

Committee Name and Date of Committee Meeting

Staffing Committee – 12 February 2024

Report Title

Armed Forces Reserves Policy

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Jo Brown, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

None

Report Summary

The Council has pledged its support for members of, or those wishing to join, the Reserve Forces. It acknowledges the training undertaken by Reservists enables them to develop their skills and abilities that are of benefit to both the individual and their employer.

The purpose of this report is to seek support to implement the Armed Forces Reserves Policy and ensure that both current and future workforce are aware of our positive statements of commitment.

Recommendations

1. Approve the introduction of the Armed Forces Reserves policy.

List of Appendices Included

Appendix 1 Armed Forces Reserves policy.

Background Papers

- Report to the Rotherham Together Partnership Chief Executive Officer Group – 26th October 2023
- The Reserve Forces Act 1996
- Armed Forces Covenant
- Rights and
- Responsibilities for Reservists and Employers GOV.UK

Consideration by any other Council Committee, Scrutiny or Advisory Panel
None

Council Approval Required
No

Exempt from the Press and Public
No

Armed Forces Reserves Policy

1. Background

- 1.1 The Armed Forces Covenant Duty provides a legal obligation on certain public bodies that are responsible for delivering statutory functions in healthcare, education and housing services and requires those delivering local services to pay due regard to the Covenant principles when exercising functions in these areas. The Council signed the Armed Forces Covenant Duty in March 2018 and more recently, in January 2024.
- 1.2 Alongside the Covenant is an employer recognition award scheme. The scheme awards bronze, silver and gold awards for organisations that pledge, demonstrate or advocate support to defence and the armed forces community, and align their values with the Armed Forces Covenant. Rotherham Council was awarded silver in August 2018 and re-accredited in late 2023. The Council aspires to achieve Gold in 2024.
- 1.3 The Gold award is the highest badge of honour for employers who support those who serve in the armed forces, veterans, and their families. It highlights the importance the Council places on the debt owed to local veterans and armed forces communities and recognises the value they bring both to the workforce and borough.
- 1.4 The Council needs to demonstrate that certain criteria are met in order to apply for the Gold award, of which there are nine areas of compliance in total. One of these areas is to actively ensure that the workforce is aware of positive policies towards defence people issues.
- 1.5 Whilst the Council already has positive measures in place to support reservists in its existing policies, these are now combined into an overarching Armed Forces Reserves policy, which has been developed to ensure compliance with the criteria.
- 1.6 The proposed policy relates to the following Council and Government policies and legislation:
 - Reserve Forces Act 1996
 - Armed Forces Covenant Duty
 - RMBC Workforce Plan 2022-2025 - Employer of choice
 - RMBC Employee Supported Volunteering Policy
 - RMBC Special Leave Policy

2. Key issues

- 2.1 In 2018 and more recently in January 2024, RMBC pledged its support for members of, or those wishing to join, the Reserve Forces and acknowledges the training undertaken by Reservists which enable them to develop their skills and abilities that are of benefit to both the individual and the Council. This policy intends to set out our obligations towards all employees who are members of the Reserve Forces.

2.2 The Council continues to commit to:

- Not disadvantaging those Reservists who notify HR/Line Management of their Reserve status or those Reservists who are made known directly by the Ministry of Defence (MoD).
- Agreeing to the release of Reservists for attendance at Reserve Forces Training events where these take place on their normal working days in line with Section 5 and the Special Leave Policy. Paid time off is permitted for training commitments including 2 weeks annual summer camp for Reservists.
- Agreeing to the release of all employees mobilised for Reservist duties. In all cases of mobilisation, the Council will release the Reservist to report for duty unless there are exceptional circumstances, whereby the decision and reasoning will be presented to the Reservist.
- Continuing to treat the contracts of employment of employees mobilised for Reserve Service as operable throughout the period of such service with no loss of continuous service or service-related benefits.
- Providing special unpaid leave of absence to those employees mobilised, the Council will not be required to pay the Reservist's salary during the period of mobilisation as the MoD assumes this responsibility.
- Fully supporting a return to work to the same job occupied prior to mobilisation on the same terms and conditions. However, if this is not reasonably practicable, the Council may offer a suitable alternative, on terms and conditions that are no less favourable. An individual return to work plan will be developed to capture any training and support needs required upon reintegration to the workplace.

2.3 New commitments for the Council:

The Council promotes volunteering with the cadet forces from their workforce, by providing Paid time off for Cadet Force Adult Volunteers (CFAVs) for their summer camp, this provision is 5 working days and 3 days for those involved in planning of training activities, subject to operational circumstances and to ensure service impacts are minimised.

3. Options considered and recommended proposal

3.1 The introduction of an overarching policy will:

- Clearly set out the Council's pledge and commitment.
- Ensure that the workforce is aware and fully understands the Covenant and Duty.
- Make a positive difference to those who have and continue to serve in the armed forces.
- Support the armed forces community by assisting with reintegrating veterans back into civilian society.

- Recognise that skills, expertise and dedication gained from working within the defence sector are highly transferable to key roles across all sectors within the borough.
- Support the Council's aim of becoming an employer of choice.

3.2 Option 1 – As outlined in 3.1 above.

3.3 Option 2 - Not adopting the Armed Forces Reserves Policy will result in the Council not meeting its obligations under Armed Forces Covenant Duties.

3.4 It is therefore recommended that the Armed Forces Reserves Policy is approved and introduced.

4. Consultation on proposal

4.1 The Strategic Armed Forces Group were consulted on the introduction of the Policy on 22nd January 2024.

4.2 Trade Unions were consulted on this policy on 10th January 2024

5. Timetable and Accountability for Implementing this Decision

5.1 Implementation of this policy will support the application for Gold status and will take immediate effect.

6. Financial and Procurement Advice and Implications

6.1 Whilst there are indirect costs arising from staff abstractions to fulfil their commitments as a Reservist, there are no direct costs associated with the implementation of this policy.

7. Legal Advice and Implications

7.1 There are no legal implications for the implementation of this policy.

8. Human Resources Advice and Implications

8.1 Trade unions have been consulted on the Armed Forces Reserves Policy and are fully supportive of its adoption. However, they have raised the question of whether paid time off for other volunteer instructors is extended to other groups. The key difference is that armed forces reserves provisions for training and mobilisation is obligatory under the Reserve Forces Act 1996.

9. Implications for Children and Young People and Vulnerable Adults

9.1 By supporting Civilian Instructors, the policy will benefit young people who are members of the cadet forces

10. Equalities and Human Rights Advice and Implications

- 10.1 The recommendation will not have any adverse impact on anyone with one or more protected characteristics, namely age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

11. Implications for CO₂ Emissions and Climate Change

- 11.1 There are no direct implications.

12. Implications for Partners

- 12.1 The Council, working with key partners, other public service providers, charities, voluntary sector organisations and representatives of the armed forces will advocate the benefits of supporting those within the armed forces community by encouraging others to sign the Armed Forces Covenant (if not signed already) and engage in the Employer Recognition Scheme.

13. Risks and Mitigation

- 13.1 Failure to meet our obligations as set out in the Armed Forces Reserves Policy would result in non-compliance with the Reserve Forces Act 1996, specifically time off to attend training and mobilisation. Special leave requests of those registered as a reservist will be monitored to ensure compliance with our pledge.
- 13.2 In order to be an employer of choice and attract and retain talent, the Council needs to positively promote the Armed Forces Reserves Policy. The achievement of Gold status demonstrates our positive commitment to reservists.

14. Accountable Officer(s)

Tony Bryant, Interim Assistant Director of HR

- 14.1 Approvals obtained on behalf of:

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