

Title:	Reserve Forces Policy/Armed Forces Covenant
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Sponsor:	Director of Human Resources & Organisational Development
Endorsed by:	Cabinet Member for Corporate Services and Digitalisation
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Introduction

This policy outlines our commitment to supporting ex-military personnel, including veterans, reservists, and their families, in accordance with the Armed Forces Covenant. We recognise the valuable skills, experience, and dedication that individuals from the Armed Forces bring to the workplace and are committed to fostering an inclusive and supportive environment.

Who does the Policy apply to?

This policy applies to all employees and prospective employees. It covers recruitment, selection, employment, promotion, training, performance management, and service provision with the exception of:

- Those employed within schools that have delegated powers.
- Those employed under teachers' terms and conditions.
- Workers who supply services to the Council, such as freelancers or contractors.

The policy does not cover reservists of foreign or allied forces; it applies solely to UK reservists.

Roles and Responsibilities

Swindon Borough Council pledges to uphold the principles of the Armed Forces Covenant by:

- Recognising the contribution of those who serve or have served in the Armed Forces, as well as their families.

- Ensuring fair and equitable treatment of ex-military personnel in recruitment, employment, and career progression.
- Supporting reservists and employees who are part of the Armed Forces community.

Corporate Responsibilities	Employee Responsibilities	Manager Responsibilities
SBC actively encourages applications from ex-military personnel and will work with military transition programs to facilitate their entry into civilian employment.	Reservists need to give their employer's details to their commanding officer. Employers then usually get a letter from the Ministry of Defence (MOD) within 5 weeks of an employee signing up.	
The council does not disadvantage employees who are members of the reserve forces.	As a reservist you should make your manager aware of your commitment and that it could result in you requesting time off. This will help your manager to provide you with the appropriate support and with resource planning.	<p>Recognise military experience as a valuable asset, ensuring that qualifications and skills gained in service are fairly considered during the recruitment process.</p> <p>Line managers who carry out Performance Review meetings with a Reservist should be aware that Reserve Forces activities undertaken by an individual (either through training or mobilisation) bring essential skills into the workplace such as leadership, communication, team working and organisational ability, which ultimately lead to improved performance in the workplace.</p>
SBC actively encourages applications from ex-military personnel and will work with military transition programs to facilitate their entry into civilian employment.	Similarly, you must inform your manager if you cease to be a member of the reserve forces.	Provide Veterans and reservists with tailored support to transition into the workplace, including mentoring, training, and career development opportunities. Recognise that

		significant barriers may exist, and ensure these are explored and addressed through appropriate assessment, targeted communication strategies, and accessible training to support full understanding and consolidation of learning.
Guaranteed interviews will be offered to veterans who meet the essential criteria for the role.	SBC recognises that reservists undergo continual training including annual training which is usually completed over a two week period	Consider flexible working arrangements to support reservists and service leavers adapting to civilian work.
<p>Employees are encouraged to make their status as a member of the armed forces known. That includes being:</p> <ul style="list-style-type: none"> • A former member of the Armed Forces (Regular or Reserve). • A military spouse, partner, or dependent. • Someone who has recently transitioned from military service to civilian employment. • Someone who has caring responsibilities for a veteran or service personnel. 	SBC will grant paid time off (10 days – pro rata for part time employees) for training and annual camp commitments. Any leave required beyond 2 weeks will need to be taken as part of your annual leave entitlement or as unpaid leave (up to 1 week may be granted, pro rata for part time employees).	Make every effort to allow a reservist to attend training camp or other reserve forces training commitments, and only refuse in exceptional business circumstances, providing a written refusal in such cases.
Feedback from ex-military employees will be sought to continuously improve our approach.	Other training commitments should be arranged to take place in your own time or as part of your annual leave entitlement.	<p>Recognise the challenges faced by military families and provide flexibility in working arrangements where possible to support spouses and partners.</p> <p>Additional leave may be considered for employees dealing with deployment-related family commitments.</p>

<p>Post mobilisation, we must offer reservists employment for a certain amount of time, depending on how long they were employed by them before mobilisation.</p> <p>13 weeks employment pre mobilisation = at least 13 weeks further employment</p> <p>13 – 51 weeks employment pre mobilisation = at least 26 weeks further employment</p> <p>52 weeks or more employment pre mobilisation = at least 52 weeks further employment.</p>	<p>To request time off you should give your manager as much notice as possible.</p>	<p>Keep in contact during any period of mobilisation by sending updates, newsletters etc.</p>
	<p>You should receive 28 days' notice of call up but there is no legal minimum so it could be less.</p> <p>The MOD will send an employer information pack either directly to you or to the council. You must notify your manager immediately of your mobilisation and give them the information pack. See section below, 'information on mobilisation'.</p>	<p>You cannot dismiss an employee solely on the grounds of their reserve service duties or ability to be mobilised.</p>
	<p>If you have been mobilised, write to your manager requesting reinstatement within the prescribed time limit.</p> <p>You are also encouraged to informally contact your</p>	<p>Reservists cannot be made redundant due to training or mobilisation. They must be treated the same as other employees if there are redundancies because of closure or business problems.</p> <p>There are some additional considerations when making a Reservist employee</p>

