

Corporate	NENC ICB HR 25 – Armed Forces, Reserves & Cadets Policy
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Prepared By:	Sarah Kilner, Workforce Lead
Consultation Process:	Workforce One Task and Finish Groups HR Specialist Armed Forces and Reserves overview Counter Fraud Trade Union Partnership Forum
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EQUALITY IMPACT ASSESSMENT

Date	Issues
31 st March 2023	This policy is not currently available in alternative formats

POLICY VALIDITY STATEMENT

Policy users should ensure that they are consulting the currently valid version of the documentation. The policy will remain valid, including during its period of review. However, the policy must be reviewed at least once in every 3-year period.

ACCESSIBLE INFORMATION STANDARDS

If you require this document in an alternative format, such as easy read, large text, braille or an alternative language please contact necsu.icbhr@nhs.net.

Version Control

Version	Release Date	Author	Update comments
1	9 th May 2023	Sarah Kilner, Workforce Lead	This policy replaces HR49 – Time off for Reserve Cadet Forces Policy
2	16 th January 2024	Rebecca Herron Governance Lead	The inclusion of cadet force adult volunteers in section 3.4 & 3.6

Approval

Role	Name	Date
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1. Introduction

North East North Cumbria Integrated Care Board (NENC ICB) (the Organisation) recognises the valuable contribution that Reservists and Cadets make to the UK Armed Forces and their communities.

The Organisation also recognises its obligations as an employer to employees who are Reservists or adult cadets including time away from work, sometimes at short notice. (The principle of time away from work at short notice extends to families of servicing Armed Forces personnel).

The Organisation has pledged its support for members of, or those wishing to join, the Reserve and Cadet Forces and acknowledges the training undertaken that enables them to develop skills and abilities that are of benefit to both the individual and the Organisation. Valuable and transferrable skills, training and experience are gained through the Armed Forces, either as a Reserve, Adult Cadet or as former Armed Forces personnel. Being mobilised can positively contribute to the knowledge and skills of a career within the NHS.

The Organisation will support, not disadvantage, those Reservists or Cadet Forces Adult Volunteers (CFAV) who notify the Organisation of their Reserve status or those Reservists who are made known to the Organisation directly by the Ministry of Defence (MoD).

The Organisation shall, subject to the provisions set out in this policy, release Reservists for attendance at Reserve Forces training events where these take place on their normal working days.

The Organisation shall, subject to the provisions set out in this policy agree to the release of all employees mobilised for Reservist duties.

1.1 Status

This policy is a People policy.

1.2 Purpose and scope

This policy defines the obligations towards all employees who are members of the Reserve or Cadet Forces.

This policy applies to all permanent and fixed term employees within the Organisation (this policy does not apply to agency workers).

For the purpose of this policy, all entitlements will be pro rata for part time employees.

2. Definitions

The following terms are used in this document or are specific to Armed Forces, Reserves or Adult cadets.

Cadet Forces Adult Volunteers - fall into two categories: Uniformed Adult Volunteers and Civilian Instructors. Officers and Non-Commissioned Officers, who focus more on supervision and leadership in their role but also deliver training; Civilian/ Adult Instructors (C/AIs), who directly train the Cadets.

Regular Reservists – former service personnel, or formally trained civilians who, depending on how long they have served in the Armed Forces, may have a liability to be recalled for mobilisation.

The Reserve Forces consist of the Royal Naval Reserve (RNR), the Royal Marines Reserve (RMR), Army Reserve and the Reserve Air Forces (RAFR and RAuxAF).

The Cadet Forces consist of adult volunteer instructors that provide training to Cadets within Sea Cadets, the Army Cadet Force, the Air Cadets and Combined Cadet Force.

The Reserve Forces Act 1996 also provides for other categories, such as:

- **Full Time Reserve Service** - Reservists who wish to serve full time with regulars for a predetermined period in a specific posting
- **Additional Duties Commitment** - part-time service for a specified period in a particular post
- **Sponsored Reserves** - These are personnel employed by a contractor to provide a service to the Ministry of Defense (MoD).
- **High Readiness Reserves** – These are Reserves, usually with a particular skill set, that are available at short notice (with written agreement from their employer).

Mobilisation - is the process of calling Reservists into full time service with the Regular Forces, in order to make them available for military operations. The maximum period of mobilisation will depend on the scale and the nature of the operation and is typically no longer than 12 months. Cadet Force Adult Volunteers cannot be called up for military service.

Volunteer Reservists - Civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Army Reserve and Royal Auxiliary Air Force.

