

**The Newcastle upon Tyne Hospitals NHS Foundation Trust**

**Employment Policies and Procedures**

**Reserve Forces Training and Mobilisation Policy**

Version No.:	2.2
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Date Ratified:	03 January 2018
Ratified By:	Employment Policies & Procedures Consultative Group

**1 Introduction**

The Trust employs staff that are members of the Reserve Forces and recognises the valuable contribution Reservists make to the UK Armed Forces, their communities and civilian workplace.

The Trust has pledged its support for members of the Reserve Forces, or those wishing to join the Reserve Forces. It acknowledges the training undertaken by reservists enabling the development of skills and abilities that are of benefit to the individual and the Trust. Reservists 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.

The Trust will not disadvantage reservists who provide notification of their reserve status or those reservists who are made known to the Trust directly by the Ministry of Defence (MoD).

The Trust shall, subject to the provisions set out in Section 6, agree to the release of all employees mobilised for reservist duties.

The Trust shall, subject to the provisions set out in Section 7, agree to release reservists for attendance at Reserve Forces Training events where these take place on their normal working days.

No employee will receive less favourable treatment on the grounds of their age, disability, race, nationality, ethnic origin, sex, sexual orientation, religion and belief, gender reassignment, marriage and civil partnership or pregnancy and maternity.

**2 Scope**

The policy applies to all staff employed by the Trust.

### 3 Aims

To define the Trust's obligations towards all employees who are members of the Reserve Forces and support employees who are members of the Reserve Forces with a commitment to train regularly and a liability to be mobilized for a period of full time military service.

### 4 Duties (Roles and Responsibilities)

- 4.1 The Executive Team is accountable to the Trust Board for ensuring Trust-wide compliance with policy.
- 4.2 Directorate managers and heads of service are responsible to the Executive Team for ensuring policy implementation.
- 4.3 Managers are responsible for ensuring policy implementation and compliance in their area(s).
- 4.4 Staff are responsible for complying with policy.

### 5 Definitions

- 5.1 There are two main types of Reservist:
  - **Volunteer Reservists** - civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Territorial Army and Royal Auxiliary Air Force.
  - **Regular Reservists** - ex-regular service personnel who may retain a liability to be mobilised depending on how long they have served in the Armed Forces
- 5.2 The Reserve Forces Act 1996 also provides for other categories, such as:
  - Full Time Reserve Service - reservists who wish to serve full time with regulars for a predetermined period in a specific posting
  - Additional Duties Commitment - part-time service for a specified period in a particular post
  - Sponsored Reserves - these are personnel employed by a contractor to provide a service to the Ministry of Defence (MoD).
  - High Readiness Reserves – these are Reservists, usually with a particular skill set, that are available at short notice (with written agreement from their employer)
- 5.3 Cadet Volunteer Instructors are responsible for directly training Cadets

### 6 Reserve Status Notification

- 6.1 The Trust requires all new recruits who are already reservists or cadet

instructors to inform their line manager of their status as soon as possible and specifically identify the force they belong to.

