement phase, SLCs may be used to fund driving training in order to obtain a first driving licence. The use of SLCs to fund additional categories of licence or advanced driver training is not admissible. SP within their resettlement phase, however, may use SLC to fund additional driver training.

m. **Paid maternity/paternity/ shared parental leave** qualifies as eligible service as SLC use but not unpaid additional maternity/paternity leave.

n. **Online Courses.** Payments and individual course fees where these are required for certification of completion, the earning of academic credit and the retention of learning material beyond the end of the course. This refers to a one-off payment or upgrade necessary to access a particular course or programme of courses. It is not to fund a subscription, which is a regular payment (e.g. monthly) with no specific learning attached to it.

o. **Books and training materials.** Where there is a requirement within the course to purchase course books or training materials i.e. audio/video tapes or digital files, course books or literature, other stationery, compact discs these can be funded by SLC and at the end of the course the SP could retain them tax free. However, SLC funding cannot be used by SP for simply purchasing study books (without undertaking a course) or purchasing books which are unrelated to a training course they are not actually undertaking.

p. **Language courses or language refresher courses** in preparation for a possible (but not agreed) move to an overseas location, in support of Defence Engagement activity, or in the development of a Defence priority language. However, refer to paragraph 8.d.

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<sup>9</sup> A list of JSAT courses can be found in JSP 419: Adventurous Training in the UK Armed Forces.

7. The maximum proportion of any fee which may be refunded is 80%; the SP is responsible for the balance through a personal contribution. The total amount which may be refunded to an individual in respect of fees paid in any of the above categories in any FY is £175. The MOD forbids the acceptance of inducements or incentives from LP, including subsidies, free accommodation, travel, food and equipment. SP who breach these rules risk forfeiting their SLC support.

8. Where SLC **may not be claimed**. SLC may not be claimed for:

- a. **Service training.** General Service training, courses or qualification undertaken for the benefit of a Service, branch, trade or specialism.
- b. **Civilian accredited Service training.** The funding of qualifications and examinations of this kind is not within the spirit of SLC. The only case for authorising a refund under SLC in this area is where both criteria are met:
  - i. A minimum of thirty hours of additional work, which is not an integral part of the Service course syllabus and is completed in the SP's own time. Applicants must prove to Ed Staff that they have undertaken a minimum of **30 hours new additional work**.
  - ii. An examination, assessment or assignment which is not an integral part of the Service course syllabus, is assessed by an external assessor and is undertaken by the SP as an option.
  - iii. **Professional bodies and institutes.** Annual membership fees for institute or professional bodies, other than in the first instance where membership is required as part of gaining a qualification (**para 6.g. refers**). Membership fees and subscriptions to professional bodies may be reclaimed against income tax. Further details are at: [www.hmrc.gov.uk/incometax/relief-subs.htm](http://www.hmrc.gov.uk/incometax/relief-subs.htm).
  - iv. **Language courses** purely for leisure or personal interest.
  - v. **Pure sport and AT.** All sport and AT activity, including courses, where the aim is solely to learn the sport or activity or improve by undertaking that sport or activity (**refer to paragraph 6.k.**).
  - vi. Battlefield tours.
  - vii. **City and Guilds Professional Recognition Awards scheme.** These are not eligible as no additional study is undertaken towards this qualification.

9. **Continued eligibility during resettlement.** In the event of medical discharge of SP, the eligibility to continue payment of SLC is to be assessed using the qualifying criteria detailed in JSP 534 - The Tri-Service Resettlement and Employment Support Manual. The SLC allowance may be used by the SP post discharge at the discretion of the sS.

10. **Transfer of eligibility to spouse or partner.** In the event of death or medical discharge of a SP due to injury or illness, caused or worsened by Service in the Armed

Forces<sup>10</sup> and whose condition renders them unable to utilise their SLC, it may be permissible to transfer payment of tuition fees to the individual's spouse, eligible partner or family member under a tax exemption. The eligibility to transfer payments is reliant upon study being at **Level 3**, or equivalent, on the Regulated Qualification Framework<sup>11</sup> or higher.

11. **Authority for travel and subsistence.** There is no entitlement to travel at public expense, or to claim subsistence allowance, for SLC funded training purposes, unless the SLC is drawn for resettlement activities in accordance with JSP 752: Tri-Service Regulations for Expenses and Allowances.

## 2.4 Making a Claim

12. **Making an application.** sS have procedures for processing and implementing SLC applications. **Before embarking on a SLC funded course**, SP must complete the Tri-Service application form (MOD Form 1950 – link here: [SLC Application Form](#)) and ensure it is signed by their Ed Staff and Line Manager. Without this SP will be ineligible for a refund. MOD F1950 can be obtained from all RN/RM, Army and RAF education and resettlement staff.

13. **Submitting a claim.** The SLC claim submission process is:

a. **Courses up to 12 months.** The refund payment is to be made on completion of the course. That is to say after the SP has taken the relevant examination or, for non-examination courses, on production of evidence of satisfactory attendance throughout, or of a certificate of course completion from the institute concerned. This is not limited to formal certificates and can include electronically held records of learning, such as progress reports and records of learning hours. Only one payment may be made per course, even if it begins and ends in different FYs. The payment is normally to be made in the FY in which the course is completed. Where there are exceptional operational or compassionate circumstances that prevent the authorised claim being made by FY end, a case should be presented to the relevant sS at the earliest opportunity, in accordance with JPA guidelines.

b. **Courses exceeding 12 months.** For courses lasting longer than 12 months, the refund payment may be paid at the end of each study year, on production of evidence of satisfactory attendance for that period. SP must complete the appropriate sS application form for each year of study for which they intend to claim a refund. Further claims may be made at 12 monthly intervals, and on completion, normally subject to a maximum of three refunds for any one course of study.

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<sup>10</sup> Injury or illness which is made worse by service is described in JSP 765 and requires endorsement under the Armed Forces Compensation Scheme.

<sup>11</sup> 'Qualification level learning' means a first qualification at Level 3 or above on the Regulated Qualification Framework or Devolved Administrations equivalent, a first vocational qualification which is the equivalent of the preceding qualification, a first undergraduate degree (including a foundation degree), a first Higher National Certificate, a first Higher National Diploma or such other equivalent qualifications in respect of which qualifying persons may claim tuition fees.

14. **Refund payments.** The SLC refund payment procedure is:

- a. **Payment of refunds.** The authorisation and payment of refunds is to be carried out in accordance with sS procedures.
- b. **Assignments and withdrawals.** If, as a result of assignment, discharge or retirement, an SP must withdraw from a course, or complete it after discharge, a refund of fees will not normally be admissible. However, if the assignment, discharge or retirement could not have been foreseen at the time of enrolment, a refund up to the full value of SLC may be authorised. A refund in excess of £175 will not be authorised. The information on any refunds authorised or paid during the current FY is to be included with the SP's personnel records according to sS instructions.
- c. **Refunds to members of other Services.** Refunds may be authorised within the scheme to members of other Services providing the above criteria are met and the SP cannot reasonably be expected to process a claim through their parent Service. All such refunds are to be carried out in accordance with the instructions of the administering Service.

15. **Further Guidance.** Further sS Guidance is available from:

<b>RN</b>	Regional Service Resettlement Advisors at Learning & Development Hubs, Unit Education Officers (UEOs), Education and Resettlement Officers (EROs), and Learning and Development (Operations) Officers (LDO Ops) seeking further clarification of sS instructions should contact NAVY TRG HQ-LDO POL RESET.
<b>Army</b>	Individual Education and Resettlement Officers (IERO) and Learning and Development Officers (LDOs), at Army Education Centres, which must be used by SL on resettlement. Education and Resettlement Staff seeking further clarification of sS instructions should contact the relevant SO2 Retention and Resettlement in Regional Command (RC): RC-Pers-ETS-N-RetResSO2 or RC-Pers-ETS-SRetResSO2
<b>RAF</b>	Personal Learning Advisors (PLAs), and Resettlement and Education Coordinators (REC) at RAF Learning Centres. Education and Resettlement Staff seeking further clarification of sS instructions should contact SO3 Accreditation and Education Wing at '22TrgGp-CTSAAndEWg-SO2' (Mil: 95751 6888).

# 3 Defence Direction for the Enhanced Learning Credit Scheme

**Policy Sponsor: TESRR, CDP**

The Ministry of Defence (MOD) promotes lifelong learning among members of the Armed Forces, and this is encouraged through the Learning Credit schemes. The Enhanced Learning Credit (ELC) scheme helps eligible Service personnel (SP) or Service Leavers (SL) with the cost of learning. The Scheme allows a single award in each of a maximum of three separate Financial Years, or a single aggregated lower tier award. ELCs may be claimed for learning which is an integral part, and results in the cost-effective achievement, of a nationally recognised qualification at Level 3<sup>12</sup> or above. The ELC scheme permits Regular SP to pursue their personal development, both during their Service and generally for 5 years after discharge<sup>13</sup>, subject to the eligibility criteria being met. This Defence Direction explains the rules of the ELC Scheme as it applies to SP. All SP eligible to receive ELC support are required to adhere to this Direction. The rules of the ELC Scheme are based on legislation<sup>14</sup>.

## 3.1 Introduction

### SCOPE

1. The following terms, defined as below, are used in this Direction:
  - a. 'Ed Staff' refers to all RN/RM, Army and RAF education and resettlement staff, including: RN/RM Education and Resettlement Officers (EROs), Naval Resettlement Information Officers (NRIOs), Learning and Development Organisation Operations Officers (LDO Ops Officer); Army Learning and Development Officers (LDOs) and Individual Education and Resettlement Officers (IEROs); and RAF Learning Centre and Education Staff.
  - b. The Designated Officer for the ELC scheme is 'People-TESRR-PersDev Ed C2' and works on the staff of TESRR, CDP in the MOD.
  - c. The contractor to administer the ELC scheme is M Assessment Services Ltd (branded the Enhanced Learning Credit Administration Service (ELCAS)) and known as the Customer Service Provider (CSP).
  - d. The term 'ELCAS website' means <http://www.enhancedlearningcredits.com>.
  - e. The term 'Learning Provider' (LP) is used to describe those educational or training institutions that are eligible to provide courses under the ELC scheme and are properly registered and endorsed by the CSP.

