

Version	2
Last Revision Date	May 2015



Line Manager and Reservist **Guidance**

DOCUMENT CONTROL	
POLICY NAME	Line Manager and Reservist Guidance
Department	Human Resources
Telephone Number	01443 424075
Initial Policy Launch Date	May 2014
Reviewing Officer	Dilys Jouvenat
Review Date	
Date of Equality Impact Assessment	May 2014
REVISION HISTORY	
Date	Revised By
May 2915	Dilys Jouvenat
DOCUMENT APPROVAL	
This document has received approval from:	Date of Approval
HR Senior Management Team	May 2014
Corporate Management Team	
Cabinet	

CONTENTS

Introduction	1
What is a Reservist?	1
Statement of Support	1
Recording Reservist Details	2
Managing Training Commitments	2
Performance Review/Appraisal	3
Managing Mobilisation.....	3
Pay	4
Payroll.....	5
Pension.....	5
Annual Leave.....	5
Financial Assistance.....	5
Demobilisation.....	6
Return to work.....	6
After care and support.....	7
Annex 1 – Manager’s checklist	9
Annex 2 – Reservist’s checklist	12
Template A – Mobilisation Letter	14
Template B – Return to Work Acknowledgement Letter	17

1. **INTRODUCTION**

This document explains procedures for managers and employees. It covers:

- Actions for employees, or if they want to become Reservists
- Guidance for line managers on how to manage Reservists
- Managing requests regarding time off for training
- Guidance and actions for when a Reservist is mobilised, demobilised and returns to work.

2. **WHAT IS A RESERVIST?**

There are two main types of Reservist:

- Volunteer Reservists - civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Army Reserve, Royal Auxiliary Air Force and Reservist Commissioned Cadet Force Officers.
- Regular Reservists - ex-regular servicemen who may retain a liability to be mobilised depending on how long they have served in the Armed Forces.

They make up a significant element of the nation's total defence capacity and are called upon as individuals for their specialist skills or as ready formed units when required. They receive the same world class training and develop the same skills as their regular counterparts, which means they can carry out the same roles to the exacting high standards

3. **STATEMENT OF SUPPORT**

The Council will continue to treat the contracts of employment of employees mobilised for Reserve Service as operable throughout the period of such service and there will be no loss of continuous service or service related benefits.

[Under The Reserve Forces Act (Safeguarding of Employment) Act 1985, an employee's service is terminated on mobilisation, but providing the employee follows the correct notification procedure under the Act, he or she can return to employment upon which their continuity of service will be restored]

The Council aims to support our employees who are members of the Reserve Forces with a commitment to train regularly and a liability to be mobilised for a period of full time military service. Line Managers should support these commitments and work with the Reservist employee to facilitate training requests and longer periods of absence for mobilisation. For their part, the Reservist employee has a responsibility to manage these requests by providing adequate notice for training commitments to enable Line Managers to plan accordingly.

4. **RECORDING RESERVIST DETAILS**

If an employee is a Reservist, is considering renewing their Reservist commitment or is interested in joining the Reserve Forces, they must discuss this with their manager prior to any action.

Both the manager and the employee should familiarise themselves with the Reservist HR Policy, and this guidance. Managers should maintain a record of the Reservist's details which should be updated to reflect training and mobilisation commitments.

Reservists must also have consent from their employer if they intend to volunteer for High Readiness Reservist status (making them liable to be deployed with minimal notice).

5. **MANAGING TRAINING COMMITMENTS**

The Council is committed to granting additional paid leave of two weeks per year to Reservists specifically to enable them to attend their annual camp. [Legally employers are not obliged to grant leave for attending training]

Additional unpaid leave or annual leave from the employee's normal annual allocation of up to 5 days will be granted for short periods of training provided adequate notice is given and where such training cannot be undertaken in off-duty time. Attendance at weekend training which cannot be undertaken during off-duty will be subject to the same arrangements.

Line Managers will be flexible and aim to facilitate work rosters to allow attendance at annual camp and other training commitments e.g. weekly or weekend training sessions.

Reservist employees should give managers as much notice as possible to allow appropriate planning for absences. Permission once given will not be rescinded unless there are exceptional circumstances.