- 6.2 Existing employees who are interested in joining the Reserve Forces or Cadets or those who are already a reservist/cadet instructor and are considering renewing their commitment are required to discuss this with their line manager prior to any action being taken.
- 6.3 Notification of reservist or cadet instructor status is required to ensure the Trust can provide the appropriate level of support. Notification also assists with resource planning during periods of leave e.g. training and/or mobilisation. In addition, the Trust recognises the additional skills and experiences that being a reservist can bring to and it is useful to have an understanding of where these particular skills and experiences exist.
- 6.4 Following notification of reservist status the line manager must notify the appropriate HR Officer who will record the role 'Member of the Reserved Armed Forces' as a supplementary role within an employee's ESR record.
- 6.5 All reservists employed by the Trust are required to grant permission for the Ministry of Defence (MoD) to write directly to the Trust. The MOD should be advised to write to the Senior HR Manager or Senior HR Manager (Medical) as appropriate. All documentation received will be retained on the employee's personal file and copied to the line manager. This is known as 'Employer Notification' and ensures the Trust is made aware:
  - a) that the employee is a reservist, and
  - b) the benefits, rights and obligations that apply
- 6.6 The MoD will issue written confirmation to the Trust stating the employee is a Member of the Reserve Forces. The letter will provide details of:
  - a) mobilisation obligations
  - b) rights as an employee
  - c) rights of the Trust
  - d) details of financial assistance available if the employee is mobilised
- 6.7 The MoD will also send a follow-up letter each year to confirm that the information held by the Trust remains accurate.
- 6.8 Reservists must seek approval from their line manager if they intend to volunteer for High Readiness Reservist Status (making the employee liable to be deployed with minimal notice).
- 6.9 It is the responsibility of the reservist to ensure their personal details held by the Trust are maintained and up to date, this includes providing written notification to their line manager if they leave their respective Reserve Force. In such circumstances, the line manager must forward a copy of the notification to the appropriate HR Officer who will amend the ESR record and retain a copy on the employee's personal file.

6.10 In any circumstance, the reservist will not be disadvantaged as a result of notifying the Trust of their Reserve status.

## **7 Training Commitments and Time Off**

7.1 The Trust recognises the importance of the training undertaken by reservists enabling the development of skills and abilities that are of mutual benefit to their respective Reserve Force, the individual and the Trust.

7.2 Reservists are typically committed to up to 30-35 days training per year. Training tends to take place one evening per week, over various weekends throughout the year and one 2-week training period (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 2-week training course ('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.

7.3 The Trust is committed to granting additional paid leave of ten days (pro-rata) per year to reservists specifically to enable them to attend their annual camp. . . Reservists must submit all requests for leave to their Line Manager and submit an [application for Special Leave](#).

7.4 The Trust is committed to granting additional paid leave of ten days (pro-rata) per year to cadet instructors specifically to enable them to attend the annual camp. Cadet Instructors must submit all requests for leave to their Line Manager and submit an [application for Special Leave](#).

7.5 Line Managers will aim to facilitate work rosters to allow attendance at annual camp and other training commitments subject to the exigencies of the service.

7.6 Reservists/Cadet Instructors should give as much notice as possible to allow appropriate absence planning and must provide evidence of training requirements, the additional leave referred to in 7.3 above is contingent upon this. Once given, permission will not be rescinded unless there are exceptional circumstances.

7.7 The Trust will treat any instances of unauthorised leave as a serious disciplinary matter that may result in disciplinary action, up to and including dismissal. Employees should be aware that, if they take a period of leave that has not been approved, they will be subject to disciplinary action on their return to work.

## 8 Mobilisation

- 8.1 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, but is typically no longer than 12 months.
- 8.2 The call-out papers for mobilisation may be sent by post to the Trust or delivered in person by the reservist to their line manager. The line manager must inform the Human Resources Department as soon as notification is provided and provide copies of all documentation to be retained on the employee's personal file. The documentation will include the call-out date and the anticipated end date.
- 8.3 There is no statutory requirement for a warning period prior to mobilisation. 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.
- 8.4 A period of mobilisation comprises three distinct phases:
- a) medical and pre-deployment training
  - b) operational tour
  - c) post-operational tour leave
- 8.5 The Trust supports mobilisation in all but exceptional circumstances and will seek to release the employee for Reserve service.
- 8.6 A call-out notice will be appealed if the absence would be considered to cause serious harm to service needs (section 9 'Applying for an Exemption/Deferral/Revocation')
- 8.7 Pre-mobilisation – line manager responsibilities:
- a) liaise with Human Resources as soon as notification is received to ensure Human Resources:
    - have a copy of all documentation
    - are aware of the date of mobilisation and the anticipated return date
    - suspend the employees salary during the period of mobilisation and
    - amend the employees status on ESR
  - b) meet with reservist to ensure all appropriate mobilisation paperwork has been completed (including the pension scheme choice declaration as contained in the call out papers)
  - c) arrange for the employee to receive the mobilisation letter (appendix A)
  - d) calculate the employee's annual leave entitlement prior to mobilisation and agree the arrangement of leave as per the Trust's [Annual Leave and General Public Holidays Policy](#)
  - e) ensure reasonable steps are taken to enable them to give consideration to an employee's pay progression on the relevant date. This may include a review of:
    - previous records

