



Security Industry Authority

Competency Exemption Policy

June 2010

Introduction

There are two types of exemption that can be gained:

1. Exemption from SIA licensing

The Private Security Industry Act 2001 gives the Secretary of State powers to exempt from SIA licensing requirements those people who, though engaged in security duties, are subject to suitable alternative arrangements.

"Suitable alternative arrangements" is further defined by the Act as arrangements that are "equivalent, for all practical purposes so far as the protection of the public is concerned, to those applying to persons applying for and granted licences."

People applying for an SIA licence must be over eighteen years of age and must pass an identity check and a criminal record check. They must have the right to remain and work in the UK and may be required to provide a mental health declaration. If they will be working in a front line activity they must also prove that they are trained to the appropriate (SIA approved) standard. Where relevant we will carry out a comparison of the training and assessment with that required for a front line licence using this policy and process.

Bodies applying for exemption from SIA licensing are not required to have an identical system in place; however, their system must be equivalent in regards to "the protection of the public". This equivalence will be determined by a comparison with the SIA's licensing requirements.

We have developed an Exemption Framework which can be downloaded from our website. We and the Home Office will use the exemption framework when considering requests to be exempt from SIA licensing requirements.

Requests which underpin a Section 4 licence exemption request should be channelled through exemptions@the-sia.org.uk

Final decisions on licence exemptions are made by the Secretary of State.

Website link:

- www.sia.homeoffice.gov.uk/pages/licensing-exemption.aspx

2. Exemption from training and assessment required to obtain a front line SIA licence

Candidates who have successfully achieved a relevant nationally recognised qualification may gain some form of formal exemption from the training and assessment required to gain a front line licence.

Separate from this, all the awarding organisations which offer the licence-linked qualifications are required by the qualification regulatory authorities to have a policy on the accreditation of prior learning (APL). APL is a process which seeks to recognise prior learning that may contribute to the award of a qualification. The approach is that, wherever and whenever the experience occurred, the evidence of the learning must be proven by the candidate. It enables the recognition of achievement resulting from a range of activities using valid assessment methodology.

For this recognition to be acceptable to the awarding organisations and regulatory authorities evidence must be:

- authentic;
- current;
- relevant; and
- sufficient.

This policy sets out the SIA process and criteria for making decisions on formal exemptions from licence-linked qualifications. It also covers service levels and timescales for candidates presenting a qualification for consideration. The policy covers both UK and overseas qualifications. The majority of exemption requests we receive are for overseas qualifications. However our policy and processes can be used for gaining exemptions for UK qualifications also.

In particular the policy sets out how we comply with the Mutual Recognition of Qualifications Directive 92/52/EEC¹.

Principles and requirements

The aim of the policy and process outlined below is to ensure a standardised and consistent approach to decisions on exemptions taking into account key criteria of relevance, equivalence, authenticity and being up to date.

- The SIA owns the specifications for learning and qualifications. These specifications stipulate the training and assessment requirements for gaining a licence-linked qualification. As such, the final decision for publishing any training exemptions rests with the SIA.
- All requests for exemptions from licence-linked qualifications must be assessed using the criteria and process included in this policy. These are managed by the competency section of the Strategy and Change Management team.
- Awarding organisations are responsible for approving formal exemptions from their accredited qualifications recognised by the SIA for licensing. Note: awarding organisations should consider approval from both Ofqual and SQA (or equivalent) accredited qualifications (where appropriate).
- First Aid – to fulfil the competency requirement for Close Protection candidates have to hold a current SIA recognised first aid certificate. First aid qualifications which are accepted in the future as equivalent must be noted as agreed by the Director of Strategy and Corporate Services.
- SIA specifications for learning and qualifications are reviewed following our Competency for Licensing Renewal Strategy which can be downloaded from our website. When our specifications are reviewed, all exemptions must also be re-evaluated.
- It is important to ensure that training remains current. Therefore, qualifications presented by a candidate for exemption must be no more than three years old, except where otherwise stated.
- In order for applicants to fulfil the competency requirement for an SIA licence they must achieve a certificate number for one of the relevant listed licence-linked qualifications and a Qualification Database upload, with scanned identity evidence,

¹ and the European Communities (Recognition of Professional Qualifications)(Second General System) Regulations 2002 (as amended)

through one of our endorsed awarding bodies. This is the only method, no other qualifications are acceptable.