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<sup>12</sup> (A level and equivalent) and above as defined by the Regulated Qualification Framework (RQF) (England, Wales and Northern Ireland), a Level 6 or above on the Scottish Credit and Qualifications Framework (SCQF) or, if pursued overseas, an approved international equivalent higher-level qualification.

<sup>13</sup> See paragraph 11.

<sup>14</sup> The Armed Forces (Enhanced Learning Credit Scheme and Further and Higher Education Commitment Scheme) Order 2012, S.I. 2012/1796 (as amended, most recently by S.I. 2016/310).

- f. The term 'Learning Purpose' is used to describe the reason or objective of learning, which must be in direct pursuit of a nationally recognised qualification at Level 3 or above in order to be eligible for ELC support.
- g. The terms 'applicant,' 'claimant' and 'learner' describe individuals accessing the ELC scheme. For ease, the generic terms 'SP' and 'SL'<sup>15</sup> are used and include serving Regular and ex-Regular Armed Forces personnel who meet the eligibility criteria for this scheme.
- h. 'Date of enlistment' also includes date of commission (where relevant).

## **AIMS**

- 2. The aims of the ELC scheme are to:
  - a. Provide funding support to SP who wish to enhance their educational, academic, professional or vocational achievements by pursuing learning (at or above Level 3 on the Recognised Qualification Framework (RQF); and
  - b. Enhance the reputation of the MOD, thereby encouraging the recruitment and retention of high-quality SP.

## **3.2 Features of the ELC Scheme**

- 3. The features of the ELC scheme:
  - a. ELC is not an entitlement unless SP and SL fully satisfy the eligibility criteria of the scheme to claim ELC support.
  - b. ELC is not a refund scheme. Under no circumstances will MOD refund any SP or SL who pay for or commence their learning in advance and subsequently seek a retrospective ELC claim.
  - c. Prior to 1 Apr 16, SP were required to make a positive commitment to Level 3 to 8 lifelong learning by registering as a member of the ELC scheme to claim ELC support. From 1 Apr 16, those completing Phase 1 training, plus all currently serving SP who are not already members of the ELC scheme, will automatically become members of the scheme.
  - d. Three types of ELC award are available:
    - (1) The Lower Tier level provides funding for up to a maximum of 3 awards of up to £1k per FY. SP or SL must have completed either 4 or more years' qualifying service completed before 1 Apr 17, or otherwise 6 or more years' qualifying service completed on or after 1 Apr 17.
    - (2) From 1 Apr 16, a new type of award is available, called an Aggregated Lower Tier award, which provides a single award of up to £3k for SP who have completed 6 or more years' qualifying service on or after 1 Apr 16. This type of

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<sup>15</sup> SL in accordance with JSP 534: The Tri-Service Resettlement and Employment Support Manual.



award may not be taken by SP or SL who previously accessed a Lower Tier award or who qualify for Higher Tier awards.

(3) The Higher Tier level provides funding for up to a maximum of 3 awards of up to £2k per FY. SP or SL must have completed 8 or more years' qualifying service.

Providing SP and SL meet all the eligibility criteria, they may make ELC claims in up to three separate FYs (which need not be consecutive and may be a combination of Lower Tier and Higher Tier awards) either while in Service or generally for 5 years after discharge<sup>16</sup>. ELC funds may be directed at one Learning Purpose (such as successive years' study towards a particular qualification) or different Purposes in each of the 3 years. An Aggregated Lower Tier award replaces the 3 Lower Tier awards that could otherwise be made.

e. ELC is an individual award to assist in the personal development of eligible SP and SL. It cannot be transferred to any other individual except under the terms stated in Para 17.

f. This support is provided on a 'burden sharing' basis reflecting the mutual benefit that personal development brings to SP and the organisation. SP in receipt of ELC funding are expected to make a personal contribution of at least 20% of fees using their own funds, as well as using off-duty or leave periods for study. Undertaking ELC funded study does not confer duty status and sS regulations should provide further clarification, if required.

### 3.3 Membership

4. **Prior to 1 Apr 16** SP had to be in Service both when they applied and when they were registered as members of the ELC scheme. Acknowledgement letters for membership were forwarded to SP via Ed Staff, to be retained by the SP in their Personal Development Record (PDR). **On 1 Apr 16** all current SP who have completed Phase 1 training will be auto-enrolled in the scheme if they are not already members. **From 1 Apr 16** new SP will be auto-enrolled as members of the ELC scheme on completion of Phase 1 training. SP will no longer register as members on enlistment, during second registration opportunity or by late registration (see paragraphs 5 to 7).

5. **On enlistment.** All new recruits are to be made aware of the existence of ELC during the recruitment process. During Phase 1 (initial) training, recruits are to be briefed by the appropriate staff as to the detailed benefits of ELC.

6. **Second registration opportunity.** SL who chose not to register for the scheme in their 1<sup>st</sup> year of service may have registered as members of the ELC scheme before 1 Apr 16 by completing an ELC application form during a six-month window between the 8 and 8½ year Service point, measured from their enlistment date. They may not make an ELC claim unless they have completed the required qualifying service, which is measured from: if the person left service before 1 Apr 16, the first day of the six-month window; or in all other cases, whichever is the later of 1 Apr 2000 and the date of enlistment.

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<sup>16</sup> See paragraph 9.



7. **Exceptional authorisation for late registration.** In exceptional cases, SL who failed to register during the initial or second registration opportunity periods could submit a request to their single Service (sS) Authority for exceptional authorisation for late registration. This request had to prove that the SL was, for Service reasons, unable to register in accordance with the existing scheme regulations while they were serving (such as, on operational deployment or due to administrative error by their Phase 1 unit) during the recognised registration periods.

8. **SP on other engagements.** Full Time Reserve Service (FTRS), Military Provost Guard service (MPGS) and Non-Regular Permanent Staff (NRPS)<sup>17</sup> may have elected to join the ELC scheme in the expectation of meeting the eligibility requirements, noting:

- a. Eligible Service, for the purpose of calculating qualifying service as a requirement to establish eligibility, includes only that time on active service after 1 Apr 00.
- b. Qualifying Service may include a mix of periods of Regular and non-Regular service and need not be continuous. It should be recorded on the 'Interrupted Service' Form, available from the ELCAS website and should be submitted with the registration application and with each ELC claim.
- c. These SP, if in service on 1 Apr 16, were also auto-enrolled as members of the scheme on that date.

### 3.4 Eligibility Criteria

9. In order to make ELC claims, scheme members must:

- a. Complete the required length of eligible service before submitting the ELC claim form and prior to commencing the course of study for which ELC support is being claimed; and
- b. The SP or SL must start the course in respect of which the claim is made before the end of their period of eligibility<sup>18</sup>.

10. **Length of eligible service requirement.** SP or SL must complete 'eligible service' (i.e. sufficient qualifying service<sup>19</sup>) to qualify for different levels of award:

- a. For Lower Tier claims, those who complete 4 years' qualifying service before 1 Apr 17 are eligible: for those who do not complete 4 years' qualifying service before 1 Apr 17, 6 years' qualifying service is needed.
- b. For aggregated Lower Tier claims, 6 years' qualifying service completed on or after 1 Apr 16 is required.
- c. For Higher Tier claims, 8 years' qualifying service is required.

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<sup>17</sup> All other Reserve engagement types are ineligible for this support.

<sup>18</sup> See paragraph 11.

<sup>19</sup> 'Qualifying service' means service in the Armed Forces and includes time spent on ordinary maternity leave, additional maternity leave, paternity leave, shared parental leave, additional paternity leave, ordinary adopting leave or additional adoption leave, but does not include time spent on any unpaid career break.

11. 'Eligible service' commences as follows:

- a. For SL who were already serving before 1 Apr 03 and who registered on the scheme by 1 Apr 04, eligible service runs from 1 Apr 00 or date of enlistment, whichever is later.
- b. For SP and SL who entered Service on or after 1 Apr 03 and registered on the scheme during the initial registration opportunity (paragraph 5), eligible service runs from the date of enlistment.
- c. For SP and SL who joined at the second registration opportunity (paragraph 6), eligible service runs: for a member who left service before 1 Apr 16, from the date of the 8 years' service point; and for SP and SL who were in service on 1 Apr 16, from 1 Apr 00 or date of enlistment, whichever is later.
- d. For SP and SL who registered through late registration (paragraph 7): if the SP or SL was serving before 1 Apr 03, whichever is later of 1 Apr 00 and date of enlistment; and if the SP or SL was serving on or after 1 Apr 03, from the date of enlistment.
- e. For SP and SL who were auto-enrolled while in service on 1 Apr 16, eligible service runs from 1 Apr 00 or date of enlistment, whichever is later.

12. Time spent on an unpaid career break does not count as qualifying service but an ELC claim can be submitted for learning to take place during a career break.

13. Paid maternity/paternity leave counts as qualifying service but not unpaid additional maternity/paternity leave.

14. **Period to use ELCs.** SP and SL must commence the course in relation to which they are claiming an ELC award before the end of the entitlement time limit, which is defined as follows:

- a. For SL who ceased to be members of the Armed Forces before 1 Apr 16, 10 years after discharge.
- b. For SL who ceased to be members of the Armed Forces on or after 1 Apr 16, 5 years after discharge.
- c. Notwithstanding the above, for SL who is medically discharged on or after 1 Apr 11 and who receives a disablement pension under the War Pension Scheme or a guaranteed income payment under the Armed Forces Compensation Scheme, 10 years after discharge.

15. **Wounded Injured and Sick (WIS) SP.** SP who have completed initial (Phase 1 and 2) training and who are Scheme members, who become WIS before achieving the required ELC qualifying service, may be authorised to claim ELC at the lower tier rate. ELC use when WIS must be part of an Individual Recovery Plan (IRP) managed by sS recovery schemes. Specific regulations are:

- a. Must have registered to join the ELC scheme or been auto-enrolled prior to the date of the injury or commencement of the illness.