- progress towards meeting their PDP
- notes of any relevant meetings between the manager and the employee
- performance and development before planned absence starts
- f) discuss any handover of work and return of equipment
- g) discuss arrangements for keeping in touch including revised contact details during the mobilisation period
- h) ensure the employees next of kin details are recorded and up to date
- i) consider requirements for cover during the period and the potential to claim for financial assistance to cover any additional employer costs associated with mobilisation (section 14 – Financial Assistance)
- j) consider appropriate arrangements have been made in respect of the following (where applicable):
  - return (or otherwise) of a lease car (refer to section 10.3)
  - cessation of telephone rental reimbursement
  - cessation of any uniform allowance payment
  - return (or otherwise) of a discount travel ticket or car parking pass
  - return of Trust property, such as ID Badge, mobile communication, keys, uniform
  - salary sacrifice arrangements (refer to section 10.3)

The employee is responsible for meeting costs arising from the above e.g. early termination of a lease car agreement and/or salary sacrifice arrangement.

#### 8.8 Post-mobilisation – line manager’s responsibilities:

- a) arrange for model letter (Appendix B) to be sent following formal written notification of a return to work date
- b) liaise with Human Resources to ensure
  - the employee’s ESR status is updated
  - salary is reinstated as appropriate and in accordance with their agreed return to work date
- c) arrange a meeting prior to employees return to work to ensure
  - the Trust and reservist fulfil their return to work obligations
  - discuss after care and any support requirements including any reasonable adjustments
  - whether the employee will need to attend Trust Induction and if any further or refresher training is required on returning to the role
- d) consider the potential to claim for financial assistance to cover additional employer costs associated with mobilisation (section 14 – Financial Assistance)

## **9 Applying for Exemption/Deferral/Revocation**

- 9.1 In the majority of cases of mobilisation, the Trust will release the Reservist to report for duty unless there are exceptional circumstances, whereby the decision and reasoning will be explained to the Reservist.
- 9.2 In such circumstances, the line manager will have the right to seek exemption, deferral or revocation if the Reservist's absence would be considered to cause serious harm to service delivery.
- 9.3 Definitions of 'harm' will vary, but may include;
- a) loss of reputation, goodwill or other financial harm
  - b) impairment of the ability to provide services
  - c) harm to the research and development of new products, services or processes (which could not be prevented by the granting of financial assistance under sections 83 and 84 of The Reserve Forces Act 1996).
- 9.4 Details of how to apply for exemption will be included in the call-out pack. The application must reach the Adjudication Officer within 7 days of the reservist receiving a call-out notice. If this timescale is not met, permission to make a late application will need to be obtained from the Adjudication Officer. The reservist also has the right to apply for exemption or deferral if the call-out papers arrive at a difficult time. In all circumstances all correspondence must be copied to the Human Resources Department.
- 9.5 If an unsatisfactory decision is received following the application for a deferral, the Trust can appeal to the Reserve Forces Appeals Tribunal. Appeals must reach the Tribunals Secretary within 5 days receipt of written notice of the decision. If the tribunal rejects the application for exemption or deferral, the Trust will be required to release the Reservist for mobilisation.

## **10 Treatment of Terms and Conditions during mobilisation**

### **10.1 Pay**

- 10.1.1 The MoD will assume responsibility for the reservist's salary for the duration of their mobilisation. The MoD will pay a basic salary according to the reservist's military rank. If this basic element is less than the reservist receives from the Trust, 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'.
- 10.1.2 All contractual benefits suspended by the employer during mobilisation can be claimed by the employee as part of the Reservist Award.
- 10.1.3 Where mobilisation occurs the employee will be given special unpaid leave of absence and continuity of employment remains (see [s.217 Employment Rights Act 1996](#)).

