

Cabinet

13 October 2021

Armed Forces Covenant

Ordinary Decision



Report of Corporate Management Team

Alan Patrickson, Corporate Director of Neighbourhoods and Climate Change

Councillor Paul Sexton, Cabinet Portfolio Holder for Adult and Health Services, Armed Forces Champion

Councillor Michael McGaun, Deputy Armed Forces Champion

Electoral division(s) affected:

Countywide.

Purpose of the Report

- 1 The purpose of this report is to present Cabinet with the refreshed Armed Forces Covenant for endorsement and to agree to signing this at a formal covenant signing ceremony.

Executive summary

- 2 The Armed Forces Covenant is a promise by the nation ensuring that those who serve or who have served in the Armed Forces, and their families, are treated fairly, and will not be disadvantaged in accessing public services by their military service.
- 3 The Council endorsed the signing of an Armed Forces Community Covenant on 16th May 2012.
- 4 The Armed Forces Community Covenant which we originally signed in 2012 no longer exists as a separate covenant and all organisations now sign a single Armed Forces Covenant document.
- 5 By refreshing and re-signing a new Covenant document we will demonstrate our continuing commitment to supporting the Armed Forces Community in County Durham. It will also prepare us for applying to revalidate our MOD Employer Recognition Scheme Gold Award in 2023.

- 6 The report outlines the steps we have taken to be a supportive employer as well as providing support for and working in partnership with the Armed Forces Community in the county.
- 7 The report includes a refreshed Armed Forces Covenant (Appendix 2) for endorsement and informs Cabinet about proposed legislation in relation to the Armed Forces Covenant and the potential implications for the Council.

Recommendation(s)

- 8 Cabinet is recommended to:
 - (a) receive and endorse the Armed Forces Covenant attached as Appendix 2;
 - (b) agree that the Leader sign the covenant at a formal signing ceremony.

Background

- 9 The National Armed Forces Covenant was launched in May 2011 to enshrine the obligation between the Nation, the Government, and the Armed Forces.
- 10 The Armed Forces Covenant is a promise by the nation ensuring that those who serve or who have served in the Armed Forces, and their families, are treated fairly, and will not be disadvantaged in accessing public services by their military service. In some circumstances, special consideration may be appropriate, especially for the injured or bereaved. The Armed Forces Covenant is not about advantaging members of the Armed Forces Community.
- 11 To support the national covenant, the government and armed forces encouraged the development of Community Covenants, which are voluntary statements of mutual support between the civil community and its local Armed Forces Community.
- 12 The Council endorsed the signing of an Armed Forces Community Covenant on 16 May 2012
- 13 In 2018 the Council achieved a Gold Award in the Ministry of Defence's Employer Recognition Scheme. The award recognises employers who demonstrate positive attitudes and policies towards serving and ex-members of the Armed Forces.
- 14 We are now being encouraged by the Regional Defence Employer Engagement team based at the Reserve Forces and Cadets Association for the North of England (RFCA) to refresh and re-sign a new Armed Forces Covenant which will demonstrate our continuing commitment to supporting the Armed Forces Community in County Durham and prepare us for applying to revalidate our Gold Award in 2023.
- 15 This report outlines the steps we have taken to be a supportive employer as well as providing support for and working in partnership with the Armed Forces Community in the county.
- 16 The report includes a refreshed Armed Forces Covenant (Appendix 2) for endorsement and informs Cabinet about proposed legislation in relation to the Armed Forces Covenant and the potential implications for the Council.

Supporting our Armed Forces Community

- 17 Since signing the Covenant in 2012 the Council has taken a range of proactive measures to fulfil our obligations and follow best practice as a supportive employer and as a service provider.

