

Report to: **Cabinet**



Date of Meeting 28 February 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Armed Forces Covenant

Report summary:

To provide information on the legal and other considerations relating to armed forces personnel and the Armed Forces Covenant, advise on current practice and propose future actions.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Committee:

- Note the actions already in place and being progressed to ensure that the Council meets its legal obligation to have due regard to armed forces personnel when carrying out healthcare, housing and education functions, particularly with regard to the completion of impact assessments.
- Approve the proposed further actions that the Council could take.
- Agree to implement an updated Armed Forces Covenant for East Devon District Council.
- Agree that the Council becomes a member of the discretionary Defence Employer Recognition Scheme.
- Support the Council's active engagement in Armed Forces Covenant activity in Devon.

Reason for recommendation:

The Council has a legal duty to have due regard to armed forces personnel when carrying out healthcare, housing and education functions. It is also helpful to review the support offered to armed forces personnel, which includes reviewing the Armed Forces Covenant and considering membership of the Defence Employer Recognition Scheme.

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Communications and Democracy
- Economy
- Finance and Assets
- Strategic Planning
- Sustainable Homes and Communities

Culture, Leisure, Sport and Tourism

Equalities impact Medium Impact

An impact assessment will be undertaken as part of the next steps, should changes to policy/practice be agreed in principle.

Climate change Low Impact

Risk: Medium Risk; Failure to fully comply with the legal duty could leave the Council open to legal claims.

Links to background information

Link to Council Plan

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
-

Report in full

1. This report summarises the policies and practices already in place to support armed forces personnel and to comply with the Council's legal duty to have due regard to armed forces personnel when carrying out healthcare, housing and education functions. It also recommends further actions that can be taken. The report has been written in liaison with the Council's Member Champion for the Armed Forces, Councillor Vicky Johns.

2. Background

- 2.1. The Council has a legal duty under the Armed Forces Act 2021 to have due regard to armed forces personnel when carrying out healthcare, housing and education functions. Due regard should be given to the needs of armed forces personnel when developing, delivering and reviewing policies and decisions that impact on the armed forces community.
- 2.2. Alongside this, the Council can choose to sign up to a formal Armed Forces Covenant, setting out their commitments to the armed forces community. The Council have not reviewed their position regarding the Covenant for some time. The Council can also join the Defence Employer Recognition Scheme, which recognises actions taken to support the employment of people from the armed forces community and which has Bronze, Silver and Gold award standards.
- 2.3. The district of East Devon has a long-standing commitment to and relationship with the armed forces community, including the Commando Training Centre for the Royal Marines at Lympstone. This is the largest military establishment in the district and plays an important role as a training provider and major employer. Recent engagement has identified a number of areas for closer collaboration ranging from recruitment and retention, including for civil service roles, to wider community engagement.

2.4. The recent census states that there are 8559 residents (5.7% of the East Devon population) that previously served in the UK regular or reserved (or both) armed forces. Of those that previously served, 5191 (60.6%) are aged 65 and over. 804 (9.4%) of those that have previously served in the armed forces state that they are in bad or very bad health. The 2021 census data also shows that in households that have one or more service veterans living in the household, 620 are in social rented accommodation and 940 are in private rented accommodation.

3. Actions to date

- 3.1. The Council's equality impact assessment process includes consideration of armed forces personnel and the need to have due regard when developing, delivering and reviewing policies and decisions that impact on the armed forces community.
- 3.2. Personnel leaving, or a former member of the armed forces, can get help with housing from the Council. The Council will carry out an assessment of needs to determine what assistance is available. Individuals who become homeless may also be considered by the Council as being in "priority need" for accommodation and the Council has a duty to provide them with emergency accommodation whilst looking at alternative longer-term options. Consideration of local connection to the area is also considered as part of a homeless application. There is a chapter dedicated to former members of the armed services within the Homelessness Code of Guidance for Local Authorities (Chapter 24). There is also specific mention of how consideration is given to members of the armed and reserve forces in connection with allocations to social housing within the Devon Home Choice Policy (Section 3.10).
- 3.3. Cabinet have recently agreed to continue with the Housing Benefit Modified Scheme policy so that war pensions continue to be disregarded from the calculation of Housing Benefit. The Council also disregards the income from war pensions from the means tested Council Tax Reduction Scheme for both working and pension age claims. In both cases, the Armed Forces Independent Payment (AFIP) is disregarded as income within the legislation.
- 3.4. As an employer the Council has implemented the following:
 - Guaranteed interview if meet essential criteria for both ex-forces and disabled applicants.
 - Advertising of vacancies through the Career Transition Partnership for armed forces leavers.
 - Unpaid leave for reservists who are called up under mobilisation orders.
 - Employee Assistance Programme.
 - Access to mentoring and coaching to help with the transition from forces to civilian working practices.
 - Comprehensive learning and development programme including management development.
- 3.5. Staff views are being sought on the establishment of staff reference groups/networks, including whether there is interest to establish an armed forces group.