10.1.4 The Trust will suspend payment of the reservist's salary during the period of mobilisation.

## 10.2 Continuity of Employment

10.2.1 Continuity of Service is not broken by a period of mobilisation, if the employee is reinstated within six months of the last day of their full time military service. Under the Act, a reservist will lose the right to reinstatement after six months of their last day of paid military service if no application has been made for reinstatement.

10.2.2 The period of mobilisation will count as reckonable service for the purposes of entitlements to certain terms and conditions, such as annual leave, occupational sick pay, incremental credit and redundancy.

## 10.3 Benefits

10.3.1 Where an employee benefit is suspended by the Trust during mobilisation the reservist may be able to claim the benefit as part of their Reservist Award.

10.3.2 Where the reservist has a contract lease car, advice should be sought from the Staff Benefits Advisor regarding the available options during a period of mobilisation.

10.3.3 If the Reservist is participating in a salary sacrifice scheme then advice should be sought from the Staff Benefits Advisor regarding the available options during a period of mobilisation.

10.3.4 Advice should also be taken from the MoD as it may be possible to transfer the schemes during the period of mobilisation

10.3.5 The line manager and reservist should discuss such arrangements during the pre-mobilisation meeting. This should cover those benefits which will be suspended and for any continuing benefits, arrangements should be made as to how these are paid.

## 10.4 Pension

10.4.1 If the reservist is a member of the NHS pension scheme, and 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. The line manager is responsible for notifying the appropriate HR Officer of the agreed arrangements to ensure the appropriate financial arrangements are put into place and payroll are notified.



## 10.5 Annual Leave

10.5.1 Reservists are required to take any accrued annual leave before mobilisation, where this is possible. If it is not possible to do so, employees should discuss this with their line manager.

10.5.2 Annual leave will not accrue during the period of mobilisation. Reservists accrue annual leave with the MoD whilst they are in full time service. When a reservist demobilises, reservists are entitled to a period of post-operational leave (POL). During this period they will continue to be paid by the MoD.

10.5.3 The amount of accrued annual leave/public holidays a reservist can carry over to the next annual leave year should not normally exceed 37.5 hours i.e. one working week (pro-rata for part-time employees) in accordance with the Annual Leave Policy. The amount of annual leave/public holidays an employee wishes to carry over must be approved by the line manager before the mobilisation period starts.

## 10.6 Dismissal/Redundancy

10.6.1 A reservist's employment cannot be terminated on the grounds of their military duties or their liability to be mobilised. To do so would be a criminal offence under s.17 of [The Reserve Forces \(Safeguarding of Employment\) Act 1985](#).

10.6.2 Reservists can be included in the redundancy pool if this is necessary due to a downturn in business or closure of a department. In such circumstances all employees would be treated consistently in accordance with the [Organisational Change and Redundancy Policy](#), and redundancy criteria would not discriminate against reservists on the grounds of their reserve service or call-up liability.

## 10.7 Sick Pay

10.7.1 During the period of mobilisation the reservist will continue to accrue any service related Occupational Sick Pay. Should the reservist become sick or injured during mobilisation they will be covered by MoD's healthcare arrangements (including pay) until they are demobilised. If the sickness or injury continues and this results in early demobilisation, they will remain covered by the MoD until the last day of paid military leave. Following this period the reservist will be covered by the Trust's sickness provisions in accordance with the Trust's Employee Wellbeing Policy.

10.7.2 If the reservist becomes ill post mobilisation, and does not return on the expected return to work date, they will be subject to the Trust's Sickness provisions in accordance with the Trust's Employee Wellbeing Policy from that date.

## 10.8 Professional Registration

An employee is responsible for ensuring that they maintain their competence and professional registration (where applicable) at all times during a period of mobilisation.