- b. The injury or illness must be wholly or predominantly caused or worsened by Service<sup>20</sup>.
- c. SP must be briefed on, and agree, the implications of using a lower tier ELC claim at this stage of their career.

16. **Effects of attributable medical discharge on eligibility.** SL who have completed initial training and who are medically discharged from Service on or after 1 Nov 10 before achieving the required qualifying service, may be eligible to claim ELC at the Lower Tier. In such cases, the SL must already be a member of the ELC scheme<sup>21</sup> and the injury or illness must be wholly or predominantly caused or predominantly worsened by Service. The period in which ELCs must be used is described in paragraph 14. If SL are in receipt of a disablement pension or a guaranteed income payment the period of eligibility is relaxed and they have 10 years after discharge to start their learning.

17. **Transfer of eligibility to eligible adult dependant.** In the event of the death of a Service Person (SP), **which is caused either wholly or predominantly by service**, or the attributable medical discharge of a SP who cannot use ELC support due to their injury or illness, it may be permissible to transfer all remaining ELC awards to the SP's 'eligible adult dependant'. The 'eligible adult dependant' is the SP's spouse, civil partner or 'eligible partner' (or surviving spouse, civil partner or 'eligible partner').

18. A person is an 'eligible partner' if:

- a. The person and SP cohabit as partners in an exclusive and substantial relationship;
- b. The person and SP are not prevented from marrying or entering into a civil partnership; and
- c. The person is financially dependent on the SP, or the person and the SP are financially interdependent.

19. A person is a 'surviving eligible partner' if they met the requirements of paragraph 18 at the date of the SP's death.

20. If the SP dies, the SP's eligible adult dependant will be eligible to use the SP's ELC in the following circumstances:

- a. The SP died on or after 1 Apr 04 and on the date of their death was a member of the ELC Scheme and had completed the eligible service described in paragraph 10 and calculated according to paragraph 11. This gives eligibility to a Lower Tier, Aggregated Lower Tier or Higher Tier award depending on the eligible service the SP completed; and
- b. The SP died on or after 1 Nov 10 and on the date of their death was a member of the ELC Scheme and had completed Phase 1 and Phase 2 training. This gives eligibility to Lower Tier awards.

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<sup>20</sup> Injury or illness which is made worse by service is described in JSP 765: Armed Forces Compensation Schemes.

<sup>21</sup> See para 11 on eligibility.

21. If the SP has an attributable medical discharge and is unable due to the illness or injury to use the ELC, the SP's eligible adult dependant will be eligible to use the SP's ELC in the following circumstances:

a. The discharge occurred on or after 1 Apr 04 and on that date the SP was a member of the ELC Scheme and had completed the eligible service described in paragraph 10 and calculated according to paragraph 11. For attributable medical discharge on or after 1 Apr 17, the SP must also be in receipt of a disablement pension under the War Pension Scheme or a guaranteed income payment under the Armed Forces Compensation Scheme. This gives eligibility to a Lower Tier, Aggregated Lower Tier or Higher Tier award depending on the eligible service the SP completed; and

b. The discharge occurred on or after 1 Nov 10 and on that date the SP was a member of the ELC Scheme and had completed Phase 1 and Phase 2 training. For attributable medical discharge on or after 1 Apr 17, the SP must also be in receipt of a disablement pension under the War Pension Scheme or a guaranteed income payment under the Armed Forces Compensation Scheme. This gives eligibility to Lower Tier awards.

22. The eligible adult dependant must start learning before the tenth anniversary of the SP's death or attributable medical discharge.

23. In certain circumstances, SL may be able to transfer their entitlement to a Nominated Proxy (NP). This requires the NP to be providing ongoing care or financial support to the SL and for Service welfare agencies to approve the transfer. Full details are in JSP 534 para 0616.

24. **Effects of redundancy on eligibility.** SP who are made compulsorily redundant and who are ELC scheme members, will cease to accrue qualifying Service for ELC eligibility on the day they leave Service. Their entitlements to Lower Tier, Aggregated Lower Tier and Higher Tier awards are related to their length of qualifying service as for other SP.

### 3.5 Submitting a Claim

25. **Eligibility of a claim.** Applicants for ELC awards must satisfy these conditions:

a. The Learning Purpose must be of direct benefit to the Service and have a substantial developmental value, appropriate to the SP's personal development goals. SP are required to demonstrate that their proposed course of study is derived from a process of careful planning. They must provide evidence of such planning (such as, from Personal Development Plans in their PDR) as a condition of claim approval.

b. An activity undertaken by WIS SP to achieve a qualification as part of a managed IRP, must demonstrate that it has substantial developmental value appropriate to their personal development needs, and ability. Exceptionally, this does not have to be of direct benefit to the Service.

c. SLC may not be used simultaneously to fund elements of a course of study which is supported by ELC funding.

d. SL undergoing resettlement may use their Individual Resettlement Training Cost (IRTC) grant, in addition to their ELC, to finance the undertaking of a nationally recognised higher-level qualification<sup>22</sup>. The qualification must be delivered by an approved ELC LP<sup>23</sup>. It is permitted, in these circumstances only, for SL to use their IRTC grant to offset, or pay in full, the 20% personal contribution required when using ELC<sup>24</sup>. Allowing SL to use both funding streams ensures that they have the greatest level of flexibility when financing their preferred Learning Purpose. In addition, the costs of gaining a QCF Level 3 qualification or above will generally exceed the sum of ELC and IRTC, meaning that in the majority of cases the principle of a personal contribution (at the higher educational level) will continue.

e. ELC and IRTC may be put towards a single resettlement Learning Purpose should continue to be submitted in accordance with the individual scheme regulations, noting: the 20% minimum personal contribution will be paid on receipt of the Claims Authorisation Note (CAN) from ELCAS, and MOD will be invoiced separately by the LP to pay the difference. The SL may then submit a retrospective IRTC claim on completion of the course and claim back the difference up to the maximum of £534 or, alternatively, they may continue to routinely apply for pre-payment of IRTC<sup>25</sup>. Any unspent IRTC may be directed towards another Learning Purpose. IRTC may be used to finance multiple Learning Purposes whilst ELC cannot. It is the SLs responsibility, with advice from Ed Staff, to determine how best to optimise the funding support available when undertaking resettlement.

f. SP/SL are not permitted to claim any other source of MOD funding related to any application made under this scheme. When using ELC and IRTC for specific resettlement activities, SP/SL must not be in receipt of any other Service funding for the proposed activity<sup>26</sup>.

g. SP/SL are not permitted to apply for, or be in receipt of, any other payment from public funds which is permissible to be used towards the cost of tuition fees for higher level learning, unless such payment is either an individual resettlement training costs grant or is made under the Publicly Funded Further Education – Higher Education scheme. This restriction applies to public funds where there is discretion to use the funding towards the cost of tuition fees, as well as for funds that are granted solely for that purpose. For example, a bursary, scholarship or student loan which can be used towards a range of the costs of a course.

h. Any Learning Purpose undertaken must be done so by the most cost-effective means available.

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<sup>22</sup> At RQF Level 3 or above.

<sup>23</sup> Publicly and Privately funded Learning Providers must request and have each course they wish to offer learners approved by ELCAS.

<sup>24</sup> Noting that all other policy regarding the use of ELC remains extant, it is not permissible to use the ELC in concert with the IRTC for courses supplied by non-approved ELCAS LP.

<sup>25</sup> Using the procedure laid down in the SPVA Business Process Guide.

<sup>26</sup> In this context, SL who are utilising the 'standby' place facility on Career Transition Partnership (CTP) contract funded courses may not claim ELC as the course is already subsidised by the MOD contract with CTP for the course. Also, ELC **is not** be used to pay for Summer/Residential school fees.

- i. The LP must be an Approved Provider, which is administered by the CSP and their courses **must** be approved for participation in the scheme<sup>27</sup>. LPs who are also resettlement Preferred Suppliers who are suspended or removed from the Preferred Suppliers List will also be suspended or removed from the approved Learning Providers List.
- j. All training must be delivered directly by the registered approved LP. Training delivered by associated third parties is not permissible and will result in the LP's immediate removal from the approved Learning Providers list.
- k. The SP must be authorised to undertake the activity and registered in accordance with sS instructions.
- l. For second and third claims, SP/SL must provide proof that they have completed their Learning Purpose and have completed the Electronic Course Evaluation (ECE) on ELCAS website. A separate claim form must be submitted for each year of a course.
- m. If a number of separate courses are undertaken but combine to form a discrete, single Learning Purpose, delivered by one LP, then ELC can fund the total cost. SP, with Ed Staff advice, must be able to prove the validity of the proposed combination of courses in contributing to the Learning Purpose. The PDR enables demonstration that a claim is part of a PDP.
- n. Only one ELC claim is permitted per Financial Year (FY (1 Apr-31 Mar)) and must relate to learning that commences that FY. For longer courses, where the academic and FY are out of sync, it is permissible to use one claim for several modules that count towards a continuous block of study, which may extend into the subsequent FY. In all such cases, the start date of each course module must be within twelve months of the start date of the earliest. Additionally, where it is clear from the outset that a modular course is intended to be completed in one FY, one academic year or one calendar year, only one ELC claim is to be made for the entire course by claimants. Education Staff will not authorise the splitting of this type of modular course to enable more than one ELC claim to be made
- o. ELC is based upon the principle that SP/SL will make a personal contribution. The ELC contribution will not exceed 80% of the gross course cost. This includes tuition fees and VAT but excludes food, accommodation, travel and subsistence (which may be claimed from other sources, based upon sS regulations, but is not covered by ELC) or course materials, which are the personal responsibility of the SP.
- p. SP/SL will meet their 20% personal contribution from their own resources. The MOD forbids the acceptance of inducements or incentives from LP including subsidies, free accommodation, travel, food and equipment.

**26. Overseas Resettlement Training (ORT) Application Priority over ELC.** Where a Service Leaver (SL) intends to use their ELC entitlement with ORT, it is the SL's responsibility to ensure that they apply for and obtain the ORT authority **first**. Only on the receipt of a successful ORT approval authority may the SL make their ELC application.