Roles and Responsibilities

Executive Directors and Chief Executive

- Support the implementation of this Policy by modelling appropriate behaviours.
- All directors and managers are responsible for ensuring that relevant staff within their own directorates and departments have read and understood this document and are competent to carry out their duties in accordance with the procedures described.
- The Executive Team/Committee is accountable for ensuring compliance with this policy and consistency in its application.
- The Board is responsible for monitoring and approving a framework for Reserve Forces and Cadet Forces Adult Volunteers that is compliant with all relevant legislation, guidelines and best practice standards.
- The Executive Board has ultimate responsibility for ensuring that a framework is in place that is compliant with all relevant legislation, guidelines and best practice.

Line Managers

- Will embrace the Organisation's support for members of, or those wishing to join, the Reserve or Cadet Forces and acknowledge the training undertaken that enables them to develop skills and abilities that are of benefit to both the individual and the Organisation.
- Will liaise with relevant HR representatives and complete relevant documentation in relation to mobilisation of employees who are reservists and ensure their status is accurate at all times, including appendices of this policy.
- Will facilitate and support attendance at training sessions and annual camps for any members of their team who are Reservists;
- Will assess applications for voluntary mobilisation and support them wherever possible;
- Will support any members of their team returning from periods of mobilisation in an empathetic manner, offering training and a local re-induction where appropriate;
- Will raise awareness of and ensuring the Reservist contacts the Health Safety and Wellbeing Service for a health assessment following demobilization
- Will ensure that salary is reinstated as appropriate and in accordance with their agreed return to work date.
- Will arrange a meeting prior to the employee returning to work to ensure the Organisation and reservist fulfil their return to work obligations. This will include after care and any support requirements including any reasonable adjustments.
- Will support employees to consider the potential to claim for financial assistance to cover additional employer costs associated with mobilisation (Financial Assistance).
- Will signpost to the Organisations Employee Assistance programme.
- Will signpost to the NENC Wellbeing Hub
<https://northeastnorthcumbria.nhs.uk/staff-wellbeing-hub/>

Human Resources

- Will provide support, advice and guidance on any aspect of this policy to both managers and new employees to ensure a consistent and fair approach within the Organisation.
- Will monitor the fair and equitable implementation of this policy and will be regularly check against legislative requirements and best practice to ensure that no person is treated less favourably on the grounds of their race, gender, religion or belief, disability, age, marriage or civil partnership, pregnancy or maternity, sexual orientation or gender reassignment.

Relevant Employees

- Will inform the Organisation of their status as a Reserve; Adult Cadet or volunteer.
- Will providing sufficient notice of their requirement for leave to attend training activities as a reservist (e.g. annual camp) to allow their manager to appropriately plan for their absence;
- Will discuss with their manager prior to applying for voluntary mobilisation to ensure that it can be supported;
- Will inform the organisation as soon as practicably possible after receiving a call out order, providing details of the date and potential duration of their mobilisation;
- Will contact their manager on their demobilisation to arrange a date to return to work. This should be no later than three weeks after the last day of the mobilisation.
- Will contact the Health Safety and Wellbeing Service on their demobilisation to arrange a health check to ensure the Reservist and the organisation is protected from a health perspective (e.g working in an area which is Tuberculosis prevalent).
- It is the responsibility of the reservist/cadet force volunteer to ensure their personal details held by the Organisation are maintained and up to date; this includes providing written notification to their line manager and the Head of Corporate Services they leave the reserves. In any circumstance, the Reservist or Cadet Force volunteer will not be disadvantaged as a result of notifying the Organisation of their Reserve status.

Reservist employees are also required to grant permission for the Ministry of Defense (MoD) to write directly to the Organisation. This is known as 'Employer Notification' and ensures the Organisation is made aware that the employee is a Reservist and the benefits, rights and obligations that apply.

The MoD will issue written confirmation to the Organisation to state that the employee is a Member of the Reserve Forces. The letter will provide detail of mobilisation obligations and rights as an employee; rights as an employer; and details of the financial assistance available if an employee is mobilised. Where possible, it will also provide details of any annual training commitments. The MoD will also send a follow-up letter each year to confirm that the information held is still accurate.

3. Principles

Family members of serving Armed Forces personnel

- 3.1 The Organisation is supportive of employees who are partners or family members of serving Armed Forces Personnel and recognises that they may ask for leave at short notice based on their partner or family member's Armed Forces Commitment. The Organisation will make every effort to support reasonable requests recognising the positive impact it will have on the employee's wellbeing.