## 11 Return to Work

11.1 Members of the reserve forces who have been compulsorily mobilised (or who have volunteered and been accepted for mobilisation) have the right to be reinstated in their former job on terms and conditions no less favourable to them than those that would have prevailed but for their enforced absence from their civilian occupation. That right exists regardless of the period of time mobilisation has lasted. Under the Act, a reservist will lose the right to reinstatement after 6 months of their last day of paid military service if no application has been made for reinstatement.

11.2 Both the reservist and the Trust have obligations under [The Reserve Forces \(Safeguarding of Employment Act\) 1985](#) regarding the return to work process

11.3 Employer:

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

11.3.2 The reservist should be reinstated within 6 weeks of the last day of their full-time military service (*note: continuity of service is not broken by a period of mobilisation, if the employee is reinstated within six months of the last day of their full time military service*). Once an employee has been reinstated in his or her former role after a period of military service, the Trust must continue to employ him or her in that same role (and on the same terms and conditions) for;

- a) the following 26 weeks; or
- b) for 52 weeks if the reservist had been employed for a consecutive period of at least 52 weeks at the time he or she was called out for military operations; or
- c) for a minimum of 13 weeks if the employee was employed for fewer than 13 weeks immediately prior to mobilisation.

11.3.3 Reservists may need refresher training when they return to work, or be given time to familiarise themselves with processes and procedures in the workplace. Financial assistance may be available for retraining if it's required as a direct result of mobilisation, (claims cannot be made for training courses that would have taken place anyway). Evidence of costs will be required in addition to evidence that the reservist could not reach the required standard by any other means, such as workplace experience.

## 11.4 Reservist responsibilities:

- 11.4.1 The reservist must write to the Trust by the third Monday after their last day of military service making a request to return to work and suggesting a date. This date should fall within 6 weeks of their last day of full-time military service. This letter formally starts the return to work process.
- 11.4.2 The reservist should informally contact the Trust to discuss their return to work at the earliest opportunity, 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.
- 11.4.3 If the reservist is not happy with an offer of alternative employment they must write to the Trust stating why the offer of alternative employment is not reasonable. If a reservist believes that the Trust's response to their application denies their rights under the Safeguarding of Employment Act 1985, an application can be made to a Reinstatement Committee for assessment. This committee will consider the reservist's application and can make an order for reinstatement and/or compensation.

## 12 Aftercare

- 12.1 A Reservist returning to work will benefit from a smooth re-integration into the workplace/team. Line managers should develop and agree a return to work action plan to consider the following as part of this process:
- the need to update on changes and developments within the team/department or Trust.
  - the need to offer specific refresher training where it is sought/considered necessary.
  - where the job duties have changed since mobilisation a period of skills training may be required to assist with new aspects of the job.
  - whether the reservist can meet up with colleagues informally or socially before or after return to work to prevent any feeling of dislocation, if this is sought.
  - reasonable time off to seek therapeutic treatment if required.
- 12.2 Reservists occasionally have a delayed reaction to their experiences. Signs can range from anxiety or hyper-alertness to changes in behaviour such as lateness by someone who has always been very punctual. If you notice a difference in a reservist's conduct or work performance, a full support system is in place to assist via SaBRE and a referral should be made to the Occupational Health Service.

## **13 Performance Review**

Line managers who carry out appraisal 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 may ultimately lead to improved performance in the workplace.

## **14 Financial Assistance**

14.1 Financial assistance for employers in the event of an employee who is a Reservist being mobilised is governed by the Reserve Forces (Call out and recall) (Financial Assistance) Regulations 2005. These cover additional costs above the normal earnings of the called-up reservist associated with replacing the employee, including but not limited to 3 types of award available:

### 14.1.1 One-off costs

- agency fees, if a recruitment agency or employment agency is used to find a temporary replacement
- non-recurring advertising costs
- essential retraining costs for the Reservist returning to work following mobilisation
- up to £2000 towards the costs of training the person who fills in for the Reservist during mobilisation
- handover costs (up to 5 days) before and after an employee is mobilised
- 75 per cent (up to £300) of specialist clothing costs for a person replacing a deployed Reservist
- There is no financial cap on one-off cost claims, but any claim must be supported by relevant documentation.