- 18 We have a proactive Armed Forces Forum to encourage all partners within County Durham to work together to take positive measures to prevent any disadvantage to individuals because of military service. The Forum consists of Statutory Partners (Council, Police, Fire, NHS); Armed Forces (Regulars, Reserves, Cadets); Armed Forces Family Federations; Armed Forces Charities. An action plan is in place which reflects the four basic building blocks recommended as the core infrastructure to deliver the local Covenant pledges well, as outlined in the document: [Our Community Our Covenant](#).
- 19 We have implemented a Reserve Forces policy and Cadet Force Adult Volunteers policy which offer up to ten days of paid leave to allow employees who are reservists or uniformed cadet force adult volunteers to attend their annual training.
- 20 Our Recruitment and Selection Policy contains a guaranteed interview scheme for veterans to help those who meet essential criteria overcome barriers to recruitment opportunities. This is for serving personnel who are within 12 weeks of their discharge date or forces personnel who have left the services within the last 3 years. During 2020/21 there were eleven applications made citing the scheme, of these, two people met the essential criteria and were therefore shortlisted, both were successful and appointed.
- 21 In 2019 we introduced Leisure Centre concession rates for serving personnel including Reservists.
- 22 In partnership with three other local authorities in the region we currently contribute to funding an Armed Forces Outreach Service (AFOS). This provides support to servicemen and women, reservists, veterans, and their families with issues such as housing, benefits, employment, finances and health and well-being.
- 23 As part of AFOS we have two ex-service Armed Forces Outreach Workers who act as the first point of contact for armed forces personnel, veterans, and their families. As SSAFA trained case workers, they can offer advice on housing, income, forces pensions, and benefits. They work with organisations such as the Royal British Legion and Citizens Advice to help clients keep on top of payments and bills and can also advise if veterans are entitled to apply for any financial assistance through forces charities or regimental associations which might help to clear arrears, pay for furnishings, adaptations, mobility equipment, repairs and funeral costs for example.
- 24 The outreach workers are trained to help people from the Armed Forces to find a home and settle into the community. Based within Housing Solutions, they can also give general housing advice and help with any

other housing matters or problems such as moving home, homelessness, and rent arrears.

- 25 Veterans and their families can also suffer from ill health (both mental and physical), and loneliness and isolation. The AFOS team can help signpost to appropriate veterans' support services.
- 26 The AFOS team has recently recorded an Armed Forces Awareness training video highlighting the challenges faced by those who make the transition from military to civilian life. This will be available on the Durham Learning and Development platform and will be available to all staff and Members, focusing particularly on Adult Care and Housing staff as well as other frontline workers.
- 27 Our Action Plan for 2021-22 has a commitment to carry out a veterans' health needs assessment. This will involve assessing the health needs of veterans across County Durham to identify areas of unmet need; collate data relevant to veterans and make this accessible; and raise the profile of veterans' health to ensure that needs are identified and considered across all areas of public health with a focus on reducing health inequalities for this population.
- 28 The Council regularly marks Armed Forces Day by raising the Armed Forces Day flag at County Hall. During the Covid-19 pandemic, it has not been possible for the Chairman to hold their usual reception for representatives of the Armed Forces and our employees who are reservists, however we have continued to mark the day with appropriate acknowledgement via social media and a press release.
- 29 The Cabinet portfolio holder for Adult and Health Services acts as our Armed Forces Champion and has issued a briefing note to all Elected Members about our support for the Armed Forces Community and details about AFOS so that Members know where they can refer anyone from the Armed Forces Community who is in particular need. A deputy Armed Forces Champion has also been appointed.
- 30 Through our Area Action Partnerships, we regularly promote and encourage applications to the Armed Forces Covenant Trust local grants programme and other funding opportunities for voluntary and community sector groups supporting the Armed Forces Community.
- 31 We continue to promote knowledge of the Armed Forces Covenant and MOD Employer Recognition Scheme to our supply chain, partners, and Local Councils. To date, eleven local councils have signed the Covenant.
- 32 Our Community and Visual Arts Team have planned an interactive exhibition 'Through Soldiers' Eyes' taking place in Bishop Auckland

Town Hall 10 September to 20 November. The gallery exhibition will show some of the trench art from the DLI Collection, soldiers' art through the ages since WWI, and featuring the contemporary artwork and photography of veterans, serving personnel, recent service leavers, and their families. These images will portray life in the services, the places, people, cultures, and experiences our serving personnel encounter during their time in and after their service years.