Employees who are a Reservist, Adult Cadet or volunteer

- 3.2 Employees who are a reservist or cadet force volunteer or who are considering enrolling, are encouraged to keep an active discussion with their line manager regarding their commitments as part of their role, including planned training or when they are considering renewing their commitment. This will enable their manager to effectively plan for planned leave and ensure service continuity as well as identify any support required from the Organisation to enable the employee to fulfil both their responsibilities to the Organisation and their Reservist or Cadet role.

Training Commitments and Time off

- 3.3 The Organisation recognises the importance of the training undertaken by Reservists and Cadet Force Volunteers which enables them to develop skills and abilities that are of benefit to their respective Force, the individual and the Organisation.

Reservists and Cadet Force Adult Volunteers are typically committed to 24-40 days training per year. Training commitments vary but, in most cases, include:

- **Weekly training** - most train at their local centre for around two-and-a-half hours, one - two evenings a week depending on which Cadet Force it is.
- **Weekend training** - all Reservists and Cadet Instructors attend a number of training weekends which take place throughout the year.
- **Annual training** - a 2-week annual training course sometimes referred to as 'annual camp'. This may take place at a training establishment, as an attachment to a Regular Unit, a training exercise or a combination of any of these. Training normally takes place within the UK, although each year some Reservists and Cadets train overseas.
- In addition, there are times during the working week that CFAV's may need to take cadets on organized activities for example RAF Air Cadets have designated days during the week to enable them to participate in Air Experience Flying (AEF) at a designated RAF station.

- 3.4 Employees who need time off for activities as reservists or cadet force adult volunteers will be given 10 days' special paid leave in any 12-month rolling period (pro rata for part time employees). An additional 5-days unpaid leave in any 12-month rolling period will be given to help the reservists meet their commitments e.g. short periods of training. If additional time is required, this should be discussed with the line manager; if approved, it would be taken as annual leave. This includes attendance at the annual camp.
- 3.5 Additional unpaid leave or annual leave from the employee's normal annual entitlement may be granted for short periods of training provided adequate notice is given and where such training cannot be undertaken in off-duty time. A maximum of 5 days unpaid leave can be taken during one financial year, annual leave can then be used to cover all other requests.
- 3.6 To avoid reservists and cadet force adult volunteers being unable to take time off when needed, they should apply for any leave they require as soon as possible. This should be submitted in the usual manner to the employee's Line Manager in accordance with the Other Leave and Annual Leave Policy.
- 3.7 Wherever possible, Line Managers should facilitate work rosters/service provision to allow attendance at annual camp and other training commitments (e.g. weekly or weekend training sessions). They should also allow employee reservists to have additional requests in order to attend training.

Applying for Exemption or Deferral

- 3.8 In all cases of mobilisation, the Organisation will release the Reservist to report for duty unless there are exceptional circumstances, whereby the decision and reasoning will be explained to the Reservist.

In such circumstances Line Managers have the right to seek exemption or deferral if the Reservist's absence is considered to cause serious harm to service delivery. Details of how to apply for exemption are included in the call-out pack. The application must reach the Adjudication Officer within 7 days of the Organisation receiving a call-out notice. If this timescale is not met, permission to make a late application will need to be obtained from the Adjudication Officer. The Reservist also has the right to apply for exemption or deferral if the call-out papers arrive at a difficult time. Advice should be sought from HR at an early opportunity.

If an unsatisfactory decision is received following the application for a deferral, the Organisation can appeal for it to be heard by the Reserve Forces Appeals Tribunal. Appeals must reach the Tribunal's Secretary within 5 days of receipt of written notice of the decision. If the tribunal rejects the application for exemption or deferral, the Organisation will be required to release the Reservist for mobilisation.

Financial Assistance – for employers

- 3.9 Financial assistance for employers, of an employee Reservist being mobilised, is governed by the Reserve Forces (Call out and Recall) (Financial Assistance) Regulations 2005. These cover additional costs above the normal earnings of the called-up Reservist associated with replacing that employee. There are 3 types of award available:

One-off costs

- Agency fees, if a recruitment agency or employment agency is used to find a temporary replacement; or advertising costs.
- No financial cap on claims, but any claim must be supported by relevant documentation.

Recurring costs

- Overtime costs, if other employees work overtime to cover the work of the Reservist.
- Costs of temporary replacement.

Training award

- If a returning Reservist has to undertake additional training as a direct result of their mobilisation (routine training excluded), then the Organisation can make an application for the financial assistance.