- There can be no automatic full exemption from an Ofqual or SQA accredited licence-linked qualification. A certificate cannot be issued for a qualification unless a candidate has gone through exactly the same training and assessment outlined in the SIA specifications. It may be possible in exceptional circumstances to put forward a case for exemption from all the training and assessment for a qualification with a combination of formal exemption and APL.

This policy is a dynamic document which will be updated as necessary. Significant changes will be re-presented to the SIA Senior Management Team and Board. Other changes will be approved by the Director of Strategy and Corporate Services.

Mapping criteria, templates and documentation are attached in annexes 1-4.

Process

UK and overseas

Qualifications are brought forward for consideration for exemption from the relevant licence-linked qualifications in the following ways:

1. during the development of an SIA specification for a particular sector;
2. brought forward by an awarding organisation where they feel that a qualification is already in existence that could act as a suitable exemption for a licence-linked qualification; or
3. an applicant approaches the SIA with a request for exemption from a licence-linked qualification. Both UK and overseas candidates can submit exemption requests via a dedicated email address, overseasqualifications@the-sia.org.uk, or in writing.

Here the initial request will be acknowledged by the SIA within three working days and added to the log on the intranet. Within a further 10 working days, after an initial check of the validity of the submission, the SIA will clearly communicate the process and timescales for considering a request for exemption from a licence-linked qualification to the candidate. The template letter in **annex 4** should be used here.

If the candidate does not provide any further information within three months the SIA will keep their query on record but it will no longer be treated as active.

The SIA will map the learning objectives from the qualification to the learning objectives of the SIA specification for learning and qualifications for the relevant licensed sector. The following will be taken into account:

- the number of guided learning hours;
- the level of the qualification;
- how long the qualification has been available (i.e. its currency);
- the method of assessment and whether the qualification is externally moderated.
- the status of the awarding organisation; and
- whether it is a nationally recognised qualification or a bespoke qualification.

If overseas:

- whether the qualification is part of the regulatory requirements in that country; and
- whether the qualification is well used in the country of origin by the sector concerned and is considered best practice;

Mapping will be completed and a decision communicated to the individual within four months of a candidate coming forward with a proposal. The four months starts when sufficient information has been received from the candidate to assess the application.

- Part exemptions granted should be contrived as to exempt on a unit basis.
- The documentation, guidance and templates in annexes 1-4 must be used to demonstrate fair and transparent assessment in all cases.
- The proposal will be circulated to all relevant awarding organisations for confirmation that the exemption stands for the Ofqual/SQA (or equivalent) accredited qualifications accepted for licensing.
- The proposal must be checked and signed off by the Director of Strategy and Corporate Services at the SIA.

- All documentation must be filed in the allocated location on the intranet or in hard copy at the SIA using current protocols.
- The decision will be published on the SIA website and in the 'Get Licensed' booklet (on revision). The reasoned decision will also be communicated to the applicant directly from the SIA.

Overseas only

These rules particularly apply to applicants with qualifications from overseas:

- **As a minimum, all applicants with qualifications from overseas will have to do the knowledge assessment to ensure they are up to date with UK law.** This is especially important, as some licence holders from overseas can carry firearms, for example, in their country of origin.
- All requests for overseas exemptions must be logged at the SIA
- Candidates must provide translation of training materials and certificates if they are in a language other than English
- The SIA is the designated authority responsible for providing a decision on a training exemption under the terms of the EU directive². This responsibility is initiated once a complete SIA licence application has been received from the candidate along with full documentation for the qualification. However, the SIA would aim to respond within the given timescales whether or not an application has been received.