Reservists are typically committed to 24-40 days training per year. Training tends to take place one evening per week, over various weekends throughout the year and one two- week training period also known as 'annual camp'. Training commitments vary but in most cases include:

- **Weekly training** - most Reservists train at their local centre for around two-and-a-half hours, one evening a week.
- **Weekend training** - all Reservists are expected to attend a number of training weekends which take place throughout the year.
- **Annual training**—a two- week course sometimes referred to as 'annual camp'. This may take place at a training establishment, as an attachment to a Regular Unit, a training exercise or a combination of any of these. Training normally takes place within the UK, although each year some Reservists train overseas

Performance Review/Appraisal

Experience gained through routine training (and mobilisation) brings essential skills into the organisation, such as leadership, communication, team working and organisational ability. These skills and abilities lead to improved performance in the workplace and should be recognised and taken into consideration in an individual's performance review/appraisal as well as considered as evidence of achievement in the application of knowledge and skills.

6. MANAGING MOBILISATION

Mobilisation is the process of calling Reservists into full time service with the Regular Forces, in order to make them available for military operations. The maximum period of mobilisation will depend on the scale and the nature of the operation and is typically no longer than 12 months.

Call-out papers will be issued as formal notification of a Reservist's mobilisation. Both the Reservist and their employer will receive a call-out pack. These will be sent by post to the Council or sometimes delivered in person by the Reservist. The documentation will include the call-out date (when the Reservist must report for duty at a specified mobilisation centre) and the anticipated timeline. Whenever possible, the MoD aims to give at least 28 days' notice of the date that the Reservist will be required to report for mobilisation, although there is no statutory requirement for a warning period prior to mobilisation.

A period of mobilisation comprises three distinct phases:

- Medical and pre-deployment training;
- Operational tour;
- Post-operational tour leave

The Council supports mobilisation in all but exceptional circumstances and will release the employee for Reserve service.

A call-out notice can be appealed if the Reservist absence is considered to cause serious harm to the business. Details of how to apply for a deferral/exemption or revocation of a call-out notice, as well as deadlines for appeal, are included in the employer's call-out pack.

6.1 Mobilisation Actions

Line Managers should do the following:

- Inform HR of impending mobilisation and first day of full time service so HR/payroll can adjust pay and benefits accordingly
- Complete consent form included in the call-out pack and any internal paperwork regarding mobilisation (consider template letter A within this guidance)
- Meet with Reservist employee to discuss mobilisation. This should include:
 - Handover of work
 - Return of any equipment
 - Agree employee benefits entitlements and required actions (refer to checklists within this guidance that cover these e.g. Pay, benefits, pension arrangements etc)
 - Keeping in touch - exchange contact details (e.g. email addresses) to enable both parties to do so. This will help with a smooth reintegration of the Reservist back into the workplace. Next of Kin details should also be updated.

6.2 Terms and Conditions during Mobilisation

The Council will continue to treat the contracts of employment of employees mobilised for Reserve Service as operable throughout the period of such service and there will be no loss of continuous service or service related benefits.

[Under The Reserve Forces Act (Safeguarding of Employment) Act 1985, an employee's service is terminated on mobilisation, but providing the employee follows the correct notification procedure under the Act, he or she can return to employment upon which their continuity of service will be restored]

Pay

The MoD will assume responsibility for the Reservist's salary for the duration of their mobilisation. They will pay a basic salary according to the Reservist's military rank. If this basic element is less than the Reservist receives from the Council, it is the Reservist's responsibility to apply to the MoD for the difference to ensure that they suffer no loss of earnings. This is known as a Reservist Award.

The Council should suspend the Reservist's salary during the period of mobilisation.

Payroll

It is recommended:

- Not to issue a P45 (in line with HMRC guidance)
- For payroll purposes to put the individual on a period of 'special leave'

Pension

If the Reservist is a member of the Council pension scheme and the employer suspends the employer contribution, and the Reservist chooses to remain within it, then the MoD will make the employer contributions for the period of mobilisation, as long as the Reservist continues to make their personal contributions.

Annual Leave

Reservists should be encouraged to take any accrued annual leave before mobilisation. The Council does not need to accrue annual leave for a Reservist during the period of mobilisation. Reservists accrue annual leave with the MoD whilst they are in full time service and this is factored in to the mobilisation period.