Appeal Process

- 3.10 If the employee believes their request in accordance with this policy has not been properly considered, they may appeal the decision. The employee must submit their appeal in writing to the line manager of the manager who made the original decision within 14 calendar days of receipt of the written decision regarding their request.

The appeal will be acknowledged in writing and an appeal meeting arranged.

The appeal meeting must take place within 14 calendar days of receiving the employee's appeal and will be heard by the line manager of the manager who made the original decision, or someone at an equivalent level.

The employee has the right to be accompanied by their trade union representative or a work colleague at this meeting.

The decision on the appeal must be given within a further calendar 14 days and is final.

4. Mobilisation

- 4.1 The Call-out papers for mobilisation are sent by post to the Organisation or sometimes delivered in person by the Reservist to their Line Manager. The documentation will include the call-out date and the anticipated timeline. Although there is no statutory requirement for a warning period prior to mobilisation, whenever possible, the MoD aims to give at least 28 days' notice of the date that a Reservist will be required to report for mobilisation.
- 4.2 A period of mobilisation comprises three distinct phases:
- Medical and pre-deployment training;
 - Operational tour;
 - Post-operational tour leave.

Pre-Mobilisation

- 4.3 Line managers should ensure they have a copy of all documentation and are aware of the date of mobilisation and the anticipated return date.
- 4.4 Line Managers should meet with the reservist to ensure all appropriate mobilisation paperwork has been completed (including the pension scheme choice declaration as contained in the call out papers) and to:
- Arrange for the employee to receive the mobilisation letter (Appendix 2).
 - Calculate the employee's annual leave entitlement prior to mobilisation and agree the arrangement of leave as per the Organisation's Annual Leave Policy.
 - Discuss any handover of work and return of equipment.
 - Discuss arrangements for keeping in touch including revised contact details during the mobilisation period.
 - Ensure the employees next of kin details are recorded and up to date.
 - Consider requirements for cover during the period and the potential to claim for financial assistance to cover any additional employer costs associated with mobilisation (Financial Assistance).
 - Consider appropriate arrangements have been made in respect of salary sacrifice arrangement, return (or otherwise) of a lease car, car parking pass, Organisation property, such as ID Badge, mobile communication, keys.
 - Liaise with HR to ensure the period of unpaid leave is recorded accurately.
 - Note: The employee is personally responsible for meeting any costs arising from the above e.g. early termination of a lease car agreement and/or salary sacrifice arrangement.

Terms and Conditions of Employment during Mobilisation

- 4.5 During the period of active service unpaid leave will be authorised and recorded in ESR. Line managers will inform payroll. Employment will continue without pay, unless specified otherwise by the employee.
- 4.6 The continuity of a reservist's employment is not broken by the period of mobilisation, if, the employee is reinstated within their employment within 6 months of the demobilisation.
- 4.7 As defined by legislation, the Organisation will continue to treat the contracts of employment of employees mobilised for Reserve Service as operable throughout the period of such service and there will be no loss of continuous service or service-related benefits. Under the Reserve Forces Act (Safeguarding of Employment) Act 1985, an employee's service is recorded as taking special leave for military service on mobilisation. Providing the employee follows the correct notification procedure under the Act, they can return to employment upon which their continuity of service will be restored.

Pay during Mobilisation

- 4.8 The Ministry of Defence (MoD) will assume responsibility for the Reservist's salary for the duration of their mobilisation. The MoD will pay a basic salary according to the Reservist's military rank. If this basic element is less than the Reservist receives from their employing Organisation, it is the Reservist's responsibility to apply to the MoD for the difference to ensure that they suffer no loss of earnings. This is known as a Reservist Award.
- 4.9 The Organisation is not required to pay the Reservist's salary during the period of mobilisation. Where mobilisation occurs, the employee will be recorded as taking special unpaid leave of absence.

Pension during Mobilisation

- 4.10 If the reservist is a member of the NHS Pension Scheme, please contact the Pension Officer for clarification of their options and personal circumstances.

Annual Leave during Mobilisation

- 4.11 Employees are encouraged to take any accrued annual leave before mobilisation.
- 4.12 Line managers are encouraged to be flexible in granting leave requests for employees who are spouses and partners are serving personnel who may have been mobilised before, during and after a partner's deployment. This may be at short notice, for example, a partner has been granted leave but may be based elsewhere in the country,

- 4.13 Annual leave will not accrue during the period of mobilisation. Reservists accrue annual leave with the MoD whilst they are in full time service. When a reservist completes their period of mobilisation, reservists are entitled to a period of post-operational leave (POL). During this period, they will continue to be paid by the MoD.
- 4.14 The amount of accrued annual leave a reservist can carry over to the next annual leave year should not exceed five days i.e. one working week (pro-rata for part-time employees and full time employees who work their shifts over less than five shifts per week) in accordance with the Annual Leave Policy. The amount of annual leave an employee wishes to carry over must be approved by the line manager before mobilisation.