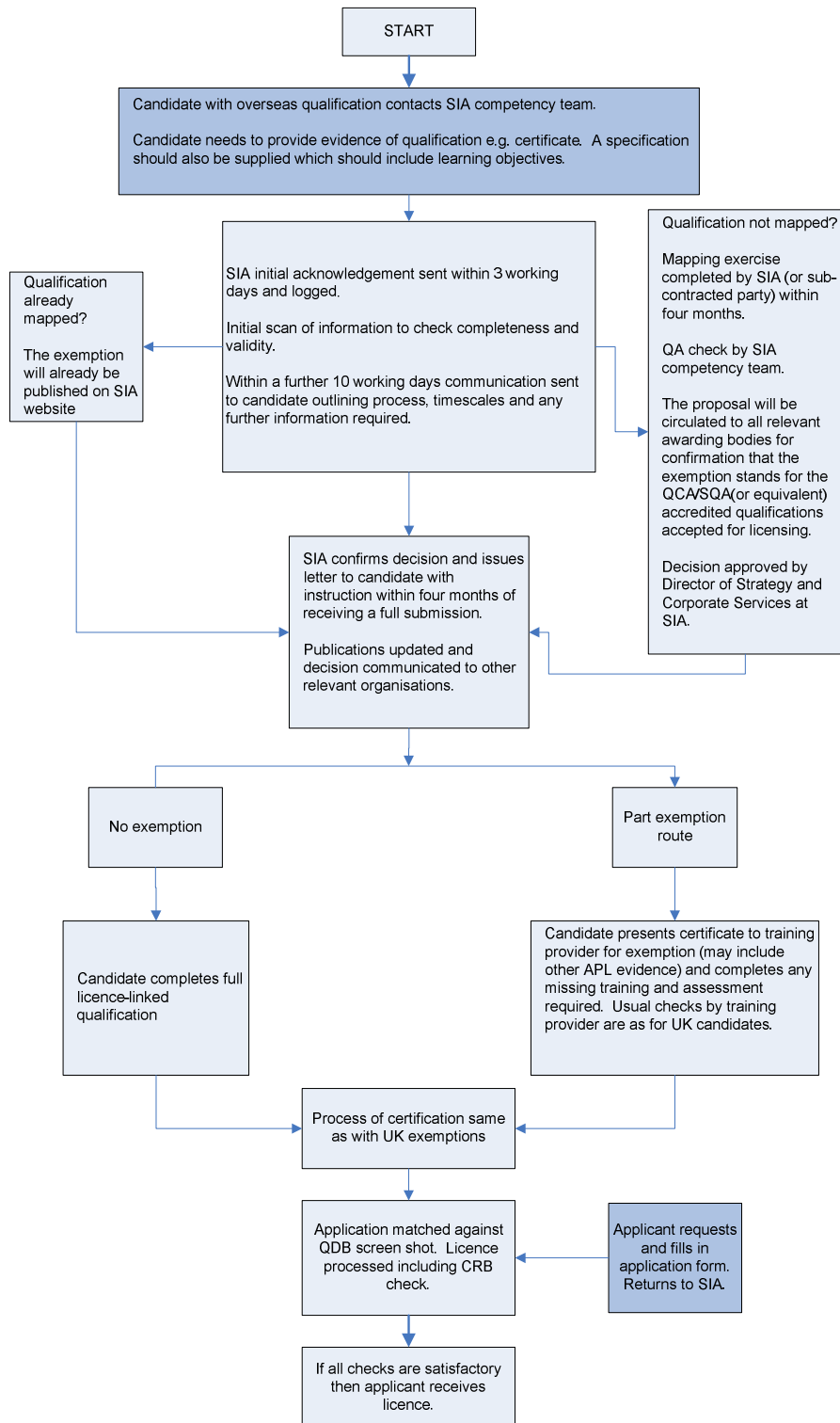
Appeals

The applicant or organisation proposing the exemption should write to the SIA within 28 days of the decision being communicated to them stating the reason why the decision should be reconsidered.