### 14.1.2 Recurring costs

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

14.2 The maximum claim for recurring costs available is in the region of £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 to the MoD within 4 weeks after the end of full time Reservist service.

## **15 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 must be claimed for within 8 weeks of the Reservist returning to work. Associated training must be commenced within 6 months of the return to work date.

## 16 Training

Training will be provided by the Human Resources Department to managers following implementation of the procedure.

## 17 Equality and Diversity

The Trust is committed to ensuring that, as far as is reasonably practicable, the way services are provided and the way staff are treated reflects their individual needs and does not unlawfully discriminate against individuals or groups. This policy has been properly assessed.

## 18 Monitoring Compliance with the Policy

Standard / Process / Issue	Monitoring and Audit			
	Method	By	Committee	Frequency
Monitoring will include; <ul style="list-style-type: none"> <li>• the number of reservists employed by the Trust</li> <li>• the number mobilised</li> <li>• the amount of special leave taken</li> </ul>	ESR Reporting	Director of Human Resources	Heads of Human Resources	Annually

## 19 Consultation and Review of this Policy

This policy has been reviewed in consultation with the Employment Policies and Procedures Consultative Group

## 20 Implementation of the Policy (including raising awareness)

A summary of the key changes will be notified to managers following implementation. Further advice and guidance will be available from the Human Resources Department.

## 21 References and additional information

1. SaBRE (Supporting Britain's Reservists and Employers) [www.sabre.mod.uk](http://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.

2. Royal Navy website <http://www.royalnavy.mod.uk/careers/royal-naval-reserves/about-the-reserves>
3. Army Reserves <http://www.army.mod.uk/belong/reserve/>
4. Royal Air Force Reserves [www.raf.mod.uk/reserves](http://www.raf.mod.uk/reserves)
5. Navy Personal and Family Service and Royal Marines Welfare <http://www.royalnavy.mod.uk/welfare/welfare-teams>
6. Army Welfare Services <http://www.army.mod.uk/welfare-support/welfare-support.aspx>
7. RAF Welfare and Support <https://www.raf.mod.uk/community/>
8. SSAFA- The Armed Forces Charity <https://www.ssafa.org.uk/>
9. Reserves Mental Health Programme (in partnership with the NHS referred via GP) 0800 032 6258 or <https://www.gov.uk/guidance/support-for-war-veterans>

## 22 Additional Documents

- [Annual Leave Policy](#)
- [Employee Wellbeing Policy](#)
- [Professional Registration Policy](#)
- [Professional Registration \(General Medical/General Dental Council\)](#)

## Letter of Mobilisation

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, as agreed at our meeting of [Insert date].

#### **Special Leave**

- During mobilisation you will be on unpaid special leave from the Trust, which will count as a period of continuous service. The period of mobilisation will count as reckonable service for the purposes of entitlements to certain terms and conditions, such as annual leave, occupational sick pay, incremental credit and redundancy.
- Your period of special leave will commence on **[Enter date]**. Your approximate date of return to work is **[Enter date]**.

#### **Pay Arrangements**

Your salary will be suspended whilst you are mobilised. Your Reserve Force will assume responsibility for your salary for the duration of your mobilisation.

#### **Employment Benefits**

As you will not be in receipt of any salary from the Trust during mobilisation you will need to decide which benefits you wish to continue, suspend or amend during the mobilisation period.

For those benefits that you wish to stop, suspend or amend during mobilisation, it is your responsibility to notify the Trust of the intention to stop, suspend or amend any arrangements. Such notifications must be provided to your line manager prior to mobilisation.

Where you have suspended/cancelled any benefits prior to mobilisation, it is your responsibility to contact your line manager to make any arrangements to restart once you return to work.