Benefits during Mobilisation

- 4.15 Contractual benefits that are suspended by the Organisation during mobilisation can be claimed by the reservist as part of their Reservist Award.

The Line Manager and reservist should discuss benefit arrangements during the pre-mobilisation meeting. This should cover those benefits which will be suspended and for any continuing benefits, arrangements should be made as to how these are paid. Where the reservist has a contract lease car, or a salary sacrifice lease car, advice should be sought from the leasing company regarding the available options during a period of mobilisation.

If the Reservist is participating in a salary sacrifice scheme then advice should be sought from the Organisation and the MoD as it may be possible to transfer the schemes during the period of mobilisation.

Increments and Appraisals during Mobilisation

- 4.16 The Line Manager and employee reservist should carry out an appraisal before mobilisation and if possible, take any necessary action so that the employee can achieve the required outcomes prior to the start of their tour of duty and receive their pay increment on the due date where applicable.

Please refer to the incremental pay progression framework policy and managing work performance policy for further information during the mobilisation.

- 4.17 Line Managers who carry out appraisals and performance review meetings with a Reservist should be aware that activities undertaken by an individual (either through training or mobilisation) bring essential skills into the workplace such as leadership, communication, team working and organisation skills, which ultimately lead to improved performance in the workplace.

Occupational Sick Pay during Mobilisation

4.18 During the period of mobilisation the reservist will continue to accrue any rights to Occupational 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 and this results in early demobilisation, the reservist will remain covered by the MoD, until the last day of paid military leave.

After this time, the reservist will be covered by the Organisation's sickness arrangements. If the reservist becomes ill post mobilisation, and a notional return to work date has been agreed, they will be covered by the Absence Management Policy. The NHS Injury Benefits Scheme does not apply to injuries sustained whilst on reservist duty.

4.19 If, as a result of their reservist activity, an NHS Pensions Scheme member is permanently incapable of performing their NHS duties they have the same rights as other 'in service' Scheme members.

Professional Registration during Mobilisation

4.20 An employee is responsible for ensuring that they maintain their competence and professional registration (where applicable) at all times during a period of mobilisation.

Organisational Change during Mobilisation

4.21 Under s.17 of The Reserve Forces (Safeguarding of Employment) Act 1985 a reservist's employment cannot be terminated on the grounds of their military duties or their liability to be mobilised.

4.22 In the event that the employee's substantive post is affected by an organisational change process whilst mobilised, this will be managed in accordance with the Organisational Change Policy. The employee will be kept informed, as is realistic based on the nature of their mobilisation.

Return to Work - Post Mobilisation

4.23 Both the Reservist and the Organisation have obligations under The Reserve Forces (Safeguarding of Employment Act) 1985 regarding the return-to-work process:

- The reservist must write to their line manager 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 reservist is encouraged to informally contact their line manager to discuss their return to work at the earliest opportunity, whether via a letter, a meeting or a telephone call. The formal application must be made in writing for it to be valid under the Act.

- Sometimes reservists may need refresher training when they return to work or be given time to familiarise themselves with processes and procedures in the workplace. Although applications cannot be made for training courses that would have taken place anyway, financial assistance may be available for retraining if it is required as a direct result of their mobilisation; evidence of costs will be required in addition to evidence that the reservist could not reach the required standard by any other means, such as workplace experience.
- The Organisation 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.
- In the event that an alternative role is offered and the reservist is not satisfied with the offer of alternative employment, they must write to the Organisation stating why there is reasonable cause for them not to accept it. If a reservist believes that the Organisation's response to their application denies their rights under the Safeguard of Employment Act 1985, an application can be made under the act to a Reinstatement Committee for assessment. This committee will consider the reservist's application and can make an order for reinstatement and/or compensation.
- The Reservist should be reinstated within 6 weeks of the last day of their full-time service. They must be reinstated for a minimum period of 13, 26 or 52 weeks, depending on their length of service prior to mobilisation.

Health And Wellbeing Support – post mobilisation

4.24 Whilst personal to each individual, managers should consider support for an employees' wellbeing following mobilisation as well as any professional or job-related development as part of a return to work plan.

For the job role this may include offering refresher or specific skills training, or additional time to understand job specific or Organisational changes.

