

Runnymede Borough Council

Reserve Forces Policy

December 2023

Contents

Purpose.....	3
Provisions	3
Responsibilities of the Employee	3
Special Leave	4
Responsibilities of the Manager.....	4
Mobilisation	4
Review	6

Supporting the Reserve Forces

Purpose

Runnymede Borough Council is committed to supporting employees who volunteer as reservists for the Army Reserve, Cadet Force Adult Volunteers, Royal Auxiliary Air Force, Royal Marine Reserves and Royal Navy Reserves. The Council acknowledges that the training reservists receive provides skills and abilities that are of benefit to the individual and the employer.

This policy is designed to define our obligations towards employees who are members of the Reserve Forces. It outlines provisions for the annual commitment, notification and mobilisation requirements and stipulates that employees will not be disadvantaged or discriminated against as a result of their role as a Reservist.

Provisions

There are four main ways in which the Council can offer support:-

- To allow special paid leave for annual reservists' training
- To be supportive to employees who are mobilised by the Ministry of Defence
- To allow 5 days paid leave for Cadet Force Adult Volunteers, to attend the annual camp. To ensure that reservists are not disadvantaged by their role as reservists

Responsibilities of the Employee

Reservists are required to inform their employer that they are a member of the Reserve Forces and which specific force they belong to so that they can receive the appropriate level of support. This also helps in planning cover, when needed.

Reservists also need to grant permission for the Ministry of Defence to write directly to their employer to ensure they are aware that the employee is a reservist and what rights, obligations and benefits apply. It is the responsibility of reservists to notify the MOD of any changes in circumstances (e.g., change of employer or leaving the Reserve force).

As a general principle, the reservist needs to keep their manager informed about any required training which may involve absence from work or if they anticipate being mobilised on to active duty by the Ministry of Defence to enable the employer to plan coverage in good time.

When notified of the dates when their annual training is to occur, the employee concerned needs to submit a written request to their line manager three months in advance explaining

the nature of the leave requested, and the start and finishing dates of the special leave required.

Special Leave

Reservists

Reservists are required to attend annual continuous periods of training lasting up to 10 days. The Council will take a supportive approach to reservists who need time off to attend their annual training and will grant up to 10 working days paid special leave, subject to being given adequate notice of this leave by the employee so that cover can be arranged, as required. If an employee serves in a reserve force with a higher annual commitment, further leave may potentially be granted on a paid or unpaid basis, subject to the needs of the service.

Cadet Force Adult Volunteers

Cadet Force Adult Volunteers (CFAV's) help instruct and advise Sea, Army or Air Cadets in their free time, usually at weekly training sessions. They work with other Adult Volunteers to deliver a programme of activities for young people ages 10 to 20 (depending on the Cadet Force). CFAV's are not subject to military call up.

Runnymede Borough Council will grant CFAV's up to 5 working days paid special leave to attend the annual camp in the summer. Employees who volunteer as a CFAV, who would like to attend the camp and utilise this provision, must provide their manager with as much notice as possible so that cover can be arranged as required.

Where an individual Volunteer is responsible for camp planning which may involve site visits. Further paid leave to a maximum of three days may be granted, this will be subject to operational circumstances. Employees in a Cadet Force with a higher annual commitment may potentially be granted additional leave on a paid or unpaid basis, subject to the needs of the service. For example, preparatory administration ahead of an annual camp

Responsibilities of the Manager

On receipt of a request for time off for annual training or to attend the annual summer camp, the manager should arrange cover for the absence, as required, and confirm approval of the dates and payment of the leave concerned. The dates of the special absence should be recorded and held by the manager.

Mobilisation

From time to time, reservists may be mobilised to support the regular forces. Typically, this may be for three, six, or nine months but not normally longer than 12 months. Runnymede Borough Council is open to mobilisation periods exceeding 12 months within the context of balancing the needs of the individual with the needs of the MOD and Runnymede Borough Council.

The Reservists will be paid by the Ministry of Defence when they are called up for active duty. Leave for mobilisation is therefore not paid by the employer. In essence, the reservist is given unpaid leave of absence and time spent on mobilisation is counted as continuous service with the Council.

Where such circumstances arise, employers can claim various allowances to contribute towards the costs of covering for reservists. These are as follows:-

One off costs

- Agency fees or advertising costs to recruit a replacement
- A period of handover and takeover costs, 5 days before and after mobilisation.
- 75% of the cost of specialist clothing for the replacement (up to £300)
- Training costs for the replacement during the reservist's mobilisation (up to £2,000)

Recurring Costs

- Costs of temporary replacement (by the amount that such costs exceed the earnings of the reservist)
- Overtime costs if other employees work overtime to cover the work of the reservist

The maximum claim available is £110 per day Applications for these costs must be made to the MOD within 4 weeks of the termination of the full-time Reservist's service. Costs can be claimed for as they arise, you do not have to claim for everything at once. Managers should speak to their designated HR Business Partner regarding the submission of any claims.

The Council would normally release the reservist to report for duty unless there were exceptional circumstances. In such a circumstance, a manager must seek the approval of the Chief Executive to apply for an exemption, deferral, or revocation if the Reservist's absence would cause serious harm to service delivery. It is anticipated that this would only occur in exceptional circumstances. For further assistance in these circumstances managers should contact their designated HR Business Partner at the earliest opportunity.

Reservists should be encouraged to take accrued leave prior to mobilisation and do not normally accrue leave during their period of mobilisation, receiving instead accrued leave entitlement from the MOD which they will receive as post-operational paid leave.

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 Section 17 of The Reserve Forces (Safeguarding of Employment) Act 1985. Normally the Reservist would be re-instated in their former role upon their return, and if not, to a mutually acceptable role on the same terms and conditions prior to mobilisation.

The Council 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.

Review

This is intended as a statement of the policy of Runnymede Borough Council and does not form part of the employee's contract or have contractual effect. This policy may be reviewed, changed, or updated, as required or, if necessary, withdrawn at the discretion of the authority.

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