

Armed Forces (Reservists and Cadets) Policy

1. Introduction

- 1.1 The Royal Borough of Kensington and Chelsea has pledged its support for members of the Armed Forces Reserves (reservists) and Cadet Force Adult Volunteers and acknowledges that the training undertaken to enable them to develop skills and abilities that are of benefit to both the individual, the council as their employer and to the wider community.
- 1.2 This document outlines the Council's commitment along with the support the Council as an employer will provide to staff who are Reservists. This policy sets out how we will meet our obligations and assist and support our staff who are reservists, for example by granting additional paid leave that takes into account their unusual leave requirements and where practicable amending an individual's working patterns.

2. Scope

- 2.1 This document applies to all directly employed employees of the council.
- 2.2 The reserve forces include the Army Reserve, Royal Naval Reserve, Royal Marines Reserve and Royal Auxiliary Air Force. Also included are Cadet Force Adult Volunteers.

3. Notification

- 3.1 Reservists and Cadet Force Adult Volunteers are required on an annual basis (1st April or as soon as practicable thereafter) to inform their line manager of their volunteering commitments. This requirement is purely to allow line managers to manage the practical implications of providing volunteer reservists with appropriate and practical support in undertaking their duties as reservists

4. Time off for training commitments

- 4.1 In addition to using annual leave employees who are Reservists or Cadet Force Adult Volunteers will be entitled take to up to 13 days additional paid leave to attend necessary military service training to help them to meet their commitments. The time may be taken in full or half days.
- 4.2 To avoid being unable to take time off when needed, reasonable notice should be provided as far as possible in advance and usually not less than two weeks. Where possible, reservists and

cadets should plan their required leave with their line manager at the start of the leave year to minimise the impact on service delivery.

- 4.3 It is important that time off is discussed with the line manager in the same way as normal annual leave is requested and that the details and category of leave granted are recorded using the IBC self-service portal.

5. Unauthorised absence

- 5.1 Employees should not take any period of leave that has not properly recorded and approved. Instances of unauthorised absence will be managed using the council's absence management procedures.

6. Reservists' call-outs (Mobilisation)

- 6.1 The council has a duty to release a reservist for mobilisation. On being called out for mobilisation, the reservist should present their mobilisation papers outlining the date, and possible duration, of the mobilisation. The Ministry of Defence may also contact the council independently to provide this information.
- 6.2 The Council recognises the personal and logistical difficulties reservists and their immediate family face when a reservist is called out to take part in military operations and will therefore provide up to ten days additional support for employees who are reservists and who are called out as part of a mobilisation. This will consist of:
- to up to 5 days pre-deployment leave to prepare for deployment, and
 - up to 5 days post deployment leave.

In addition, employees whose husband, spouse or partner are mobilised will be entitled to up to 5 days pre-deployment leave.

- 6.3 All leave dates must be requested in the same way as normal annual leave through the IBC portal and approved in advance by the employee's line manager.
- 6.4 The line manager will discuss and agree with the reservist appropriate arrangements for the sharing of information and keeping in touch.

7. Exemptions to mobilisation

- 7.1 The reservist and the line manager have the right to seek exemption from mobilisation if it is believed that the reservist's absence from work on military service would cause seriously

“harm” to service delivery.

- 7.2 The council recognises that the criteria for exemption are strict and will seek an exemption only in exceptional circumstances.

8. Reservists' rights during mobilisation (continuity of employment)

- 8.1 The continuity of the reservist's period of employment is not broken by a period of mobilisation.

8.2 Pay

The council will not pay the reservist's salary or contractual benefits during their absence on military operations. However, the reservist will receive service pay from the Ministry of Defence based on their rank.

8.3 Pensions

The Ministry of Defence will pay the council's contributions to the reservist's occupational pension scheme (as long as the reservist gives an undertaking to continue paying their own contributions to the scheme).

8.4 Annual leave

The reservist will not accrue annual leave with the council during periods of mobilisation.

8.5 Redundancy

A reservist's employment cannot be terminated on the grounds of their military duties or their liability to be mobilised.

Should a redundancy situation occur during mobilisation, for example in the event of organisational change, reservists may be included in the redundancy pool and will be treated consistently and in line with all other directly affected employees.

8.6 Reservists' reinstatement on demobilisation

Regardless of the length of the military action, the mobilised reservist has the right to be reinstated in their substantive post within six months of demobilisation, on terms and conditions that are no less favourable to them than those that would have

been in place but for the enforced absence.

The Council will reinstate the Reservist employee to their former role and provide appropriate support to enable them to perform effectively following their period of mobilisation. In cases where this is not possible, for example due to an organisational change, the Council will ensure that every effort is made to fully explore suitable alternative employment and redeployment opportunities, in accordance with our change management policy and practices.

Policy End