- The SIA will then review and reply within 28 days.
- If still unhappy with the result, applicants may then start proceedings against us at the County court. The applicant would have to comply with the courts' appropriate pre-action protocol.
- Any appeal would be managed by the Policy and Legal team. A witness statement would be expected from the Director of Strategy and Corporate Services regarding the decision on the qualification.

² Mutual Recognition of Qualifications Directive 92/52/EEC and the European Communities (Recognition of Professional Qualifications)(Second General System) Regulations 2002 (as amended)

Figure 1: Mapping overseas qualifications – process for applicants



Annex I: Overseas / UK Qualification Mapping

The following procedure has been developed to assist members of the SIA Strategy and Change Management team and others with a knowledge and understanding of qualifications to carry out the mapping of qualifications against an SIA specification for learning and qualification.

The proposal will be circulated to all relevant awarding organisations for confirmation that the exemption stands for the Ofqual/SQA (or equivalent) accredited qualifications accepted for licensing.

It is recommended that a mapping exercise should be checked by another member of the Strategy and Change Management team before sign off by the Director of Strategy and Corporate Services.

The objective of the mapping exercise is to identify and confirm which security or security related qualifications may be accepted in full, or in part, for licensing in England, Wales and Northern Ireland, and also in Scotland.

Procedure

1. *Before commencing mapping exercise:*

- Collect relevant documents – qualification specification with learning objectives, if possible, and other relevant documents. **Note:** A qualification cannot be mapped reliably without learning objectives or outcomes.
- Confirm the language of the qualification and make any necessary arrangements for translations.

2. *Make contact, if possible, with any known experts in the country of origin, using contacts known to the SIA Policy and Legal team, BSIA and Skills for Security, to check:*

- Who awards the qualification and whether it is a nationally available qualification or a bespoke award? If it is a bespoke award, what is the status of the awarding organisation making the award?
- Whether the qualification has any recognition from an industry sector or a trade body etc.
- If an EU qualification, whether it is following Confederation of European Security Services (CoESS) or Uni-Europa guidelines.
- Whether the qualification is part of any regulatory requirements.
- Whether there is any evidence that industry/sector were involved in the development of the qualification.
- Whether this qualification is best practice for this industry/sector.

3. Make an overall assessment of the validity and rigour of the qualification based on the research and, using the following statements, assign it an assessment grade.

- For Grade A these statements must be true
 1. This qualification is part of regulatory requirements, and
 2. This qualification is nationally recognised and is externally moderated, and
 3. This qualification is well used in the country of origin by the sector concerned and is considered best practise
- For Grade B statement 3 must be true and so must either statement 1 or statement 2.
- For Grade C statement 3 must be true

If a qualification cannot be awarded either Grade A, B or C, then, only in exceptional circumstances, should the qualification be mapped (e.g. where there is some other supporting evidence of the value of this qualification).

4. Mapping the qualification

- Match learning objectives or outcomes of the overseas qualification to the relevant SIA specification for learning and qualifications. **Note:** For exemption against the qualifications accepted for licensing in Scotland, checks should be made to ensure mapping takes into account the differences.
- Estimate the percentage match for each topic.
- Identify missing topics and determine the significance of these. I.e. if this topic/area is not covered, would there be a risk to public trust and confidence if a licence was awarded on the basis of this qualification? Could this topic be covered in a workplace induction?
- Add the overall mapping percentage to the assessment grade.

5. Confirmation of qualification equivalence

It is recommended that a qualification should be confirmed as an equivalent qualification for licensing if it can match the following assessment criteria:

- **Grade A and an 80% mapping.** Judgement is needed due to the importance/weighting of some learning objectives as some parts may be more critical.
- **Grade B and an 85% mapping.**
- **Grade C and a 90% mapping.**