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<sup>27</sup> LP may be eligible to apply for inclusion on the list of Approved Providers by applying to the CSP on the ELCAS website. The application process includes the submission of course structures for approval and these may be added to by further submission.

Under no circumstances may a SL make an ELC application for a non-UK based provider for resettlement purposes without having first obtained the ORT authority. Failure to follow this policy may result in the SL not being granted ORT approval with the outcome that they are unable to use their ELC.

27. **Making a claim.** Before applying, and having discussed their needs with their Ed Staff and Chain of Command, SP must consider:

- a. Relevance of the course or qualification to their personal development goals and choice of funding; as well as resources in terms of time and money required.
- b. Their ability to cope with the pressures of study (or provision of evidence for assessment), the risk of disruption due to Service life and the flexibility of the study method.
- c. The time required to process the claim form. Claim forms must be received by Authorising Ed Staff a minimum of 25 clear working days prior to the course start date. Equally, SP must allow for the time it will take for a new LP to apply for ELCAS registration.

28. **Effect of assignment.** The effects of assignment and forced withdrawal from an ELC funded Learning Purpose, should be carefully understood by SP. Normally, failure to complete the course will result in further claims being denied. However, if failure to complete is due to Service or compassionate reasons that could not have been foreseen at the time of enrolment, then this ruling will not apply.

29. **Importance of completion.** First applications for ELC funding will take account of the likelihood of completing the proposed course of study. Ed Staff will assess this through interview and any supporting evidence. Should a SP subsequently fail to complete a course of study, they may have to repay the subsidy. For subsequent claims, a SP's previous completion/non-completion will inform the decision as to whether to approve the claim. Electronic Course Evaluation for previous Learning Purposes is evidence to support subsequent claims.

30. **Admissibility of proposed study/course.** For SP, Ed Staff will provide advice as to whether or not a proposed course qualifies as appropriate use of ELC. If in doubt, Ed Staff should approach sS Authorities for assistance, who in cases of continuing doubt will seek direction from the Designated Officer. Where required the SP is responsible for providing proof that the qualification is at Level 3 or above (or equivalent).

31. **Purposes for which ELC may be claimed.** ELC may be claimed for part or full-time higher-level study, whether conducted centrally, or through distribution learning. Study must result in the cost-effective achievement of a nationally recognised Level 3 (or above) qualification<sup>28</sup>. Useful references are<sup>29</sup>:

- a. The list of Awarding Bodies approved to make awards accredited by the regulatory authorities in England, Wales and Northern Ireland as listed on the Register of Regulated Qualifications; <http://register.ofqual.gov.uk>.

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<sup>28</sup> As defined by the RQF (England, Wales and Northern Ireland), a Level 6 or above on the SCQF (Scotland) or, if pursued overseas, an approved international equivalent higher-level qualification.

<sup>29</sup> SP should be aware that the burden of proof of the Level of a course rests with them. They should seek proof from their LP.

- b. The Scottish Qualifications Authority; <http://www.sqa.org.uk/sqa/41278.html>.
- c. British Qualifications (a guide to educational, technical, professional and academic qualifications in Britain) and British Vocational Qualifications (a directory of vocational qualifications available in the United Kingdom).
- d. National Academic Recognition Centre for the UK (UK NARIC); <https://www.naric.org.uk>.
- e. Universities and Colleges Admissions Service (UCAS) Directory; <https://www.ucas.com>.
- f. Other national governing or regulatory bodies who recognise qualifications in their own right, e.g. Civil Aviation Authority (CAA) or the Health and Safety Executive (HSE) etc.

### 32. Study meriting ELC support.

- a. Study towards first degrees (including Foundation Degrees).
- b. Study towards postgraduate qualifications, including teacher training.
- c. Other academic study, such as AS/A level study, Higher Educational Institute (HEI) access courses, or foreign language study.
- d. Professional self-development in addition to that provided in Service training.
- e. Accreditation of prior learning assessment fees, including accreditation of Service professional skills, leading to partial or complete qualifications providing there is evidence that the SP has produced new, original work.
- f. Vocational courses, providing there is direct benefit to the Service.
- g. Examination fees for qualifications that meet the ELC eligibility criteria.
- h. Initial registration fees and accreditation fees for professional bodies and institutes expressly to gain qualifications (such as certificates, diplomas or equivalent schemes of work rather than categories of membership)<sup>30</sup>.
- i. Refresher training, provided that training results in the re-qualification or re-award.
- j. Courses and qualifications which are required for the coaching and management of sport or Adventurous Training (AT) in the Services, provided that they are in support of a SPs PDP. There must be evidence of intellectual development. Cases of this kind are to be examined by Ed Staff and where there is any doubt, they should be referred to appropriate sS Authority. SP must prove either that the activity is not provided under the auspices of Joint Service Adventurous Training Schemes (JSAT) or that a place is

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<sup>30</sup> It may well be, however, that the modest scale of expenditure would make SLCs, together where appropriate with IRTC, a more useful vehicle, thus enabling SP/SL to reserve for future use the larger-scale support which ELCs provide.



not available on such a course<sup>31</sup>. In some cases, qualifications are available through courses authorised by sS Sports Boards. Ed Staff should check before approving the use of ELC.

k. Some LP may offer discounts for certain qualifying courses to SP/SL ie where Recognition of Prior Learning negates the need to complete all modules of a course etc. SP should ensure any such discounts are fully taken into account in calculating the course fee and their personal contribution before submitting their claim.

l. Overseas courses and qualifications may be eligible for ELC support. However, the LP must be approved through the CSP, and the activities must lead to a qualification recognised by UK NARIC at meeting the Level 3 or above equivalent qualification.

m. Resettlement preparation courses. ELC can be used for resettlement purposes once a SL has formally commenced their resettlement. Fees for courses or training, which form part of a SLs resettlement strategy may be eligible for a partial refund as follows:

Ser	Time period eligibility & admissibility	ELC for educational purposes (including personal development)	ELC for resettlement purposes
1	Throughout career up to last 24 months	YES	NO
2	Last 2 years of Service	YES	YES <sup>1, 2</sup>
3	Earlier than last 2 years of Service for those over 50 years of age, or with 30 or more years' Service.	YES	YES <sup>1, 2</sup>

<sup>1</sup> Providing the SP meets the ELC qualifying criteria and has identified a higher-level qualification. The course of study must be an integral part of, and result, in the cost-effective achievement of a nationally recognised qualification at Level 3 (A level and equivalent) and above as defined by the NFQ; a Level 6 or above on the SCQF or, if pursued overseas, an approved international equivalent higher-level qualification.

<sup>2</sup> The LP must be on the Approved Provider List held by the CSP.

33. **Specific Learning Differences (SpLD)**<sup>32</sup>. SP with SpLD may be eligible for funding support under the ELC scheme. Funding arrangements for an assessment of SpLD are dealt with under separate sS funding arrangements or through the use of SLC. ELC may be used to support training designed to assist SP with SpLD<sup>33</sup>. The LP must be approved by the CSP. Where such training is considered to be essential for military Service, however, the costs should be met from sS training budgets, not through ELC.

34. **Where ELC may not be claimed.** ELC may not be claimed for:

<sup>31</sup> A list of JSAT courses can be found in, JSP 419: Adventurous Training in the UK Armed Forces.

<sup>32</sup> As described in Defence Direction on Specific Learning Differences contained elsewhere within this JSP (Volume 7).

<sup>33</sup> Where SpLD needs have been formally assessed and diagnosed (noting that assessment leading to a diagnosis comes under separate sS funding arrangements).

- a. **Service training.** General Service training, courses or qualifications undertaken for the benefit of a Service branch, trade or specialism.
- b. **Civilian Accredited Service training.** The funding of qualifications and examinations of this kind is not permitted. The only case for authorising a partial refund under ELC in this area is where both these criteria are met:
  - (1) A minimum of thirty hours of additional work, which is not an integral part of the Service course syllabus and is completed in the SP's own time.
  - (2) An examination, assessment or assignment which is not an integral part of the Service course syllabus, is assessed by an external assessor and is undertaken by the SP electively.
- c. **Professional bodies and institutes.** Annual membership fees for professional bodies or institutes.
- d. **Course material.** Course material, for which there are additional charges<sup>34</sup>.
- e. **Pure sport and AT.** All sport and AT, including courses, where the aim is solely to learn the sport or activity or improve by undertaking that sport or activity.

### 3.6 Administration

35. **Procedure for submitting a claim.** Claims are made online via the ELCAS website. Alternatively, forms are also available on the ELCAS website. SP are only to use the current version, which ELCAS has placed on the website. The procedure:

- a. Claim must be completed by the SP and authorised by Ed Staff, with course attendance approved by the line manager, before electronic submission to the CSP database. A copy of all paperwork is held in the SP's PDR and personal records where appropriate. The claim process is explained at Annex B.
- b. Claim must be submitted to Ed Staff/sS Authority for approval at least 25 clear working days prior to the course start date. SP must ensure there is sufficient time to receive the CAN, in order to present to their LP before the course starts.
- c. Payments will be made direct to the LP on receipt of a correctly completed invoice on or after the course start date. LP invoices will be accepted by MOD (through ELCAS) no earlier than six weeks and no later than 9 months after the SL starts their course. LP must confirm that the SL has completed six weeks of study. The SP is responsible for meeting the personal contribution balance ensuring that the personal contribution is rounded up. Any calculation less than the 20% minimum will be rejected by Ed Staff.
- d. Retrospective claims will not be allowed under any circumstances if received after an agreed course/module start date. Any money paid to LP (as a deposit or to secure a place, for example) prior to receiving the CAN is paid purely at the personal risk of

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<sup>34</sup> Textbooks may be obtainable on loan from the Joint Service Central Library through Education/Learning centres or via sS arrangements.

the SP. When making a claim, such an amount may count as part of the SPs personal contribution, but any money that exceeds this amount is not reclaimable under the Scheme. SP are not to commence a course without first receiving the CAN and presenting it to the approved LP. SP are not permitted to transfer the CAN to a different course or LP. SP may not pay a LP and then seek reimbursement directly from the LP on receipt of their CAN.

e. On receipt of the CAN, the SP is to submit the CAN to the LP and pay the balance of the total cost of the course. Thereafter, LP will deal directly with the CSP.