4. Proposed further actions

- 4.1. It is recommended that the Armed Forces Covenant is updated, with a proposed version at Appendix 1. This draft has been developed informed by the Council's actions to date and potential future actions, as well as what other local councils have pledged. If agreed this Covenant will be formally signed, published on the Council's website and shared with partner organisations.
- 4.2. Training and a review of guidance is already planned during 2024 to support the Council in undertaking impact assessments and the duty to consider the armed forces community will be included.

- 4.3. Once the Covenant has been updated and published, it is recommended that the Council sign up to the Defence Employers Recognition Scheme, auditing itself against the Scheme's requirements to determine whether it is at Bronze, Silver or Gold standard (an initial assessment suggests we are already at Bronze level). The audit will also help to identify other human resources actions that could be taken, which would then form part of the HR Service Plan.
 - 4.4. Once the updated Covenant is published, the Council will actively engage in more events and activities to promote the Covenant and actions to support the armed forces community. This will be done through the Member Champion, other members and officers and will include promoting the Covenant to partner organisations, contractors and suppliers.
 - 4.5. Engagement with armed forces groups is mentioned in the draft Council Plan and information obtained could then be used to inform decisions about future actions that the Council can take to support the armed forces community.
 - 4.6. A review of leave provision for reservists and cadets will be considered, building on the current additional leave provision.
5. The above is a starting point for further considering the needs of the armed forces community and formally demonstrating our commitment through the Armed Forces Covenant. The Council Plan work will assist the Council in identifying potential other actions that could be taken to support our commitment. The Covenant will be kept under regular review.

Financial implications:

There are no direct additional financial implications from the recommendations in the report.

Legal implications:

The legal issues are covered in the body of the report.



East Devon District Council

We, the undersigned, commit to honour the Armed Forces Covenant and support the Armed Forces Community. We recognise the value Serving Personnel, both Regular and Reservists, Veterans and military families contribute to our business and our country.

Signed on behalf of:
Ministry of Defence

Signed on behalf of:
East Devon District Council

Signed:

Signed:

Name:

Name:

Position:

Position:

Date:

Date:



The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom

His Majesty's Government

– and –

All those who serve or have served in the Armed Forces of the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

Section 1: Principles of the Armed Forces Covenant

- 1.1 We, **East Devon District Council**, will endeavour in our business dealings to uphold the key principles of the Armed Forces Covenant, which are:
- *no member of the Armed Forces Community should face disadvantage in the provision of public and commercial services compared to any other citizen*
 - *in some circumstances special treatment may be appropriate, especially for the injured or bereaved.*

Section 2: Demonstrating our Commitment

- 2.1. East Devon District Council recognises the value that serving personnel, reservists, veterans and military families bring to our organisation and to our country. We will seek to uphold the principles of the Armed Forces Covenant, by:
- **Promoting the Armed Forces:** promoting the fact that we are an Armed Forces-friendly organisation to our staff, customers, suppliers, contractors and wider public, including publishing our Covenant pledge on a dedicated Covenant page on our website.
 - **Acting as an Advocate:** promoting the Armed Forces Covenant to other organisations we work with, encouraging them to seek further understanding of what the Covenant means and to sign their own Covenant.
 - **Nominating an Armed Forces Champion:** the Champion will lead the delivery of our commitments, challenging members and officers as necessary to ensure that we comply with our Covenant requirements.
 - **Veterans:** supporting the employment of veterans, recognising military skills and qualifications in our recruitment and selection process and guaranteeing interviews for veterans who meet the essential criteria in the job specification, working with the Career Transition Partnership (CTP) to support the employment of Service leavers.
 - **Service Spouses & Partners:** striving to support the employment of Service spouses and partners and aiming to provide flexibility, where possible, in granting leave for Service spouses and partners before, during and after a partner's deployment.
 - **Reserves:** supporting our employees who are members of the Reserve Forces including reviewing our leave arrangements to supporting any mobilisations and deployment and actively encouraging members of staff to become Reservists.
 - **Cadet Organisations:** supporting our employees who are volunteer leaders in military cadet organisations, including reviewing leave arrangements to attend annual training camps and courses; actively encouraging members of staff to become volunteer leaders in cadet organisations and recognising the benefits of employing cadets/ex-cadets within the workforce.
 - **Consultation and Engagement:** involving external groups representing the armed forces community in the development of our Council Plan and other strategies and policies. Exploring demand internally for an armed forces community staff network.
 - **Accommodation:** The Council will offer suitable advice to armed forces applicants who present in the district to support access to Housing and will accept the UK Armed Forces Veteran ID Card as proof of status.

- **National Events:** supporting Armed Forces Day, Reserves Day, the Poppy Appeal Day and Remembrance activities.

2.2. We will publicise these commitments through our literature, in staff communications and on our website, setting out how we will seek to honour them and inviting feedback from the Service community, our staff and our customers on how we are doing.