

St Helens Council Armed Forces and Reservist Employment Policy



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St Helens Council staff includes members of the reserve forces, veterans, and service leavers from the regular and reserve forces, spouses of regulars, reservists and veterans; and recognises the valuable contribution that the Armed Forces make to the borough, the country and to the international community.

The Council signed the Armed Forces Community Covenant in 2012, and is committed to ensuring equality of opportunity in employment for armed forces service leavers, reservists, veterans, their spouses or widow(er)s, and spouses of serving personnel.

Guaranteed Interview Scheme

St Helens Council collect information on the Armed Forces status of job applicants and employees to ensure that it can demonstrate members of the British Armed Forces Community are not disadvantaged in applying for employment with the Council.

St Helens Council offer a guaranteed interview for all adult volunteers who work with cadets, ex-forces and reservist applicants who meet the essential criteria of job posts.

As an employer, the Council takes employee Armed Forces Status into account during the period of their employment.

Reservist Employees, Employees That Volunteer With Cadet Forces

2-week Annual Training Course (Annual Camp) Arrangements

St Helens Council has pledged its support for reservist employees, employees that volunteer with cadet forces, and staff wishing to join the Reserve Forces or volunteer with cadet forces. The Council acknowledges that the training undertaken by reservist employees and employees that volunteer with cadet forces enables them to develop skills and abilities that are beneficial to both the individual and the Council.

St Helens Council offers reservist employees and employees that volunteer with cadet forces an additional 10 days paid leave per annum, specifically in order to allow them to attend their 2-week Annual Training Course (sometimes referred to as 'annual camp'). In order to qualify for the 10 days additional paid leave, the Council require employees to provide written evidence from their commanding officer / appropriate rank which confirm they completed their 2-week Annual Training Course. It is the employee's responsibility to ensure this evidence is provided.

NB Where the evidence is not forthcoming, or does not cover the full period of absence, the employee's absence must be covered either by holiday leave from their normal annual allocation, and a mixture of lieu time and flexi leave; where the conditions of the flexible working policy allow, or additional unpaid leave.

Training

St Helens Council agree to release reservist employees and employees that volunteer with cadet forces for attendance additional training events that take place on their normal working days. Annual leave from the employee's normal annual allocation, lieu time and flexi leave can be used to cover these commitments - when in line with the conditions of the flexible working policy - else additional unpaid leave will be granted for these short periods of training, provided adequate notice is given and where such training cannot be undertaken in off-duty time.

Attendance at weekend training, which cannot be undertaken during off-duty time, will be subject to the same arrangements. Line managers will facilitate work rosters to allow attendance at annual camp and other training commitments, unless there are exceptional circumstances.

Reservist or adult volunteers involved with the cadet employees must give their line managers as much notice as possible of these training commitments to allow appropriate planning for absences. Permission, once given, will not be rescinded unless there are exceptional circumstances.

St Helens Council has policies and procedures in relation to Flexible working, which all employees can apply for including reservists, adult volunteers associated with the Cadets, and military spouses.

Reservist Mobilisation

St Helens Council offers Reservist Staff unlimited unpaid leave for any period of mobilisation.

A period of mobilisation comprises three distinct phases

1. Pre-Mobilisation
2. Mobilisation
3. Post mobilisation

When a member of staff is mobilised it is the Line Manager's responsibility carry out the following actions:

Pre-mobilisation

- Meet with Reservist to ensure all mobilisation paperwork completed
- Make a claim for financial assistance as appropriate
- Discuss any handover of work and return of equipment
- Arrangements for keeping in touch
- Refer to checklists in Line Manager and Reservist Guidance document

During mobilisation

- Keep in touch with Reservist as arranged

Post-mobilisation

- Ensure both employer and reservist fulfil their return to work obligations
- After care and support requirements

Treatment of Terms and Conditions during mobilisation

St Helens Council will continue to treat the contracts of employment of mobilised employees as operable throughout the period of such service. There will be no loss of continuous service or service related benefits.