Annex 2: Assessment of Qualifications

Qualification details	
Country of origin	
Security Sector	
Name of qualification	
Expiry date	
Description of award	
Training course language	
Accreditation Body	
Awarding Organisation	
Developing body & industry endorsement (if known)	
Use for regulation	
Accreditation against SIA qualifications for licensing	
Comparable qualification	England, Wales and Northern Ireland Scotland
Qualification assessment	
% Mapping of learning objectives	
Number of training course hours	
Assessment methodology	
Acceptance as comparable qualification (Please tick relevant box and give details as required)	England, Wales and Northern Ireland Scotland Acceptable (without reservation) <div style="text-align: right;">YES/NO</div> Acceptable in part (please give details of what is missing and what additional training and/or assessment is required) <div style="text-align: right;">YES/NO</div> Not acceptable (please give details why not) <div style="text-align: right;">YES/NO</div>



Name of person carrying out the mapping exercise	
Countersignature Position	
Date	
Documents attached (Please tick which documents are attached)	

Annex 3: Sample

Mapping of [insert name of qualification] against SIA Door Supervisor specification

SIA licence-linked qualification	insert name of qualification	% covered

Total percentage mapping of ? qualification against SIA specification: _____

Annex 4:

Your ref:

Our ref: SIA<ref>

<Title> <Init> <Surname>

<Department>

<Company>

<Address 1>

<Address 2>

<Address 3>

<Address 4>

<Postcode>

Dear <title> <surname>

Date: dd.month.yyyy

Re: **Qualification obtained overseas**

Thank you for your application to the SIA for your overseas training/qualification to be considered for exemption from the England, Wales and Northern Ireland or Scotland licence-linked qualifications.

The following is an outline of the process and the timescales with which your case will be dealt with:

Please note you will be breaking the law if you work in England, Wales and Northern Ireland or Scotland without the correct SIA licence, even if you hold a licence to work in the private security industry that was issued overseas.

You need to provide:

- evidence of your overseas training/qualification, usually a copy of a certificate;
- the overseas qualification specification and training materials: this must include the learning objectives and some information on the method of assessment. The more information we have the more helpful it is. Where documents are not in English, they must be translated into English by an accepted translation body. More information about translation can be found on our website.

Please send these documents directly to the qualifications team:

overseasqualifications@the-sia.org.uk

- The SIA will map the learning objectives from the overseas qualification to the learning objectives of the SIA specification for learning and qualification for the relevant licensable sector. We will take into account:
 - the number of guided learning hours;
 - the level of the qualification;
 - since when the qualification has been available/currency;
 - method of assessment and whether the qualification is externally moderated;
 - whether the qualification is part of the regulatory requirements in that country;

- whether the qualification is well used in the country of origin by the sector concerned and is considered best practise;
 - what the status of the awarding organisation is; and
 - whether it is a nationally recognised qualification or a bespoke qualification.
- If you do not provide any information within three months the SIA will keep your query on record but it will no longer be treated as active.
 - From the date we receive the full documentation for the qualification we will provide you with a decision on whether you have a full, part or no exemption from the SIA training requirements for licensing within four months. You should have received a decision by **dd-mm-yy**.
 - The SIA will then confirm the next steps of the process to you. If you don't have a full exemption you will need to complete either part or all of the SIA training requirements for your sector.
 - You can then apply for your SIA licence, following the guidance on applicants from overseas. An identity check is one of the criteria for obtaining an SIA licence; you will need to consult the 'Get Licensed booklet' (enclosed) for the list of required documents. Instructions on where to do this will be provided in the decision letter.
 - If you have spent more than six months out of the UK in the five years before your licence application, you will be required to show evidence of criminal record – or rather lack of it – from an official criminal record certificate issuing authority. More information can be found on our website.

The SIA will be unable to process your application until we have communicated the decision to you on your qualification. There is always the option to complete the licence-linked qualification for England, Wales and Northern Ireland or Scotland. Please see the training pages of the SIA website for more details:

<http://www.sia.homeoffice.gov.uk/Pages/training.aspx>

The SIA publishes all exemptions from the competency licensing criteria on the SIA website and in the 'Get Licensed' booklet.

Please find enclosed a copy of the 'Get Licensed' booklet for your information. In the mean time, if you have any queries please contact the SIA using the contact details below.

Strategy and Change Management team
Security Industry Authority

T: 020 7025 4100

F: 020 70254101

E: overseasqualifications@the-sia.org.uk