- 33 Intergenerational work is also taking place, recording oral histories with older veterans led by cadets. We are also developing a school theatre performance for the main theatre around Remembrance Day.
- 34 The exhibition is not a documentary of war, but a brief snapshot of everyone's personal journey. It will challenge its audience in how they think about our Armed Forces taking them on a journey through Armed Forces life in times of peace, conflict, repatriation, and rehabilitation and hopefully raise the awareness to wider communities of our Armed Forces communities who live among us.
- 35 In all the ways outlined in paragraphs 17-34 above, we demonstrate our ongoing commitment to supporting the Armed Forces Community by being an Armed Forces friendly organisation.

Refreshed Armed Forces Covenant

- 36 The purpose of refreshing the Armed Forces Covenant is to bring us in line with other local authorities, public sector partners, businesses, and charities.
- 37 The Armed Forces Community Covenant which we originally signed in 2012 no longer exists as a separate covenant and all organisations now sign a single Armed Forces Covenant document (Appendix 2).
- 38 By signing the new Armed Forces Covenant document, the Council commits 'to honour the Armed Forces Covenant and support the Armed Forces Community'. It asks that: 'We recognise the value of Serving Personnel, both Regular and Reservists, Veterans and military families contribute to our business and our country'.
- 39 The text of the national covenant is then outlined. This is followed by the two 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.

- 40 The final section gives us an opportunity to demonstrate our commitment by outlining how we will seek to uphold the principles of the Armed Forces Covenant.
- 41 The pledges we are making are based on the draft pledges suggested by the MOD covering the range of Defence personnel for whom support may be given. The pledges are in line with the current support which we offer to the Armed Forces Community. Pledges may be changed anytime in the future to reflect changing circumstances.
- 42 The pledges being proposed for endorsement by Cabinet are:
- (a) promoting the fact that we are an Armed Forces-friendly organisation;
 - (b) supporting Armed Forces Day, Reserves Day, and Remembrance activities;
 - (c) supporting the employment of veterans through our guaranteed interview scheme;
 - (d) supporting our employees who are members of the Reserve Forces; granting additional paid leave for annual Reserve Forces training; supporting any mobilisations and deployment;
 - (e) supporting our employees who are uniformed cadet force adult volunteers in cadet organisations, granting additional leave to attend annual training camps and courses; seeking to support local cadet units in our local community where possible;
 - (f) endeavouring to offer a degree of flexibility in granting leave for Service spouses and partners, before during and after a partner's deployment;
 - (g) offering concession rates for serving personnel including Reservists at Council leisure centres;
 - (h) working proactively with other local authorities and relevant partner organisations across the North East region to provide tailored support for members of the armed forces community.
- 43 We will publicise these commitments on our web platforms and invite feedback from the Service community and our customers on how we are doing.

Armed Forces Covenant – New Legislation

- 44 As stated in the Government's manifesto pledges and in the Queen's Speech, the Armed Forces Covenant will now be further incorporated

into law to help prevent disadvantage faced by the Armed Forces Community due to the unique nature of service in the Armed Forces.

- 45 The Government is introducing legislation, through the Armed Forces Bill, to increase awareness of and, in turn, improve the delivery of the Covenant in those key areas that are fundamental to a good life, while retaining the ability of local service providers to honour the Covenant in the best way to suit local needs.
- 46 The aim of the new legislation is to increase awareness among service deliverers and policy makers of the unique obligations and circumstances facing the Armed Forces Community, and to build understanding of how these can affect their requirements of, and ability to access, key public services.
- 47 By embedding this understanding in public sector decision-making via a new statutory duty to have due regard to the Covenant, this legislation will help improve overall delivery of public services in relation to the Armed Forces Community.
- 48 The focus of the legislation will be on local and regional service provision, covering those aspects of public housing, education and healthcare that are most likely to affect serving and former members of the Armed Forces and their families.
- 49 The legislation will impose a new duty on relevant public bodies, when exercising certain aspects of their public functions, to have due regard to:
 - (a) the unique obligations of, and sacrifices made by, the Armed Forces;
 - (b) the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the Armed Forces;
 - (c) the principle that special provision for Service People may be justified by the effect on such people of membership, or former membership, of the Armed Forces.
- 50 The new duty will apply to relevant public bodies exercising specified public functions in the education, healthcare, and housing sectors. This includes local authorities.
- 51 The private sector is not in scope. Where relevant functions have been contracted out to private companies, the public body responsible for managing the contract will be subject to the proposed legislation and

will need to ensure that policies and processes of the contractor are compliant.