### 3.7 Cancellation of CAN and Reinstatement of ELC

36. **Cancellation.** SP may only cancel their place on a course by adhering to the scheme cancellation regulations. Under certain operational or compassionate circumstances, SP will be permitted to cancel their course, and their CAN, but only if the LP has not yet sent the invoice to the CSP. If the LP has sent the invoice, the CSP are obliged to honour it and the SP is then to follow sS ELC reinstatement regulations. Where approval is given for cancellation, then the ELC earmarked for the [cancelled] course will not be used. SP who do not follow the procedure become personally liable for the payment of all fees and other costs due to the LP, and risk forfeiting their ELC and membership of the scheme.

37. **Reinstatement.** SP may only withdraw from the course by adhering to the scheme regulations. Under certain operational or compassionate circumstances, SP will be permitted to withdraw from the course and have that particular ELC instalment reinstated. The procedure may well involve money being reimbursed both to MOD and the SP. The MOD will not be held liable for any losses incurred in the recovery of personal contributions previously made by the SP to the LP. SP should note that they may not be reimbursed to the full value of the personal contribution. SP who do not follow the procedure become personally liable for the payment of all fees and other costs due to the LP, and risk forfeiting their ELC and membership of the scheme.

38. **Amendment.** SP may amend their submitted application by adhering to the scheme regulations governing amendments. What constitutes an amendment can be found at the ELCAS website. Under certain operational and compassionate circumstances, SP may be able to arrange with their LP to extend the duration of their course dates, in order to complete their qualification. SP cannot transfer their CAN to a different course or start date, unless under exceptional circumstances, they are authorised to do so by their sS Authority.

39. **Service quality assurance process.** On completion of a course SP are required to evaluate their learning using the Electronic Course Evaluation form available via the ELCAS website. The CSP will collate evaluations and forward an annual summary report to the Designated Officer. Failure to complete the end of course evaluation will result in future claims being denied.

### 3.8 Second and Third Claims

40. Claims will not be approved without receipt of the required documentation. For SP see Para 25. For Claimants No Longer in Service, see Para 43.

41. LP may require SP to register prior to the onset of the FY in which the course is due to start. This is likely to affect SP whose course starts early in the FY (April and May) and those who may be progressing from one module or element of a course to the next. In such circumstances, SP may be permitted to submit a claim no more than 3 months before the FY in which the course is due to start. The Ed Staff will send the CAN, which SP can give to their LP, with the balance of payment (their personal contribution). SP are to ensure that the LP understands that the CAN cannot be honoured until after start of the relevant FY, for which the ELC instalment is being drawn. The CSP will not accept or authorise invoices before the course start date.

42. **Submitting a claim.** sS ELC claims should be submitted through:

<b>RN</b>	RN/RM Education and Resettlement Officers (EROs), Learning and Development Organisation Operations Officers (LDO Ops Officer) and Naval Resettlement Information Officers (NRIOs) at RN/RM Learning Centres.
<b>Army</b>	Individual Education and Resettlement Officers (IERO), at Army Education Centres, which must be used by SL on resettlement.
<b>RAF</b>	Personal Learning Advisors (PLAs), and Resettlement and Education Coordinators (REC) at RAF Learning Centres.

43. **Procedure for Claimants no Longer in Service (CNLIS).** SL<sup>35</sup> may apply within their post service eligibility period. Forms are available at the ELCAS website and are to be submitted to sS for endorsement:

<b>RN<sup>36</sup></b>	NCHQ, Mailpoint 3.3, Leach Building, Whale Island, HMS Excellent, Portsmouth, PO2 8BY Portsmouth Amanda Rayner: <a href="mailto:amanda.rayner893@mod.gov.uk">amanda.rayner893@mod.gov.uk</a> or Stephen Gowling: <a href="mailto:stephen.gowling100@mod.gov.uk">stephen.gowling100@mod.gov.uk</a> West of England Alf Ramsay: <a href="mailto:alastair.ramsay994@mod.gov.uk">alastair.ramsay994@mod.gov.uk</a> North of England Garth Atkinson: <a href="mailto:garth.atkinson917@mod.gov.uk">garth.atkinson917@mod.gov.uk</a> Royal Marines Scott Jamieson: <a href="mailto:scott.jamieson948@mod.gov.uk">scott.jamieson948@mod.gov.uk</a>
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<sup>35</sup> Who meet the eligibility criteria and have left Service.

<sup>36</sup> SP still serving are not to use this POC but are to consult the staff in their local RN Education Centre.

<b>Army</b>	SO3 Int Dev Education Branch Zone 4, Floor 2, Army Personnel Services Group, Home Command Ramillies Building, Army HQ Monxton Road, Andover SP11 8HJ Tel: 079 7722 9294 Email: <a href="mailto:Army-ELC-Veterans@mod.gov.uk">Army-ELC-Veterans@mod.gov.uk</a>
<b>RAF<sup>37</sup></b>	Learning Credits Administrator 22 Gp, Rm 221b Trenchard Hall, RAFC Cranwell, Sleaford, Lincs, NG34 8HB <a href="mailto:michael.quainton100@mod.gov.uk">michael.quainton100@mod.gov.uk</a>

44. SL claiming after they have been discharged from Service must submit all of the documents listed below:

- a. Claim form.
- b. Information about the course.
- c. Copy of Service discharge document.
- d. Copy of utility bill (for address).

45. **Claims by eligible adult dependants.** Eligible adult dependants or nominated proxies may submit ELC claims to the sS Authorities utilising the same procedures as those detailed above for CNLIS.

46. **Payment approval.** Approval Authorities are:

- a. **RN.** NCHQ, Training HQ, DACOS Trg.
- b. **Army.** Army HQ, APSG Ed Branch.
- c. **RAF.** Air Command, 22 Gp, Comdt CTS.

47. **Tax liability.** Most courses undertaken by SP will be exempt from taxation either as income or as a 'benefit in kind' if they can be justified as being '**work related**'. Evidence that the course has a demonstrable developmental value (e.g. within the PDR) will aid the justification of a course as 'work-related'. SP should be able to demonstrate that the Learning Purpose will directly benefit the Service in order to qualify as 'work-related'. However, if in doubt, a SP should always seek the advice of HMRC. With effect from 2 Sep 12, ELC awards for courses undertaken after leaving Service are unlikely to be chargeable to tax. However, if in doubt, a SL should always seek the advice of HMRC.

48. **Authority for travel and subsistence.** There is no entitlement to travel at public expense, or to claim subsistence allowance, for ELC Learning Purposes, unless the ELC is used by a SL as part of their resettlement<sup>38</sup>. Where ELC is being used in conjunction

<sup>37</sup> SP still serving in the RAF are not to use this POC but are to consult the staff in their local Learning Centre. CNLIS are encouraged to refer to the RAF Learning Forces website for further information.

<sup>38</sup> In accordance with JSP 534: The Tri-Service Resettlement and Employment Support Manual.

with IRTC and/or Graduated Resettlement Time, it may be permissible to claim both subsistence and travel<sup>39</sup>.

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<sup>39</sup> In accordance with JSP 752: Tri-Service Regulations for Expenses and Allowances.

# 4 Defence Direction for the Further Education and Higher Education Scheme for Service Leavers

**Policy Sponsor: TESRR, CDP**

The Government announced to Parliament on 17 Jul 08<sup>40</sup> a package of cross-government support to Armed Forces personnel, their families and veterans<sup>41</sup>, which included a commitment to establish the Further Education and Higher Education Scheme to provide SL with access to a first full Level 3 (GCE A level or vocational equivalent), or a first higher education qualification (a foundation degree or a first undergraduate degree or vocational equivalent). Subsequently, the MOD engaged with Other Government Departments (OGDs)<sup>42</sup> and Devolved Administrations (DA)<sup>43</sup> to define and agree the parameters of this support, develop the policy and implement the proposals.

The support has been reviewed by MOD and OGDs to ensure that it correctly meets the needs of SL. This Direction outlines the eligibility criteria for Further Education and Higher Education support ("FE-HE support") under the scheme (pertinent to submissions after 6 Apr 11).

In addition to the Defence Direction regarding the ELC scheme, detailed in the previous Chapter the following additional Direction applies to SL seeking to receive FE-HE support using their enrolled ELC scheme entitlement. The rules of the FHEC Scheme set out in this JSP are based on legislation and apply to SL applying for FE-HE support<sup>44</sup>.

## 4.1 Introduction

### AIMS

1. The aims of providing FE-HE support for SL are:
  - a. To provide full state subsidised tuition fees for eligible SL undertaking their first FE or HE level qualification. This commitment comprises employer contributions to the Armed Forces ELC scheme, supplemented by resources made available by partner Department for Education (DfE)/DA.
  - b. To build on the extensive range of professional and personal development opportunities made available to SL during a Service career and provide an incentive, especially to raise their skills levels in preparation for, and on returning to, civilian life.

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<sup>40</sup> [2009DIN07-042](#) refers.

<sup>41</sup> [Cm 7424 dated Jul 08](#) - The Nation's Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans.

<sup>42</sup> This was originally the Department for Business Innovation and Skills (BIS) and the Skills Funding Agency (SFA).

<sup>43</sup> Scottish Government (SG) and Welsh Assembly Government (WAG) and the Department for Employment and Learning (DELNI).

<sup>44</sup> The Armed Forces (Enhanced Learning Credit Scheme and Further and Higher Education Commitment Scheme) Order 2012, S.I. 2012/1796 (as amended most recently by S.I. 2016/310).



- c. To enhance the reputation of the Armed Forces by returning high quality SL to the UK skills pool, by providing the opportunity for them to raise their skill levels by achieving nationally recognised qualifications in economically viable skills which benefit the nation.

## 4.2 Supported Qualification Levels

2. SL are permitted to apply for funding for learning leading to one of the following ‘**First**’ qualifications:<sup>45</sup>.