Therapeutic treatment may benefit the employee to readjust into their civilian life. Line managers should accommodate this as part of the return-to-work plan.

Useful Sources of Support and Guidance

- [DRM \(Defence Relationship Management\)](#) provides support for employers of reservists, veterans, cadet force adult volunteers and military spouses and families.

Helpline: 0800 389 5459 Email: employerrelations@rfca.mod.uk

- [Royal Navy Reserves](#)
- [Army Reserves](#)
- [Royal Air Force Reserves](#)
- [The Cadet Forces GOV.UK](#)
- [Sea Cadets](#)
- [Army Cadet Force](#)
- [Air Training Corps](#)
- [Combined Cadet Force](#)

5. Training Implications

It has been determined that there are no specific training requirements associated with this policy/procedure.

6. Documentation

6.1 Other related policy documents.

HR02 Absence Policy
HR04 Annual Leave Policy
HR05 Career Break Policy
HR06 Change Management Policy
HR08 – Equality and Diversity
HR11 Grievance Policy
HR16 Managing Work Performance Policy
HR18 Appraisal Policy

6.2 Legislation and statutory requirements

Employment Rights Act 1996
The Reserve Forces Act (Safeguarding of Employment) Act 1985
The Reserve Forces (Call out and Recall) Financial Assistance Regulations 2005
Defense Relationship Management-<https://www.gov.uk/government/groups/defence-relationship-management>
[The Reserve Forces \(Safeguard of Employment\) Act 1985](#) (SOE 85)

6.3 Best practice recommendations

Agenda for Change Terms and Conditions Handbook
<https://www.nhsemployers.org/publications/tchandbook>

[Armed Forces reservists toolkit | NHS Employers](#)

[Reservist employer toolkit - GOV.UK \(www.gov.uk\)](#)

7. Monitoring, Review and Archiving

7.1 Monitoring

The Board will agree with the Executive Chief Nurse a method for monitoring the dissemination and implementation of this policy. Monitoring information will be recorded in the policy database.

7.2 Review

7.2.1 The Board will ensure that this policy document is reviewed in accordance with the timescale specified at the time of approval. **No policy or procedure will remain operational for a period exceeding three years without a review taking place.**

7.2.2 Staff who become aware of any change which may affect a policy should advise their line manager as soon as possible. The Sponsoring Director (or nominated deputy) will then consider the need to review the policy or procedure outside of the agreed timescale for revision.

7.2.3 For ease of reference for reviewers or approval bodies, changes should be noted in the 'document history' table on the front page of this document.

NB: If the review consists of a change to an appendix or procedure document, approval may be given by the sponsoring director and a revised document may be issued. Review to the main body of the policy must always follow the original approval process.

Equality and Inclusion

NENC ICB HR policies and practice embrace the values of the NHS including the NHS People Plan and People Promise, including 'more staff, working differently within a compassionate and inclusive culture'.

NENC ICB has committed to being 'the best at getting better' and some of its key priorities are to our people, to reduce inequality and to be the best place to work and train. Our people policies are developed in this ethos for our current and future staff.

Our policies will be written in plain English, whenever possible, acknowledging that references to legal processes and the associated language may sometimes make this challenging.

To ensure that they are accessible to all our current and future staff, we will work with our staff and their representatives to establish where other formats may be helpful.

7.3 Archiving

The Board will ensure that archived copies of superseded policy documents are retained in accordance with Records Management: NHS Code of Practice 2021.

Appendix 1 Declaration of Reserve / Cadet Force Status

To:

I, (full name) hereby declare that I am (delete as appropriate)

an existing member of the Reserve or Cadet Forces

propose to join the Reserve or Cadet Forces*

- My Reserve or Cadet Forces Unit is/will be (unit title).
- My role in the unit is/will be
.....(describe role/appointment).
- Date of Enlistment into the Reserve/Cadet Forces.....

As part of the Employer Notification Scheme, I understand that the Ministry of Defence (MoD) will write directly to the Organisation in relation to my reserve forces commitments.

Other Information:

.....
.....

Signed..... Date

Name.....

Department/Organisation Role

****delete as applicable.***

Appendix 2 Template Letter of Mobilisation

Name

Address

Employment Arrangements during Mobilisation

Dear

Thank you for notifying me of your forthcoming mobilisation with the Reserve Forces. This letter details the employment arrangements prior to, during and following your period of mobilisation, as discussed and agreed at our meeting on DATE.