Pay

The Ministry of Defence will assume responsibility for the Reservist's salary for the duration of their mobilisation. They will pay a basic salary according to the Reservist's military rank. If this basic salary is less than the salary the Reservist receives from the Council, then it is the Reservist's responsibility to apply to the Ministry Of Defence for a 'Reservist Award' to make up the difference. The Council will assist by providing any proof of employment and salary required by the Ministry Of Defence to support the Reservist's application.

Pension

Where the Reservist employee is a member of the Local Government Pension Scheme, and wishes to remain in the pension scheme for the period of mobilisation, then the Reservist employee is responsible for making their own payment arrangements with the pension scheme during the period of mobilisation. The Reservist employee must also make arrangements with the Ministry of Defence to pay the employer contributions for the period of mobilisation. The Ministry of Defence will make the employer contributions as long as the Reservist continues to make their personal contributions. The Council will provide any reasonable assistance to the Reservist employee to support the changes in Pension Scheme payment arrangements during the period of mobilisation.

NB the Council employer pension contribution will be suspended for the period of mobilisation and will commence when the Reservist returns to work after mobilisation.

Annual Leave

Reservists should be encouraged to take any accrued annual leave before mobilisation. St.Helens Council is not obliged to accrue annual leave for a Reservist employee during the period of mobilisation. Reservists accrue annual leave with the Ministry of Defence whilst they are in full time service. When they demobilise, Reservists are entitled to a period of post-operational leave. During this period they will continue to be paid by the Ministry of Defence.

Dismissal/Redundancy

A Reservist's employment cannot be terminated on the grounds of their military duties or their liability to be mobilised. To do so would be a criminal offence under s.17 of The Reserve Forces (Safeguarding of Employment) Act 1985.

Reservist employees may be included in the redundancy pool during the period of mobility only if this is necessary due to a downturn in business or closure of a department. However, all employees will be treated consistently, and St Helens Council redundancy criteria will not discriminate against a Reservist on the grounds of their Reserve service or call-up liability.

Sick Pay

During the period of mobilisation the Reservist will continue to accrue any rights to service-related Council sick pay. Should a Reservist become sick or injured during mobilisation they will be covered by Defence Medical Services and any financial assistance will continue to be received (including pay) until demobilised. If the sickness or injury continues or results in early demobilisation, the Reservist will remain covered by the Defence until the last day of paid military leave.

Return to work

The Reservist must write to their employer by the third Monday after their last day of military service making their request to return to work and suggesting a date which should fall within 6 weeks of their last day of full-time service. This letter formally starts the return to work process.

The Employer has an obligation under Reserve Forces (Safeguarding of Employment) Act 1985 to reinstate the Reservist, where possible to their former role, and if not, to a mutually acceptable role on the same terms and conditions prior to mobilisation.

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The Reservist should be reinstated within 6 weeks of the last day of their full time service.

Aftercare

A Reservist employee returning to work from mobilisation will benefit from a smooth reintegration into the workplace/team. The following should be considered as part of this process:

- The need to update on changes and developments in the Council.
- The need to offer specific refresher training where it is sought or considered necessary.
- Where the job duties have changed since mobilisation a period of skills training may be required to assist with new aspects of the job.
- Whether the reservist can meet up with colleagues informally or socially before or after return to work to prevent any feeling of dislocation, if this is sought.
- Reasonable time off to seek therapeutic treatment if required.

Spouses/ Partners/ Parents/ Children

All employees employed by the Council other than those excluded below have a statutory right to access flexible working as outlined in the St Helens Council flexible working guide:

- (a) Those employed under Chief Officer Conditions of Service
- (b) Shift Workers or Employees whose hours of work are organised in such a manner which renders them unsuitable to participate
- (c) Employees who have working arrangements outside the standard working hours defined by this scheme
- (d) Employees who have already contractual flexible working arrangements
- (e) Any other employees whom their Chief Officer decides has duties which make the scheme unsuitable.

Spouses, partners, parents or children who are affected by unforeseen circumstances linked to their family members service should contact their Line Manager or Human Resources for guidance should they require assistance with time off from work.