- a. A Full Level 3 qualification as defined by the Regulated Qualification Framework (RQF). A full Level 3 achievement is equivalent to 2 or more A-levels.
- b. A vocational qualification which is the equivalent of a qualification falling within paragraph 2.a.
- c. An Undergraduate Degree (including a Foundation Degree).
- d. Higher National Certificate or Higher National Diploma for which the entry qualification is lower than a degree.
- e. Or such qualifications in Scotland which are the equivalent of qualifications falling within paragraphs 2.a to 2.d.

## 4.3 Features

3. The additional features of the FE-HE scheme are:

- a. The FE-HE scheme does not cover SL who left Service before 17 Jul 08. SP who left on or after 17 Jul 08<sup>46</sup> are eligible, if they meet the qualifying criteria.

(1) If a SL’s ELC has already been exhausted, or are used up during the course of supported studies, the commitment to fund the full tuition fees for eligible SL transfers to the relevant DfE/DA.

(2) Both publicly-funded and privately-funded **UK-based** institutions delivering FE and HE qualifications may be ELC approved LPs for this scheme. If not already listed as an ELC approved LP, they must apply for ELC provider status and agree to work within the specific administrative requirements of the ELC scheme. In all cases, the final decision regarding eligibility for course funding rests with the DfE/DA, with consultation by authorising Designated Officer or Ed Staff.

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<sup>45</sup> Learners are not permitted to take a Masters Degree (unless a Masters qualification is inherent to the initial (Level 4-6) qualification (Integrated Masters).

<sup>46</sup> This includes if an SP has died or has an attributable medical discharge on or after this date, and FE-HE support is transferred to the SP’s eligible adult dependant.



## 4.4 Eligibility Criteria

4. In order to make claims for FE-HE support, a SL must:

- a. be a member of the ELC scheme.
- b. have left Service on or after 17 Jul 08.
- c. complete the required eligible service before submitting the FE-HE claim form and prior to commencing the course of study for which FE-HE support is being claimed (see paragraphs 7 and 8); and
- d. be applying for payment of tuition fees to undertake at least half of a full-time course<sup>47</sup> which is either a first full Level 3 or a first HE qualification (Level 4-6).
- e. the course of study must commence prior to the period of scheme membership entitlement ending i.e. either 5 or 10 years post Service, which is dependent on the date when the SP left the Services (paragraph 7 applies). The SL will be responsible for self-funding periods of study which extend beyond the period of entitlement (see paragraph 8).
- f. Meet the residency requirements specified by the DfE/DA.
- g. SL are not permitted to apply for, or be in receipt of, any other payment from public funds which is permissible to be used towards the cost of tuition fees for qualification level learning, unless such payment is made under the ELC scheme. This restriction applies to public funds where there is discretion to use the funding towards the cost of tuition fees, as well as funds granted solely for that purpose. For example, a bursary, scholarship or student loan which can be used towards a range of the costs of a course.

5. **Length of eligible service requirement.** SL must complete 'eligible service' (i.e. sufficient qualifying service<sup>48</sup>):

- a. For SL who complete 4 years' qualifying service before 1 Apr 17, at least 4 years' qualifying service; and
- b. For SL who complete less than 4 years before 1 Apr 17, at least 6 years' qualifying service; and
- c. For SL who became a member of the ELC Scheme on or after 1 Apr 16, at least 6 years' qualifying service.

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<sup>47</sup> SL must be applying for an award to undertake at least the equivalent of half of a first full Level 3 (GCE A level or vocational equivalent), or a first higher education qualification (a foundation degree or a first undergraduate degree or vocational equivalent). If studying part time, SL must be studying at a minimum of 25% of the full time commitment and must allow sufficient time to complete a part-time degree within the remaining post-Service discharge period, or self-fund the remaining period of study.

<sup>48</sup> 'Qualifying service' means service in the armed forces and includes time spent on ordinary maternity leave, additional maternity leave, paternity leave, shared parental leave, additional paternity leave, ordinary adopting leave or additional adoption leave, but does not include time spent on any unpaid career break.

d. For SL who have an attributable medical discharge<sup>49</sup>, the completion of Phase 1 and Phase 2 training.

6. 'Eligible service' commences as follows:

a. For SL who were already serving before 1 Apr 03 and who registered on the ELC scheme by 1 Apr 04, eligible service runs from 1 Apr 00 or date of enlistment, whichever is later.

b. For SL who entered Service on or after 1 Apr 03 and registered on the ELC scheme during the initial registration opportunity (para 5 in ELC Direction), eligible service runs from the date of enlistment.

c. For SL who joined at the second registration opportunity (paragraph 6 in ELC Direction), eligible service runs: for a member who left service before 1 Apr 16, from the date of the 8 years' service point; and for SL who were in service on 1 Apr 16, from 1 Apr 00 or date of enlistment, whichever is later.

d. For SL who registered on the ELC scheme through late registration (paragraph 7 in ELC Direction): if the SL was serving before 1 Apr 03, whichever is later of 1 Apr 00 and date of enlistment; and if the SP or SL was serving on or after 1 Apr 03, from the date of enlistment.

e. For SL who were auto-enrolled in the ELC scheme while in service on 1 Apr 16, eligible service runs from 1 Apr 00 or date of enlistment, whichever is later.

7. **Period to use FE-HE support.** SP and SL must complete the course within the SL's period of entitlement, which is defined as follows:

a. For SL who ceased to be members of the Armed Forces before 1 Apr 11, 10 years after discharge.

b. For SL who ceased to be members of the Armed Forces on or after 1 Apr 16, 5 years after discharge.

c. Notwithstanding the above, for SL who is medically discharged on or after 1 Apr 11 and who receives a disablement pension under the War Pension Scheme or a guaranteed income payment under the Armed Forces Compensation Scheme, 10 years after discharge.

8. **Transfer of eligibility to spouse or eligible partner.** In the event of the death of a SP on or after 17 Jul 08 which is caused by service, or the attributable medical discharge of a SP who cannot use FE-HE support due to their injury or illness, FE-HE support may be transferred to the SP's 'eligible adult dependant'<sup>50</sup>.

9. The eligible adult dependant can claim FE-HE support if:

a. The SP was a member of the ELC Scheme at the date of death or attributable medical discharge. For attributable medical discharge on or after 1 Apr 17, the SP

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<sup>49</sup> Medical discharge due to an injury or illness wholly or predominantly caused by or worsened by Service. An injury or illness which is made worse by service is described in JSP 765: Armed Forces Compensation Schemes.

<sup>50</sup> See paragraphs 17-20 in ELC Direction.

must also be in receipt of a disablement pension under the War Pension Scheme or a guaranteed income payment under the Armed Forces Compensation Scheme.

b. The SP had completed Phase 1 and Phase 2 training before that date.

c. The eligible adult dependant meets the residency requirements specified by the relevant the DfE/DA.

10. The eligible adult dependant must start learning before the tenth anniversary of the SP's death or attributable medical discharge.

11. **Residency requirements.** FE-HE support is available only to ELC members who reside in the UK. To qualify SL must have been resident in the UK for at least 3 years, prior to the start of the course and they must continue to remain in the UK until the qualification completes (overseas Service counts towards UK residency). Any period during which the SL served outside the UK as a member of the armed forces is treated as a period of ordinary residence in the UK. SL who reside outside the UK after leaving Service do not qualify for this UK based support. If, however, they return to reside in the UK they may be eligible for support within any remaining eligibility window but only after having first completed a minimum of 3 years residency. However, for SLs accompanying their still serving spouse on posting overseas, who are ordinarily resident in the UK, it will be permitted that they can use the PF FE-HE scheme to complete an eligible distance learning course with a UK-based ELCAS approved LP for the duration of the overseas posting until their return to the UK. Funding responsibility lies with the DfE/DA region within which the SL has established their residential status. If an SL moves between regions (e.g. from England to Wales) funding responsibility remains with the initial department, until 3 years residence has been completed in the new location. It is also possible that some SL may have resided overseas in excess of 3 years whilst on Service duty prior to application.

12. **Foreign and Commonwealth personnel.** This support is available to eligible Foreign and Commonwealth (F&C) SL including Gurkha SL residing in the UK who must also meet the residency requirements. In addition, F&C personnel who have left Service will also be required to meet the relevant DfE/DA requirements in regard to settlement and citizenship in the UK to attract funding. The residency and citizenship rules for dependants are different. For further guidance, covering members of the Armed Forces and their dependants, see: [www.bia.homeoffice.gov.uk/sitecontent/documents/policyandlaw/IDIs/idischapter15/](http://www.bia.homeoffice.gov.uk/sitecontent/documents/policyandlaw/IDIs/idischapter15/).

13. F&C SL who have been medically discharged prior to achieving sufficient qualifying service are still required to meet the residency requirements specified by the DfE/DA before they can apply to study using this support. Medically discharged F&C SL who have achieved eligibility to access the scheme and are remaining in UK may apply to commence studies after the required residency period has been achieved. In exceptional circumstances, it may be possible for a SL to submit a case to the relevant DfE/DA for exceptional treatment; with the decision resting with the DfE/DA, not the MOD.

## 4.5 Education Provision Attracting Support for SL

14. This support is targeted at eligible SP during their last 2 years of service (their resettlement phase) or SL generally for 5 years after discharge<sup>51</sup>. Application may be made for payment of tuition fees to undertake at least half of a full-time course<sup>52</sup> or full-time study and SL must have enrolled to undertake an eligible first full further or higher-level course of study (level 4-6) or vocational equivalent (level 4-6) which results in the achievement of a nationally recognised qualification. Only qualifications listed on website links below are eligible for support:

a. **FE (Level 3 or national equivalent):**

(1) **England, Wales and Northern Ireland.** Learning Aims Database (<https://www.gov.uk/government/organisations/education-and-skills-funding-agency>) for full Level 3 qualification, that is a qualification equivalent in size and breadth to two GCE A-Levels or vocational equivalent, or a qualification that if achieved would mean the SL has reached the full Level 3 threshold. Full details at <http://register.ofqual.gov.uk/>. Additionally, for Wales, <http://wales.gov.uk/docs/dcells/publications/090115creditsleafleten.pdf>.