Special Leave

During mobilisation you will be recorded as taking special leave from the Organisation. This counts as part of our continuous service. The period of mobilisation will count as reckonable service for the purposes of entitlements to certain terms and condition, such as annual leave, occupational sick pay, incremental credit and redundancy.

Your special leave will commence on DATE.

Your approximate return to work will be DATE.

Pay Arrangements

Your salary will be suspended whilst you are mobilisation and you have signed and submitted a variation of contract form.

During the period of mobilisation your Reserve Force will assume responsibility for your salary.

Employment Benefits

If you have any benefits which you would ordinarily pay from your Organisational salary, such as a lease car, you will need to decide which you wish to continue during the mobilisation period and how they will be paid for.

If you wish to stop, suspend or amend any benefits during mobilisation, it is your responsibility to notify the Organisation of your intention. Such notifications must be provided to your line manager prior to mobilisation.

Where you have suspended/cancelled any benefits prior to mobilisation, it is your responsibility to contact your line manager to make any arrangements to restart once you return to work.

Annual Leave

Prior to mobilisation you will accrue Organisational annual leave under normal arrangements, and you are required to take this leave where possible prior to mobilisation. If it is not possible to do so, you should discuss this with your line manager.

During the period of mobilisation accrual of Organisational annual leave will cease and you will accrue annual leave with the Ministry of Defence (MoD). MoD annual leave arrangements will apply during mobilisation. There is no requirement to advise the Organisation of any annual leave taken during the period of mobilisation.

Upon return to work you will start to accrue Organisational annual leave. Any untaken accrued Organisational annual leave should be taken prior to the end of the annual leave year in which your return from mobilisation.

Pension

You are entitled to remain a member of the NHS Pension Scheme. Your Reserve Force will pay the employer contributions for the period of mobilisation provided that you continue to pay your employee contributions and complete the necessary forms that are contained within your Call Out papers. You must contact the Organisation's pension officer to discuss your pension, contributions and benefits.

If you have opted to join the Reserve Forces Pension Scheme, you will not accrue reckonable service for your NHS Pension Scheme during your period of mobilisation.

Keeping in Touch

During our meeting we agreed the most appropriate way of keeping in touch whilst you are away.

(Add details)

We have also agreed that we will aim to keep in touch (Add details). You have confirmed that your next of kin is (Add details) and their telephone number is (Add details)

Sick Pay

During the period of mobilisation you will continue to accrue any service related occupational sick pay. However, should you become sick or injured during mobilisation you will be covered by MoD's healthcare arrangements (including pay) until you are demobilised. If the sickness or injury continues and this results in early demobilisation, you will remain covered by MoD until the last day of paid military leave. After this time you will be covered by the Organisation's sickness arrangements. If you become ill post mobilisation on the expected date of return to work, you will be covered by the Organisation's absence management policy.

Return to work

Whilst we have an understanding of your planned return to work date, it is appreciated that due to the nature of mobilisation that this may change, perhaps at short notice.

On this basis, we agreed that you will provide the Organisation with as much notice as is practicable of your return-to-work date. This can take place at any time once you know the expected date of demobilisation and the amount of Post-Operational Tour leave plus any other leave to be taken. Such notification should be made in writing to your line manager and copied to HR. You should maintain contact with the Organisation and provide notification should the expected return to work date change. HR will advise Payroll and the relevant Pension Scheme of your return-to-work date.

Formal Notification Requirements

Once a Reservist reaches their last day of paid military service, under the Reserve Forces (Safeguarding of Employment Act 1985), they have an obligation to formally write to the Organisation to request a return to work. The Organisation has an obligation under this act to reinstate the Reservist. In accordance with the legislation you must write to the Organisation no later than the third Monday after your last day of paid military service to inform the Trust that you are available to return to work. The Organisation will acknowledge receipt.

Return to Work

When you return to work you will be entitled to return to the same job or a reasonable and suitable alternative.

We'll arrange a return to work meeting to discuss the mobilisation experience; the role you are returning to and any associated handover arrangements; confirm relevant administrative activities relating to pay and identify any support that the Organisation can offer to ensure a smooth reintegration back into work

It may be appropriate to refer you Occupational Health to ensure that the correct support is in place for your return.

If you would like to discuss this letter, please do not hesitate to contact me.

Appendix 3 – Acceptance of Variation to contract during mobilisation

I understand and accept the arrangements set out in Organisation's Armed Forces, Reserves and Cadets Policy including those variations to my terms and conditions of employment during my period of Reservist Mobilisation.

Signed.....Date.....

Name.....

Signed on behalf of the Organisation

Name:..... Date.....