	<p>manager to discuss your return to work at the earliest opportunity, whether via a letter, a meeting or a telephone call.</p> <p>The formal application must be made in writing for it to be valid under the Reserve Forces (Safeguarding of Employment) Act 1985.</p>	<p>redundant if they have returned from mobilised service recently - i.e. if they are still within the protected 13, 26 or 52-week period, depending on their previous length of service.</p>
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Information on mobilisation

1. You should receive 28 days' notice of call up but there is no legal minimum so it could be less.
2. The maximum period for which Reservists may be mobilised is twelve months. The twelve-month period of mobilisation will cover training, deployment, and recuperation after service.
3. Whilst the MOD tries to keep mobilisation to a minimum, by law they can compulsorily mobilise a reservist once in every 3 years.
4. The MOD will send an employer information pack either directly to you or to the council. You must notify your manager immediately of your mobilisation and give them the information pack.

The pack should give information on

- The possible length of your duty
- The statutory rights and obligations of SBC as your employer regarding pay, pension and reinstatement after mobilisation
- Possible financial assistance for the council up to a statutory limit to cover costs incurred in replacing the employee above SBC salary. Any claim must be made within prescribed time limits.

5. In exceptional circumstances SBC can appeal against an employee's call up or request a deferral if it is felt that there would be a business impact, including:
 - Risk of financial harm
 - Reduced ability to provide services
 - An effect on the research and development of new services or processes
6. Information about making an appeal is included in the employer information pack but the request must be made within 7 days of the mobilisation notice.
7. During mobilisation you will receive service pay from the MOD and therefore have no right to receive pay from SBC. This includes sick pay if you are sick or injured during mobilisation. If the Reservist becomes ill post mobilisation, and a notional return to work date has been agreed, they will be covered by the SBC Sickness arrangements/policy.
8. Your date of continuous service will not be affected by any period of mobilisation.
9. During mobilisation you can continue to pay contributions into the local government pension scheme. In this case, the MOD will pay the employers contribution. Alternatively, you can make payments into one of the Armed Forces Pension Schemes. You should seek independent and professional financial advice when making your decision.
10. You should, where possible take any accrued leave before mobilisation begins. You will not accrue leave during your period of mobilisation. On return to work, you will be entitled to pro-rata leave until the end of the leave year.
11. Once you are demobilised, there is a legal obligation for the council to re-employ you back into your original role or a comparable role with the same terms and conditions. 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.

12. Reservists should write to their employer as soon as they know when they can return to work. This must be no later than the third Monday after their last day of service. In the letter you should confirm the date you wish to return to employment. This date should fall within 6 weeks of your last day of full time service with the MOD.
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Additional Information

Reservist	There are two main types of reservist, Volunteer Reservists are civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Army Reserve and Royal Auxiliary Air Force and Regular Reservists who are ex –service personnel who may retain a liability to be mobilised depending on how long they have served in the armed forces.
What is the Covenant Legal Duty?	The Covenant Legal Duty is a legal obligation on certain public bodies (including local authorities, governing bodies of certain state schools, various NHS bodies, and other organisations) to have due regard to the principles of the Armed Forces Covenant when carrying out certain functions in healthcare, education and housing. It has been in force since November 2022.

Data Protection

The Council processes personal data collected in accordance with the Council's [Privacy Notice Policy \(for employees\)](#) and the Council's [Retention & Disposal Policy](#) which are available on the intranet. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council's incident reporting and management process immediately. It may also constitute a disciplinary offence, which will be managed under the Council's [Disciplinary Policy](#).

Equality

An Equality Impact Assessment (EQIA) has been undertaken in relation to this policy in order to identify opportunities to promote and mitigate any negative or adverse impacts on particular groups.

No adverse impacts were identified for any protected characteristic group.

Useful Links and Supporting Information

The Armed Forces Covenant	The Armed Forces Covenant is a promise from the nation that those who serve or have served in the armed forces, and their families, are treated fairly.
Rights and responsibilities for reservists and employers	Rights and responsibilities for reservists and employers : Mobilisation - GOV.UK
Defence Employer Recognition Scheme	The Defence Employer Recognition Scheme (ERS) encourages employers to support defence and inspire others to do the same. The scheme encompasses Bronze, Silver and Gold awards for employer organisations that pledge, demonstrate or advocate support to defence and the armed forces community, and align their values with the Armed Forces Covenant.
Armed Forces Champion	Councillor Junab Ali
The Reserve Forces (Safeguarding of Employment) Act 1985.	An Act to consolidate certain enactments as to the reinstatement in civil employment of members of the reserve and auxiliary forces who have been called into whole-time service in the armed forces of the Crown, and for the protection of the employment of those liable to be called into such service.

Where to find out more

- If you have any questions, in the first instance please contact your manager, or your manager's manager if necessary. Trade Union members can also contact [their Branch](#).
- Should you still need to contact HR please complete a Contact HR Form which can be found on the HR Intranet.