- 52 The legislation will not mandate specific public service delivery outcomes or advantageous treatment of the Armed Forces Community. It is designed to ensure that the relevant decision-makers consider the issues facing the Armed Forces Community in these key areas that impact upon their day-to-day lives.
- 53 Under the new duty, those public bodies in scope will be required to have 'due regard' to the three principles of the Armed Forces Covenant when formulating policy and taking decisions in specified areas.
- 54 The requirement will be like other duties to have due regard already in operation, such as the Public Sector Equality Duty. As with those existing duties, the legislation will not be defining exactly how the requirement to have due regard can be met. Accompanying statutory guidance, which public bodies will be required to consider, will provide advice and examples of best practice to indicate how bodies might comply with the duty.
- 55 The Armed Forces Bill is currently at committee stage following its second reading in the House of Lords.
- 56 Renewing our commitment and signing a refreshed Armed Forces Covenant will help prepare us for the new legislation when it becomes law.

Conclusion

- 57 The opportunity to refresh and renew our commitment to the Armed Forces Covenant is timely as it gives the new Cabinet and the new Armed Forces Champion an opportunity to publicly declare our commitments on behalf of the Council.
- 58 Having a refreshed Covenant signed will also strengthen our application to revalidate our Gold Award in 2023 and prepare us for the new statutory duty to have due regard for the principles of the Armed Forces Covenant.

Background papers

- None

Other useful documents

- Cabinet report 18 April 2012 [Armed Forces Community Covenant](#).

Author(s)

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Appendix 1: Implications

Legal Implications

The Armed Forces Bill, currently going through parliament, places a new statutory duty on local authorities to have due regard to the Covenant.

Finance

There are no anticipated financial implications as a consequence of re-signing the Armed Forces Covenant. The two Armed Forces Outreach Worker posts referenced in the report are funded by Adult & Health Services until 31 March 2023. All other work is carried out within existing resources.

Consultation

No requirement for public consultation has been identified.

Equality and Diversity / Public Sector Equality Duty

The overall aim of the Covenant is to ensure that those who serve or who have served in the Armed Forces, and their families, are treated fairly, and will not be disadvantaged in accessing public services by their military service.

The covenant should impact positively in terms of working age and disability. There is insufficient evidence of differential impact on other protected groups and this will be monitored and assessed as the Armed Forces Bill becomes law.

Climate Change

None.

Human Rights

The Covenant recognises the unique obligations of, and sacrifices made by, the Armed Forces and that in some circumstances special consideration may be appropriate, especially for the injured or bereaved.

Crime and Disorder

Our Armed Forces Forum includes partners from Durham Constabulary, the prison service and probation and is mindful of the needs of veterans in custody.

Staffing

None.

Accommodation

None.

Risk

Not renewing the Covenant risks reputational damage.

Procurement

None.

Appendix 2: The Armed Forces Covenant



Durham County 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:
Durham County Council

Signed:

Name:

Position:

Date:



The Armed Forces Covenant

An Enduring Covenant Between
The People of the United Kingdom
Her 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 **Durham County 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 We recognise the value serving personnel, reservists, veterans and military families bring to our business and to our country. We will seek to uphold the principles of the Armed Forces Covenant, by:

- Promoting the fact that we are an Armed Forces-friendly organisation.
- Supporting Armed Forces Day, Reserves Day, and Remembrance activities.
- Supporting the employment of veterans through our guaranteed interview scheme.
- Supporting our employees who are members of the Reserve Forces; granting additional paid leave for annual Reserve Forces training; supporting any mobilisations and deployment.
- Supporting our employees who are uniformed cadet force adult volunteers in cadet organisations, granting additional paid leave to attend annual training camps and courses; seeking to support local cadet units in our local community where possible.
- Endeavouring to offer a degree of flexibility in granting leave for Service spouses and partners, before during and after a partner's deployment.
- Offering concession rates for serving personnel including Reservists at Council leisure centres.
- Working proactively with other local authorities and relevant partner organisations across the North East region to provide tailored support for members of the armed forces community.

2.2 We will publicise these commitments on our web platforms and invite feedback from the Service community and our customers on how we are doing.