(2) **Scotland.** Working towards a first Level 6 qualification (SVQ Level 3) within the Scottish Credit and Qualifications Framework (SCQF). The qualification must be delivered by a FE college, holding a valid registration with the National Learning Opportunities Database (NLOD). Full details at [www.sqa.org.uk](http://www.sqa.org.uk).

b. **HE (HND, foundation degree, full undergraduate degree (including integrated Masters degree) or national equivalent):**

(1) **England and Wales.** Working towards a HE course at levels 4-6 on the FHEQ. Full details at <http://register.ofqual.gov.uk> and [www.qaa.ac.uk](http://www.qaa.ac.uk).

(2) **Scotland.** Working towards a HE course at levels 7-10 on the SCQF, holding a valid registration with NLOD. Full details at [www.sqa.org.uk](http://www.sqa.org.uk).

c. **Private Pilot's Licence and courses not listed on the national databases.** Qualifications not included on the national databases do not attract support. These, for example, may include some categories of sport or outdoor skills, flying such as pursuit of a Private Pilot's Licence and the wider range of 'industry standard or vendor' qualifications which are not accredited by a UK nationally recognised Awarding Body.

15. **Accreditation of Service courses.** An SL who has attained a Level 4 (e.g. HNC) qualification purely by dint of completing Service training courses and has undertaken no extra personal study in order to obtain the qualification which has been accredited by the relevant civilian awarding body, may still be eligible to apply for support. SL should note the FE-HE Scheme aims to provide support for SL without a first HE qualification. MOD will confirm with DfE<sup>53</sup>, the status of these courses, on a case by case basis.

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<sup>51</sup> See paragraph 9.

<sup>52</sup> SL must be applying for an award to undertake at least the equivalent of half of a first full Level 3 (GCE A level or vocational equivalent), or a first higher education qualification (a foundation degree or a first undergraduate degree or vocational equivalent). If studying part time, SL must be studying at a minimum of 25% of the full-time commitment.

<sup>53</sup> UK Central Government Department for Education.

16. **Foundation/Introduction to HE courses.** SL who undertake a Foundation Year/Introduction to HE course will be allowed to continue with it through this support, provided that they give an undertaking that they are completing the foundation year/intro to HE course as preparatory work for a full degree to commence immediately after the end of their initial studies.

## 4.6 Approved LPs

17. LPs are limited to approved institutions in England, Wales, Scotland and Northern Ireland<sup>54</sup>. The relevant national bodies and websites<sup>55</sup> are:

a. **FE.**

- (1) England - The Education and Skills Funding Agency (ESFA): [www.gov.uk/government/organisations/education-and-skills-funding-agency](http://www.gov.uk/government/organisations/education-and-skills-funding-agency)
- (2) Wales - The Welsh Assembly Government (WAG) (DCELLS): <http://new.wales.gov.uk/topics/educationandskills/?lang=en>.
- (3) Scotland - Scottish Funding Council (SFC): <http://www.sfc.ac.uk/>.

b. **HE.**

- (1) England – Office for Students: [www.officeforstudents.org.uk](http://www.officeforstudents.org.uk) and [www.ucas.ac.uk](http://www.ucas.ac.uk).
- (2) Wales - HE Funding Council of Wales (HEFCW): [www.hefcw.ac.uk](http://www.hefcw.ac.uk)
- (3) Scotland - Student Awards Agency for Scotland (SAAS): [www.saas.gov.uk/](http://www.saas.gov.uk/)

18. Having identified a LP, the onus is on the SL to first check that the provider is eligible to participate in the scheme. If the institution is not already listed on the ELC website as an approved LP, the institution may apply to join the scheme. This will require the LP completing an application and agreeing to participate within the rules of the ELC scheme. To comply with audit procedures a new LP's details will be referred by ELCAS to the relevant national education authority for verification. Full details of LP status can be obtained from ELCAS at the ELC website. New LPs will, therefore, be added progressively to the ELC approved database on evidence of student demand.

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<sup>54</sup> SL must use approved English, Scottish, Welsh or Northern Ireland based LPs delivering publicly-funded FE/HE qualifications listed on the national databases. If, for the purposes of this support, a LP is not already listed as approved ELC LP, the SL must first apply for approval through ELCAS.

<sup>55</sup> The websites are not exclusively limited to publicly funded institutions; they also contain ineligible non-publicly funded LP.

## 4.7 Administration

19. In the case of courses funded by the Department for Education (DfE), Devolved Administrations (DA) or MOD (the relevant sS) fees will be initially paid up to £9,250 (Higher Floor Amount) for Publicly Funded LPs and up to £6,000 for Privately Funded LPs for each year of study. DfE or DA contributions will be refunded to MOD for reimbursement to sS TLBs. Tuition fees above the capped amount must be paid by the SL. The fee caps for England are contained in The Higher Education (Fee Limits and Fee Limit Condition) (England) Regulations 2018 (2018 No. 903 Education England).

20. The effects of any assignment within the resettlement phase and withdrawals from the scheme should be carefully understood. Normally, failure to complete the activity or breaks in study outside of the usual term time breaks, will result in any further application being denied. A Gap year is not permitted under the Scheme unless this is integral to the course, e.g. to undertake a work placement as part of a 'year in Industry' requirement. This must be declared at the outset otherwise no funding under the Scheme will be provided. If failure to complete the course of study is due to Service or compassionate reasons that could not have been foreseen, then this ruling will not apply. The single Service representatives will need to keep TESRR informed.

## 4.8 Making an Application/Claim

21. SL can apply on entering their resettlement phase<sup>56</sup>, or for up to 10 years after leaving Service<sup>57</sup>. Officers from the age of 50, or Other Ranks who have completed in excess of 30 years' Service may register for resettlement support prior to the two-year point in accordance with ELC and resettlement policy.

22. Claims can be made via the ELCAS website. Alternatively, current forms (as published online) must be completed by the SL and countersigned by line managers and appropriate Ed Staff. Claims are **not** to be submitted directly to ELCAS. A copy of the form and interview record is to be held in the SL's Personal Development Record (PDR) and personal records where appropriate. **A separate claim must be submitted for each year of a course.** The application and claim process is described at Annex B.

23. The claim must state the cost of the tuition fees to be paid; for longer courses this is to be calculated by each FY, so that the cost is evenly spread. The course fee must include any existing discounts or fee reductions. The claim must state the MOD contribution (up to a maximum of £1k or £2k depending on Tier eligibility) with the remaining balance (the amount which would have equated to the individual's personal contribution). The two amounts, when added together, should total the course fee quoted by the LP. As normal, the ELC contribution will in no case exceed 80% of the gross course cost (tuition fees only). This includes VAT but excludes payment for food, accommodation, travel, subsistence and course material, which are the SLs responsibility. The DfE/DA will meet the minimum 20% cost towards the tuition fees. Where all ELC has been exhausted but the SL still qualifies

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<sup>56</sup> Notwithstanding the general tenet that SL enter their resettlement phase at the start of their last 2 years of service, in many cases this is unlikely to align with the start date of courses. Therefore, SL may be authorised to commence a course under this scheme some months earlier if all other requirements are met. In these cases direction should be sought from the sS ELC managers and/or People-TESRR-PersDev Ed C2 in TESRR.

<sup>57</sup> For SL who ceased to be members of the Armed Forces before 1 Apr 11, 10 years after discharge; for SL who ceased to be members of the Armed Forces between 1 Apr 11 and 31 Mar 16, until 31 Mar 21; for SL who ceased to be members of the Armed Forces on or after 1 Apr 16, 5 years after discharge.

for full state subsidy then course tuition fees will be met in full by the DfE/DA and MOD contribution.

24. On receipt of a properly completed and authorised application, the sS Authority will send a Claim Authorisation Note (CAN) to the SL. The CAN is effectively a promissory note to the LP that the SL is eligible to receive fully subsidised state support. All applications for study must be submitted at least 25 clear working days prior to start course date. The SL must ensure there is sufficient time to receive the CAN and present it to their chosen LP before the course starts, which, for many LPs, means the CAN must be submitted before final course registration date.

25. All payments will be made direct to the LP by MOD on receipt of a correctly completed invoice once the applicant commences the course. LP invoices will be accepted by MOD (through ELCAS) no earlier than six weeks and no later than 9 months after the SL starts their course. LP must confirm that the SL has completed six weeks of study.

26. SL will not be able to claim a refund for any money paid to a LP. SL are not to commence a course without first receiving their CAN and presenting it to their approved LP. Furthermore, SL are not permitted to transfer their CAN to a different course or LP. SL cannot pay upfront to a LP and subsequently seek reimbursement from MOD on receipt of their CAN. If SL do not complete the first six weeks of study, the DfE/DA will not fund any tuition fee costs owed to the LP and the payment of all costs become the responsibility of the SL.

27. sS points of contacts are in accordance with ELC Direction.

28. **Length of support.** Support will be available within the entitled period of eligibility. In some instances, such as illness, compassionate circumstances or the SL being deployed during Resettlement or after Service (on transfer to the Reserves), it may be possible for the support to be made available beyond the normal length of the course of study.

29. **Evaluation and achievement tracking.** In accordance with MOD Direction, ELCAS will conduct an evaluation of LP training and support including site visits and student feedback.

30. **Self-declaration.** SL are required to complete the Self-declaration [on the application form] confirming that they are eligible to receive support<sup>58</sup> and that by receiving the support it is their intention to complete the full qualification. They must also declare that they meet the residency and citizenship/settlement criteria. Ed Staffs are to advise the SL as appropriate on what constitutes eligibility, but it will be the SL's ultimate responsibility to ensure they understand and fully comply with the scheme Direction. SL should also be able to provide documentary proof from JPA or through the Learner Records Service once in receipt of a Unique Learner Number.