7. FINANCIAL ASSISTANCE

Over and above covering the Reservist's salary and contractual benefits so that they are not disadvantaged during mobilisation, the MOD will also cover additional costs incurred by the employer as a result of the Reservist's mobilisation. These include:

Recurring costs:

- Overtime costs, if other employees work overtime to cover the work of the Reservist
- Costs of temporary replacement by the amount that such costs exceed earnings of the Reservists

The maximum claim available is £110 per day (£40,000 per annum). Claims can be made for every normal working day that the Reservist is away on service. An application for one-off costs and recurring costs must be made within 4 weeks of the end of full time Reservist service.

One-off costs:

- Agency fees, if a recruitment agency or employment agency is used to find a temporary replacement; or
- Advertising costs
- No financial cap on claims, but any claim must be supported by relevant documentation

- Handover costs of five days before mobilisation and five days on return to work (subject to cap, what is that?)
- Specialist Clothing costs, up to 75% (to a maximum of £300) for purchasing specialist clothing for a person who replaces a Reservist during a period of mobilisation.
- Training costs up to £2000 of the costs of training necessary for a Reservist's replacement during mobilisation, to ensure that they are as effective as possible in the role.

Training award:

If a Reservist has to undertake additional training as a direct result of their mobilisation (routine training excluded), then the Line Manager can make a claim for the cost. This training must be claimed for within 8 weeks of the Reservist returning to work and the training must be commenced within 6 months of the return to work.

8. DEMOBILISATION

Once a Reservist's deployment finishes they are demobilised at a nominated demobilisation centre. The Reservist undergoes checks including a medical and period of leave will follow. The employer will be notified of the demobilisation date and once leave has been calculated, they will be notified of the Reservist's last day of military service date. After this date, the Reservist can return to work.

9. RETURN TO WORK

Both the Reservist and their employer have obligations under The Reserve Forces (Safeguarding of Employment Act) 1985 regarding the return to work process

Reservist:

The Reservist must write to their employer by the third Monday after their last day of military service making their request to return to work and suggesting a date which should fall within 6 weeks of their last day of full-time service. This letter formally starts the return to work process. They are also encouraged to informally contact the employer to discuss their return to work, whether via a letter, a meeting or a telephone call. The formal application must be made in writing for it to be valid under the Act.

Where possible the Reservist should be reinstated to their former role. If this is not available then a mutually acceptable role on the same terms and conditions prior to mobilisation should be offered.

If a Reservist is not happy with the offer of alternative employment they must write to the employer stating why there is reasonable cause for them not to accept it. If a Reservist believes that an employer's response to their application denies their rights under the Safeguard of Employment Act 1985, an application can be made to a Reinstatement Committee for assessment. This committee will consider the Reservist's application and, if they accept it, can make an order for reinstatement and/or compensation.

Employer:

The Employer has an obligation under Reserve Forces (Safeguarding of Employment) Act 1985 to reinstate the Reservist, where possible to their former role, if not a mutually acceptable role on the same terms and conditions prior to mobilisation.

Line Managers should acknowledge and respond to informal and formal contact from the Reservist with regards to return to work arrangements. (Consider Template Letter B – to be sent to the Reservist on receipt of their formal notification letter requesting return to work.)

The Reservist should be reinstated within 6 weeks of the last day of their military service. They must be reinstated for a minimum period of 13, 26 or 52 weeks, depending on their length of service prior to mobilisation. A Reservist is not immune from a Council restructure and can be included in a redundancy pool but must be treated equally to other employees throughout the process.

10. AFTER CARE AND SUPPORT

Helping to ensure a smooth re-integration into the workplace/team will require consideration. Line managers should:

- Provide returning Reservist with an update on changes and developments in the organisation
- Offer specific refresher/re training where sought/considered necessary particularly if role has evolved/changed
- Encourage informal get together with colleagues before or soon after the return to work to prevent feeling of dislocation
- Discuss any health concerns. If there is concern that a Reservist may be experiencing issues (i.e. physical / mental health) as a result of their deployment then Reservist should be encouraged to seek advice/help and consult their unit/GP.

Further sources of guidance and information can be obtained from the following:

- SaBRE (Supporting Britain's Reservists and Employers)
www.sabre.mod.uk

Helpline: – 0800 389 5459. This is a free telephone helpline open during office hours where advice and guidance can be obtained on training, mobilisation and employment issues.