Copies to:

- Line Manager
- HR
- Reservist

Appendix 4 – Template Return to Work Letter

Date:

Name and Address of Reservist

Dear[Insert Name of Reservist],

Re: RETURN TO WORK

I am writing to acknowledge your formal notification of intention to return to work following your Reservist Mobilisation.

It has been agreed that you will return to work on[insert date].

A return to work meeting has been scheduled for[Time] on [Date] and will be held[Location]. The meeting will be attended by [Line manager]and[HR]. The meeting will give us the opportunity to welcome you back to work and to discuss a number of practical matters for a supportive reintegration back into the workplace.

In the meantime if you have any queries, please do not hesitate to contact either[line manager] or..... [HR].

Yours sincerely

[Insert name and appointment]

Copy to:

Appendix 5 - Equality Analysis

Equality Impact Assessment Initial Screening Assessment (STEP 1)

As a public body organisation we need to ensure that all our current and proposed strategies, policies, services and functions, have given proper consideration to equality, diversity and inclusion, do not aid barriers to access or generate discrimination against any protected groups under the Equality Act 2010 (Age, Disability, Gender Reassignment, Pregnancy and Maternity, Race, Religion/Belief, Sex, Sexual Orientation, Marriage and Civil Partnership).

This screening determines relevance for all new and revised strategies, policies, projects, service reviews and functions.

Completed at the earliest opportunity it will help to determine:

- The relevance of proposals and decisions to equality, diversity, cohesion and integration.
- Whether or not equality and diversity is being/has already been considered for due regard to the Equality Act 2010 and the Public Sector Equality Duty (PSED).
- Whether or not it is necessary to carry out a full Equality Impact Assessment.

Name(s) and role(s) of person completing this assessment:

Name: Sarah Kilner
Job Title: Workforce Lead
Organisation: NENC ICB

Title of the service/project or policy: Armed Forces Reserves and Cadets Policy

Is this a;

Strategy / Policy **Service Review** **Project**
Other [Click here to enter text.](#)

What are the aim(s) and objectives of the service, project or policy:

Defines the obligations towards all employees who are members of the Reserve or Cadet Forces.

Who will the project/service /policy / decision impact?

(Consider the actual and potential impact)

- **Staff**
- **Service User / Patients**
- **Other Public Sector Organisations**
- **Voluntary / Community groups / Trade Unions**
- **Others, please specify** [Click here to enter text.](#)

Questions	Yes	No
Could there be an existing or potential negative impact on any of the protected characteristic groups?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Has there been or likely to be any staff/patient/public concerns?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Could this piece of work affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Could this piece of work affect the workforce or employment practices?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the piece of work involve or have a negative impact on: <ul style="list-style-type: none"> Eliminating unlawful discrimination, victimisation and harassment Advancing quality of opportunity Fostering good relations between protected and non-protected groups in either the workforce or community 	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you have answered no to the above and conclude that there will not be a detrimental impact on any equality group caused by the proposed policy/project/service change, please state how you have reached that conclusion below:

All People policies will affect workforce or employment practices and are developed in consideration of equality diversity and inclusion to minimise negative impact. The secondment policy directly links with the recruitment policy therefore any EIA factors are thoroughly explored within.

If you have answered yes to any of the above, please now complete the ‘STEP 2 Equality Impact Assessment’ document

Accessible Information Standard	Yes	No
Please acknowledge you have considered the requirements of the Accessible Information Standard when communicating with staff and patients. https://www.england.nhs.uk/wp-content/uploads/2017/10/accessible-info-standard-overview-2017-18.pdf	<input type="checkbox"/>	<input type="checkbox"/>
Please provide the following caveat at the start of any written documentation: “If you require this document in an alternative format such as easy read, large text, braille or an alternative language please contact (ENTER CONTACT DETAILS HERE)” People policies also state that they will be written in plain English, whenever possible, acknowledging that references to legal processes and the associated language may sometimes make this challenging. To ensure that they are accessible to all our current and future staff, we will work with our staff and their representatives to establish where other formats may be helpful.		
If any of the above have not been implemented, please state the reason: Click here to enter text.		

Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening
--

Name	Job title	Date
Click here to enter text.	Click here to enter text.	Click here to enter text.

Publishing

This screening document will act as evidence that due regard to the Equality Act 2010 and the Public Sector Equality Duty (PSED) has been given.

If you are not completing 'STEP 2 - Equality Impact Assessment' this screening document will need to be approved and published alongside your documentation.

**Please send a copy of this screening documentation to:
NECSU.Equality@nhs.net for audit purposes.**