31. **Cancellation and withdrawal procedures.** SL that have used up their ELC and are claiming full state subsidy and do not comply with cancellation and withdrawal regulations, risk forfeiting their membership of the ELC scheme and thus their access to the FE-HE scheme. SL are also subject to the criteria laid down by the DfE/DA, who will not fund any tuition fee costs owed to the LP, by SL who does not complete the first six weeks of study. See Para 27.

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<sup>58</sup> For their first full Level 3 or first HE qualification level 4-6.



32. **SL re-entering Full Time Service.** SL who take up FE-HE support during their resettlement, and subsequently remain in or re-enter Service may, with the agreement of the DfE/DA, continue with their chosen qualification until completion without incurring any financial penalty<sup>59</sup>. The sS Authority must take account of the study and its duration and be prepared to endorse and support its continuation to completion. However, such SL will forego any further state support under this commitment on finally leaving Service, having used up their opportunity to draw down subsidised tuition fees. Alternately, the LP and DfE/DA may agree to defer the completion of the course, for which final authority rests with the DfE/DA. A record is to be retained by the CSP if such circumstances arise.

33. **Other funding streams.** SL are not permitted to claim any other source of MOD funding including the IRTC or SLC related to any application made under this scheme (additionally refer to paragraph 4.g. above).

34. **Cost recovery process.** JSP 462<sup>60</sup> sets out the policy and process for TLBs to recover costs from OGD, i.e. DfE and Agencies in accordance with HM Treasury guidelines,

‘Managing Public Money’. ELCAS will provide a quarterly report to sS TLB Finance Teams copied to DfE/DA, to enable recovery action between DfE/DA and MOD.

35. **Procedure for Claimants no Longer in Service (CNLIS).** SL<sup>61</sup> may apply within their post service eligibility period. Forms are available at the ELCAS website and are to be submitted to sS for endorsement:

<b>Royal Navy</b>	NCHQ, Mailpoint 3.3, Leach Building, Whale Island, HMS Excellent, Portsmouth, PO2 8BY Portsmouth Email: <a href="mailto:navytrghq-ldoresetelc@mod.gov.uk">navytrghq-ldoresetelc@mod.gov.uk</a>
<b>Army</b>	SO3 Int Dev Education Branch Zone 4, Floor 2, Army Personnel Services Group, Home Command Ramillies Building, Army HQ Monxton Road, Andover SP11 8HJ Tel: 079 7722 9294 Email: <a href="mailto:Army-ELC-Veterans@mod.gov.uk">Army-ELC-Veterans@mod.gov.uk</a>
<b>RAF</b>	Learning Credits Administrator 22 Gp, Rm 221b Trenchard Hall, RAFC Cranwell, Sleaford, Lincs, NG34 8HB Email: <a href="mailto:michael.quainton100@mod.gov.uk">michael.quainton100@mod.gov.uk</a>

<sup>59</sup> This may require the SL to change the course to a part-time/blended learning basis, possibly with an alternate provider transferring CAT points etc.

<sup>60</sup> JSP 462: Financial Management and Charging Policy Manual.

<sup>61</sup> Who meet the eligibility criteria and have left the Services.



## 4 Annexes

- A. Application for Standard Learning Credits (SLC) Funding – MOD Form 1950 (Revised 03/14)
- B. ELC Scheme Process for SP and LP
- C. FE/HE Support Scheme Process for SL and LP

## Application for Standard Learning Credits (SLC) Funding

### MOD Form 1950 (Revised 03/14)

*SLC funding cannot be claimed retrospectively. Prior authorisation must be obtained or the application will be refused.*

#### Part 1: Personal details (please use block capitals)

Rank/Rate:	Surname:
Forename	Service Number:
TX/Discharge Date:	Ship/Station/Unit:
Section/Unit Address (in full)	
Tel:	Unit Identification Number (UIN):

#### Part 2: Course details

Course Title					
Qualification Gained (if applicable)		Awarding Body			
Name & Address of Learning Provider		Level of Qualification (if applicable)	SQL No. (Ed Staff use only)		
Start Date		End Date			
Total Cost of Course	£	SLC Amount	£	Applicant Contribution (min 20%)	£
Method of Study		Day/Shift Release	Yes	No	

#### Part 3: Reason for study/previous course details

Details of previous study/courses relevant to this application:
Reason for study:
What benefit will this course bring to the service?

#### Part 4: Undertaking by Applicant

I have read the relevant policy. This learning activity forms part of my Personal Development Plan. I agree to inform the relevant Ed Staff of any changes in circumstances that may affect my ability to complete my course of study.

Applicant's signature:	Date:
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#### Part 5: Action by Applicant's Line Manager

I have noted the details of the course at Part 2 and I **approve/do not approve** this application to study.

Name:	Signature:
Date:	Contact Tel:

#### Part 6: Action by the sS specific Education/Training/Learning/Resettlement Officer

\* I have consulted the applicant and confirm that this course is eligible for SLC funding in accordance with the relevant policy.

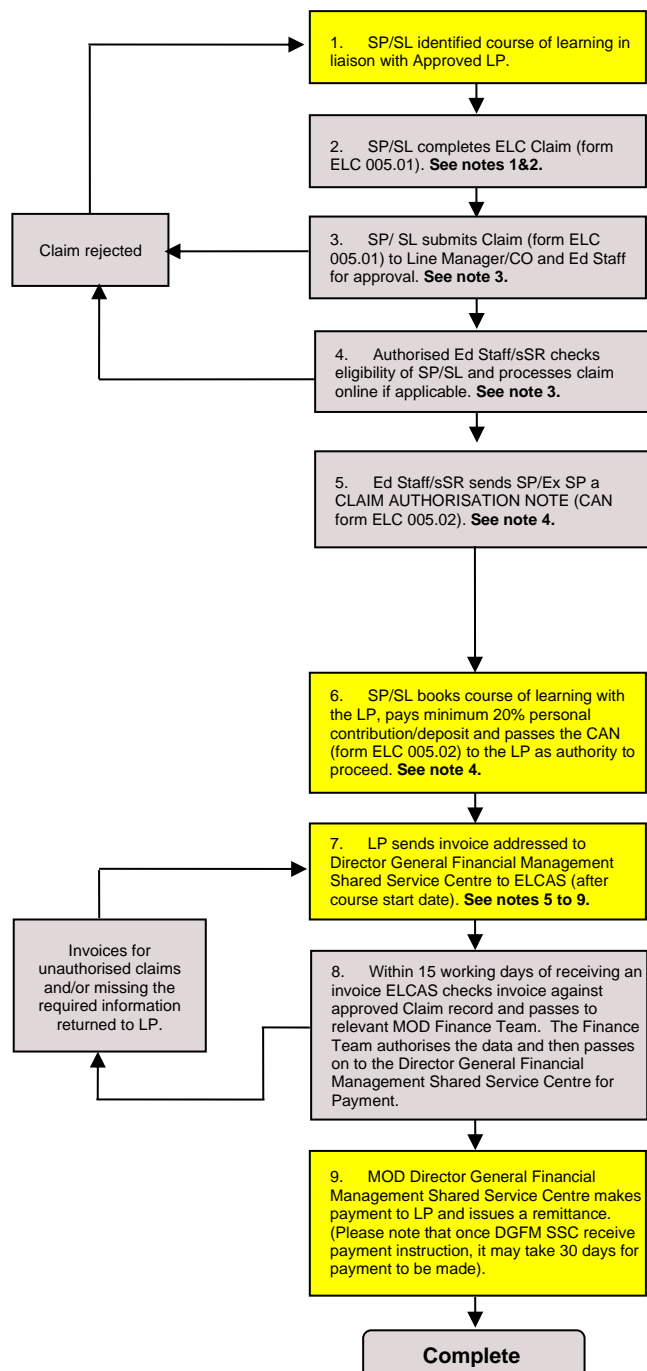
\* I have consulted the applicant and informed them that this course is ineligible for SLC funding.

\* Delete as appropriate.

Ed Staff Name:	Contact Details
Ed Staff Signature:	Date:
Explanatory Notes (Ed Staff use only):	

RN	Regional Service Resettlement Advisors Unit Education Officers (UEOs) Education and Resettlement Officers (EROs) Learning and Development (Operations) Officers (LDO Ops)
Army	Army Education Centre ETS Officers/Individual Education and Resettlement Officers (IEROs)
RAF	Personal Learning Adviser (PLA)

## ELC Scheme Process for SP and LP



**Key LP activities**

### Notes

1. All claims must meet the eligibility criteria as outlined in the current JSP and on the ELC website.

2. All forms required for the ELC process are available from the ELC website.

3. All claims must be received by Ed Staff/SSR, 25 clear working days prior to course start date.

4. The Claim Authorisation Note (CAN form ELC 005.02) confirms that the SP will receive ELC support to fund their chosen course with the identified LP. LPs should not accept confirmed bookings from SP unless they have received the original CAN (form ELC 005.02) and 20% personal contribution from the SP. LP should not accept a booking for a course, other than that detailed on the CAN (form ELC 005.02).

5. Invoices should be addressed to the MOD and must include:

The Invoice Number  
The LP Number  
The unique number (Claim Number) shown on the CAN (form ELC 005.02)  
The SP Service Number  
The LP own course code  
Confirmation that the SP has paid the minimum of 20% of the course fee

6. Invoices must be received by ELCAS on or after the course start date and within nine months of the course start.

*An example invoice is available from the ELC website.*

7. The amount claimed should include VAT or indicate that VAT is not applicable, and should not exceed the value of the CAN.

8. The LP invoice number will be quoted as the bill reference on the remittance sent by MOD.

9. Where a SP withdraws from the course before a payment file has been generated to the LP, by ELCAS, then the cancellation process should be followed. Where a SP withdraws from a course after a payment file has been generated to the LP, by ELCAS, the reinstatements process should be followed. Both of these processes are outlined on the ELC website.

### Glossary

ELC website refer to ELCAS = Enhanced Learning Credits Administration Service  
LP = Learning Provider  
sSR = Single Service Representative  
Ed Staff = Education Staff  
CAN = Claims Authorisation Note  
DGFM FM SSC = Director General Financial Management Shared Service Centre  
SL = Service Leaver

## FE/HE Support Scheme Process for SL and LP