- Royal Navy website: www.royalnavy.mod.uk/the-fleet/maritime-reserves
- Army website: www.army.mod.uk/join/20233.aspx
- Royal Air Force website: www.raf.mod.uk/rafreserves

Annex 1 – Manager’s checklist

Employee’s Name:	
------------------	--

Actions	Completed	Notes
Recording Reservist Details		
Acknowledge and respond positively to enquiries from employees who are interested in becoming Reservists or renewing their commitment		
Familiarise yourself with the Reservist HR Policy, and this guidance document which details our responsibilities.		
Maintain accurate records of employees who are Reservists and details of Reserve Unit, Reservist activities, such as training, mobilisation etc.		
Managing Training Commitments		
Respond positively to all requests for training and apply Council policy on extra leave for Reservists		
Managing Mobilisation		
Ensure Reservist’s next of kin details are up to date.		
Note and agree anticipated dates of Reservist’s mobilisation demobilisation and return to work.		
Calculate Reservist’s annual leave entitlement prior to mobilisation and agree leave with the Reservist as per the annual leave policy.		

Actions	Completed	Notes
Arrange method and frequency for keeping in touch.		
Note contact details, email and postal addresses.		
Arrange a handover of work.		
Arrange suitable cover to ensure work is completed.		
Complete and issue mobilisation letter (Template A).		
Terms and Conditions during mobilisation		
Ensure the Reservist understands what happens to their pay, benefits, pension, loans etc. during mobilisation		
Ensure the Reservist has completed the pension scheme choice declaration detailed in their Call Out papers.		
Confirm pension payee details as per the employer's call-out pack.		
Make an application for Financial Assistance as appropriate (details in employer's call-out pack)		
Ensure all equipment e.g. Laptop/mobile are returned as appropriate		
Inform payroll that the Reservist is mobilised and change status to unpaid special leave.		
During mobilisation		
Provide support during periods of active service, through mutually agreed keeping in touch arrangements, and upon their return to work.		

Actions	Completed	Notes
Demobilisation		
Respond to informal/formal contact from Reservist (or next of kin) regarding returning to work (Letter Template B)		
Set up meeting and agree Reservists return to work date.		
Take forward any actions arising from the meeting including any necessary reasonable adjustments.		
If the Reservist does not make contact within 3 weeks, contact HR for guidance and next steps		
Return to Work		
Reservist's return to work: Liaise with HR and Payroll to reconfirm dates		
Identify any transferable skills acquired whilst mobilised and how they can be used back in the workplace.		
Provide on-going support during the transition period.		

Annex 2 – Reservist’s checklist

Actions	Completed	Notes
Recording Reservist Details		
Inform manager about membership of the Reserve Force and advise them of Unit details and Reservist training and mobilisation commitments as soon as dates are known.		
Ensure military records are updated with Employer details [Employer Notification Policy]		
Read the information available from SaBRE.		
Managing Training Commitments		
Consider options for leave and apply Council policy regarding Reservist training		
Ensure manager has as much notice as possible of training commitments – ask Unit to provide evidence of training commitments if required		
Request authorisation from manager for leave. Note requests for paid leave may not always be granted.		
Managing Mobilisation		
Ensure next of kin details are up to date.		
Notify manager on receipt of Call Out papers.		
Agree with manager anticipated dates of mobilisation, demobilisation and return to work.		
Discuss leave entitlements and agree any time off before mobilisation.		

Actions	Completed	Notes
Identify work to be handed over.		
Contact payroll to manage payment of loans and / or voluntary deductions.		
Discuss and agree method and frequency of keeping in touch.		
Complete pension scheme choice declaration as per Call Out papers.		
Make an application for financial assistance as appropriate (details in call out papers)		
Return any equipment including laptop or mobile as appropriate		
Terms and Conditions during Mobilisation		
Ensure understanding of what happens to pay, benefits, pension, loans etc. during mobilisation		
During mobilisation		
Keep in touch at frequency agreed.		
Demobilisation		
Contact manager informally and formally (in writing) to request return to work and agree a date		
Return to Work		
Return to work on agreed date.		

Template A – Mobilisation Letter

Dear [Insert name]

Re: Employment arrangements during mobilisation

Following the notification of your forthcoming mobilisation with the Reserve Forces, I am writing to set out employment related arrangements which will apply prior to, during, and immediately after your period of mobilisation.

Special Leave

During mobilisation you will be on unpaid special leave from the Council, which will count as a period of continuous service. Your period of special leave will commence on [Enter date]. Your approximate date of return to work is [Enter date].

