



## **Policy on the Employment of Reservists and Armed Forces Veterans 2018-21**

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Policy owner: Chief Human Resources Officer  
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The next review of this Policy is scheduled by January 2021.

## **1. Introduction**

This policy sets out how the University of Chichester supports its employees who are volunteer Reservists ('Reservists') in the British Armed Forces community and outlines the support provided for the appointment of veterans or ex-British Armed Forces personnel into University roles.

The University recognises the vital role that the Armed Forces play and the valuable contribution that Reservists and veterans make to the national interest. Reservists and veterans bring a variety of transferable skills and qualities to the University such as leadership, team working, communication and organisational ability, developed during military careers.

## **2. Principles of this policy**

This Policy applies to all full-time and part-time staff employed in established posts across the University.

This policy does not form part of an employee's contract of employment and may be amended at any time.

Within the context of the University of Chichester, a Reservist is taken to mean an employee who has a reserve commitment to the British Armed Forces by being a member of the Volunteer Reserve Forces. The Volunteer Reserve Forces consist of the Royal Naval Reserve, the Royal Marines Reserve, the Territorial Army and the Reserve Air Forces.

The University will:

1. Support membership of the Reserve Forces by its employees.
2. Support employees who are compulsorily mobilised for service in the Armed Forces.
3. Agree, wherever possible, to be flexible in granting time off to enable employees to undertake Reserve a service training.
4. Support Reservists taking time off for training with two weeks paid leave (where there are several reservists in one department/team, departmental priorities will be considered alongside requests to take time off for training). Leave requested in excess of these days may be granted, subject to the line manager's approval, to be taken from the employee's annual leave entitlement or as unpaid leave.
5. Ensure that staff who are absent from work due to mobilisation and/or at training events will not be treated adversely.
6. Publicise our commitments to the Armed Forces through the University's website/intranet, staff recruitment material and the Employee Handbook.

## **3. Mobilisation**

Reservists give up their time to train and serve alongside the regular forces. Reserve roles are diverse: as well as taking part in operational deployments, Reservists are called out to help with emergency situations in the UK, undertake military ceremonial duties and engage with local communities. Reservists often combine a military role with a civilian career and as Reserves, they may be mobilised at any time for full-time operations and will be required to attend training, for example at a training camp and/or to participate in events such as Armed Forces Day.

There are two main types of mobilisation: voluntary - where Reservists may volunteer for mobilisation to experience the challenges of deployment and to put their training to practical use, and compulsory - where Reservists are called out for military operations to supplement the Regular Forces on their operations. Where voluntary, the consent of the University is necessary before voluntary mobilisation can take place.

The Reserve Forces Act 1996, provides for three main powers under which mobilisation can take place:

1. If it appears that national danger is imminent or a great emergency has arisen or in the event of an actual or apprehended attack on the United Kingdom.
2. If it appears that warlike operations are in preparation or progress.
3. If it appears necessary or desirable to use Armed Forces on operations outside the United Kingdom for the protection of life or property; or on operations anywhere in the world for the alleviation of distress or the preservation of life or property in time of disaster or apprehended disaster.

The maximum period of mobilisation depends on the scale and nature of the operation and it can last for several months. A period of mobilisation contains three distinct phases: pre-deployment training dependent on the nature of the conflict, the operational tour itself and post-tour leave. Although the Reserve Forces Act gives no statutory requirement for a warning period prior to mobilisation, subject to the severity and immediacy of the crisis, the Reservist will receive at least three weeks' warning of the date that they are required to report for mobilisation, but this could be less if they are needed urgently.

#### **4. Contractual implications**

In the event of compulsory or voluntary mobilisation, the contract of employment with the University will be continuous and the individual will be granted unpaid leave.

The continuity of the Reservist's period of employment with the University will not be broken by the period of mobilisation if the employee is reinstated to their former employment within six months of demobilisation.

There will be no entitlement to pay or benefits during the mobilisation when the individual is absent from work. During mobilisation, the Ministry of Defence will assume responsibility of the Reservists salary, paying a basic rate according to the Reservist's rank. It is the Reservist's responsibility to claim the difference from the Ministry of Defence if service pay is less than what the Reservist would receive from the University.

Reservist members of staff will not accrue annual leave with the University during the period of mobilisation. This is because Reservists accrue annual leave with the Ministry of Defence whilst they are in full-time service – when they demobilise Reservists are entitled to a period of post-operational leave paid by the Ministry of Defence.

The rules of the Teachers' Pension Scheme and/or the Local Government Pension Scheme may set out differently how Pensions are dealt with during mobilisation. Reservists may wish to continue contributing to their pension scheme while they are mobilised. Usually the Ministry of Defence will make up the employer contributions for the period of mobilisation, as long as the Reservist continues to make their personal contributions.