Pay Arrangements

Your departmental salary and benefits in kind will be suspended whilst you are mobilised. Your Reserve Force will assume responsibility for your salary for the duration

Annual Leave

Prior to mobilisation you will accrue Council annual leave under normal arrangements and you are encouraged to take this leave where possible prior to mobilisation.

During the period of mobilisation any Council annual leave will cease to accrue and you will accrue annual leave with Defence. Defence annual leave arrangements will apply and there is no requirement to advise the Council of any annual leave taken during the period of mobilisation.

Upon return to work you will start to accrue Council annual leave. Any untaken accrued Council annual leave should be taken prior to the end of the holiday year in which your return from mobilisation.

Pension

You are entitled to remain a member of the Council Pension Scheme. Your Reserve Force will pay the employer contributions for the period of mobilisation, if they are suspended by your employer, provided that you continue to pay your employee contributions and complete the necessary forms that are contained within your Call Out papers.

You can contact the Pensions section to discuss your pension, contributions and benefits. If you have opted to join the Reserve Forces Pension Scheme, you will not accrue reckonable service for your Council Pension Scheme during your period of mobilisation.

Keeping in Touch

During our meeting we agreed the most appropriate way of keeping in touch whilst you are away. This will be by [Insert method, for example, next of kin, email, post and telephone]. We have also agreed that we will aim to keep in touch [Insert frequency]. You have confirmed that your next of kin is [Insert name] and their telephone number is [Insert number].

Sick Pay

During the period of mobilisation you will continue to accrue any service related Council sick pay. However, should you become sick or injured during mobilisation you will be covered by Defence's healthcare arrangements (including pay) until you are demobilised. If the sickness or injury continues and this results in early demobilisation, you will remain covered by Defence until the last day of paid military leave.

After this time you will be covered by the Council sickness arrangements.

If you become ill post mobilisation, and a notional return to work date has been agreed, you will be covered by the Council Sickness arrangements.

Return to work

You should provide the Council with as much notice as is practicable of your return to work date. This can take place at any time once you know the expected date of demobilisation and the amount of Post-Operational Tour leave plus any other leave to be taken. Such notification should be to **your line manager and/or HR** [delete as applicable]. You should maintain contact with the Council should this expected return to work date change. Your **Line Manager/HR** [delete as applicable] will advise Payroll and the relevant Pension Scheme of this return to work date.

Formal Notification Requirements

Once a Reservist reaches their last day of paid military service, under the Reserve Forces (Safeguarding of Employment Act 1985), they have an obligation to formally write to the Council to request a return to work. The Council has an obligation under this act to reinstate the Reservist.

Under this legislation you must write to the Council no later than the third Monday after your last day of paid military service to inform the Council that you are available to return to work. The Council will acknowledge receipt of this letter

The Role the Reservist is returning to

Upon return to work you will be entitled to the same job or a reasonable and suitable alternative. In the event that your previous role and reasonable and suitable alternatives no longer exist as a result of changes to the business, the Council will employ its best endeavours to identify another reasonable and suitable job.

Return to Work Meeting

A Return to Work meeting will be scheduled upon your return to work. The purpose of this meeting is to discuss the mobilisation experience; the role you are returning to and any associated handover arrangements; pay and benefits and other relevant administration activities and to identify any support that the Council can offer to ensure a smooth reintegration back into work, including any assistance from Occupational Health. This is also an opportunity to discuss whether you would consider sharing your mobilisation experiences via communications to raise awareness of activities of Reservists within the Council.

If you would like to discuss this letter, please do not hesitate to contact me.

Yours sincerely

[insert name and Council position]

Declaration

I understand and accept the arrangements set out above including those variations to my terms and conditions of employment during my period of Reservist Mobilisation.

Signed.....Date.....

Name.....

Signed on behalf of the Council:.....

Name:..... Date.....

[Copies should be retained by Line Manager/HR & Reservist]

Template B – Return to Work Acknowledgement Letter

Dear [Insert Name],

Re: Acknowledgment of Return to Work

I am writing to acknowledge your formal notification of intention to return to work following your Reservist Mobilisation.

It is agreed that you will return to work on [insert date] and in support of this, a return to work meeting has been scheduled for [Time] on [Date] and will be held [Location]. The meeting will be attended by [Line manager] and [HR]. The purpose of this meeting is to welcome you back to work and to discuss a number of practical matters to support a smooth reintegration back into the workplace.

In the meantime if you have any queries, please do not hesitate to contact either [line manager] or [HR].

Yours sincerely

[Insert name and Council position]