During the period of mobilisation, the Reservist will continue to accrue rights in relation to length of service where this is outlined in the University's service-related occupational sickness pay scheme. Should a Reservist become sick or injured during mobilisation they will be covered by the Ministry of Defence Medical Services and any financial assistance will continue to be received (including pay) until demobilised. If the sickness or injury continues and this results in early demobilisation, the Reservist will remain covered by the Ministry of Defence until the last day of paid military leave. After this time, the Reservist will be covered by the University's sickness policy and pay arrangements on return to work.

## **5. Returning to work**

The Reserve Forces (Safeguard of Employment) Act 1985, provides protection for a Reservist by making it unlawful for their contract of employment to be terminated without their consent solely or mainly because they have a liability to be mobilised.

Regardless of the length of military action, the mobilised Reservist has the right to be reinstated to their former role with the University within six months of demobilisation, on terms and conditions that are no less favourable than those in place before mobilisation. If it is not reasonably practicable to reinstate the employee to their former role, the University will re-engage them in the most favourable role that is reasonably practicable in the circumstances.

After service, Reservists are given a period of leave. If the employee wants to return to work before the end of their leave, they must get permission from either their commanding officer or the demobilisation centre. The University cannot force a Reservist to return to work before their leave finishes.

It is essential that Reservist employees provide formal written notice to the University (to their line manager and/or Human Resources) to confirm the arrangements for their return to work. Reservist employees should contact their line manager to discuss and agree arrangements, prior to confirming in writing. The employee must provide this notice no later than the third Monday after their last day of military service. Once received, Human Resources will acknowledge receipt of this formal notification confirming pay and re-integration arrangements on return to work.

Returning to work for a Reservist can be a daunting experience when they have been mobilised. Line managers will take all reasonable steps to support the Reservist's re-integration into their role/department, ensuring that they provide an update on any changes and/or developments whilst the Reservist has been away. Line managers will discuss and agree any training requirements to support departmental priorities.

## **6. Reservists responsibilities**

Reservists are strongly encouraged to inform the University that they are a member of the Volunteer Reserve Forces and/or intend to become Reservists. It is expected that staff will raise this on appointment to the University and/or during the course of their employment if they volunteer to become a Reservist. This will enable the University to deal with the practical implications, e.g. to arrange cover, and to provide appropriate support for the employee.

Reservists are responsible for providing correct information to the University about their training commitments and any other issues that may affect their employment with the University. To avoid employees being unable to take time off when needed, they should apply for additional leave as soon as possible if they are informed they need to take time off work for training purposes. Any agreed time can only be used for days when the employee is undertaking Reservist activities.

## **6. Procedure**

In the event of compulsory mobilisation, Reservists will notify their Head of Department and will confirm the anticipated timings. Reservists should receive a mobilisation pack, which will include a letter addressed to the University setting out the date, possible duration of the mobilisation and statutory rights. A copy of this letter will be retained by Human Resources

for record purposes. The employee will be granted unpaid leave for the duration of the mobilisation and the arrangements will be confirmed in writing.

In the event that Reservists are required to undergo training, they will notify their line manager as soon as possible to enable line managers to agree appropriate cover arrangements.

The University recognises that, under the Reserve Forces (Safeguard of Employment) Act 1985, if it believes that the employee's absence on military service is likely to do 'serious harm' to the business of the University, the University may apply for an exemption, deferral or revocation of mobilisation. The University recognises that the criteria for exemption, deferral or revocation are strict and an application will only be made in exceptional circumstances.

## **7. Recruitment of Armed Forces veterans**

As part of the University's commitment to ensure that ex-armed forces personnel are not disadvantaged as a result of their service, veterans of the armed forces are encouraged to apply for jobs at the University. Recruiting panels will recognise military skills and qualifications when shortlisting and interviewing for positions.

The University will advertise roles, where appropriate, through 'service friendly' media and will interview where the recruitment panel confirms that the candidate meets the selection criteria for a particular job.

Where appropriate, the University will work with the Government's Career Transition Partnership to help ex-service people to find a new civilian career or job at the University.

## **8. Further details**

Further help and guidance can be obtained from the following sources:

**SaBRE Website:** [www.sabre.mod.uk](http://www.sabre.mod.uk)

Includes information on rights, exemptions and appeals, financial assistance and welfare.

**West Sussex County Council Website:** [www.westsussex.gov.uk](http://www.westsussex.gov.uk) for details on job-spotlight/become-an-armed-forces-reservist/support for mobilised Reservists.

**Government website:** [www.gov.uk](http://www.gov.uk) for details on employers/employees rights.

Further information is also available via the websites for the Royal Navy, the Army and the Royal Air Force.

**Human Resources Department:** [hr@chi.ac.uk](mailto:hr@chi.ac.uk). Informal enquiries can be discussed with designated 'lead' HR Officers and/or staff are welcome to contact the Chief Human Resources Officer : [E.Whitaker@chi.ac.uk](mailto:E.Whitaker@chi.ac.uk); or the Human Resources Manager (Recruitment): [C.Meneely@chi.ac.uk](mailto:C.Meneely@chi.ac.uk).