## **Annual Leave**

- Prior to mobilisation you will accrue Trust annual leave under normal arrangements and you are required to take this leave where possible prior to mobilisation. If it is not possible to do so, you should discuss this with your line manager.
- During the period of mobilisation accrual of Trust annual leave will cease and you will accrue annual leave with the Ministry of Defence (MoD). MoD annual leave arrangements will apply during mobilisation. There is no requirement to advise the Trust of any annual leave taken during the period of mobilisation.
- Upon return to work you will start to accrue Trust annual leave. Any untaken accrued Trust annual leave should be taken prior to the end of the annual leave year in which your return from mobilisation.

## **Pension**

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

You must contact HR 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 NHS 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,]. 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 Trust sick pay. However, should you become sick or injured during mobilisation you will be covered by MoD'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 MoD until the last day of paid military leave.

After this time you will be covered by the Trust sickness arrangements (in accordance with the policy).

If you become ill post mobilisation on the expected date of return to work, you will be covered by the Trust Sickness arrangements (in accordance with Trust policy).



**Return to work**

You should provide the Trust 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 made in writing to your line manager and copied to HR. You should maintain contact with the Trust and provide notification should the expected return to work date change. HR will advise Payroll and the relevant Pension Scheme of your 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 Trust to request a return to work. The Trust has an obligation under this act to reinstate the Reservist.

In accordance with the legislation you must write to the Trust no later than the third Monday after your last day of paid military service to inform the Trust that you are available to return to work. The Trust will acknowledge receipt.

**Return to Work**

Upon return to work you will be entitled to return to the same job or a reasonable and suitable alternative. Following mobilisation the Trust may require you to be passed fit by Occupational Health.

**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; confirm relevant administrative activities relating to pay and identify any support that the Trust can offer to ensure a smooth reintegration back into work, including any assistance from Occupational Health.

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

Yours sincerely

[insert name and Trust 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 Trust:.....

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

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

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 has been agreed that you will return to work on [insert date]. 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 Trust position]

**Cc** [insert HR representative details]

**Equality Analysis Form A**

This form must be completed and attached to any procedural document when submitted to the appropriate committee for consideration and approval.

**PART 1**

1. **Assessment Date:**
2. **Name of policy / strategy / service:**
3. **Name and designation of Author:**
4. **Names & designations of those involved in the impact analysis screening process:**
5. **Is this a:** Policy  Strategy  Service   
**Is this:** New  Revised   
**Who is affected** Employees  Service Users  Wider Community
6. **What are the main aims, objectives of the policy, strategy, or service and the intended outcomes?** *(These can be cut and pasted from your policy)*
7. **Does this policy, strategy, or service have any equality implications?** Yes  No   
**If No, state reasons and the information used to make this decision, please refer to paragraph 2.3 of the Equality Analysis Guidance before providing reasons:**

## 8. Summary of evidence related to protected characteristics

Protected Characteristic	Evidence, i.e. What evidence do you have that the Trust is meeting the needs of people in various protected Groups	Does evidence/engagement highlight areas of direct or indirect discrimination? If yes describe steps to be taken to address ( <i>by whom, completion date and review date</i> )	Does the evidence highlight any areas to advance opportunities or foster good relations. If yes what steps will be taken? ( <i>by whom, completion date and review date</i> )
<b>Race / Ethnic origin (including gypsies and travellers)</b>	The policy is clear that it does not discriminate on grounds of race/ethnic origin. Further the policy relates to training and mobilisation of reserve forces staff; there is no evidence to suggest that this has or would impact disproportionately on staff due to their race/ethnic origin.	No. The Trust's equality data indicates that 100% of Reservists that are recorded identify as white and 100% of those requesting leave have been granted.	No
<b>Sex (male/ female)</b>	The policy is clear that it does not discriminate on grounds of sex. Again, the policy relates to training and mobilisation of reserve forces staff; there is no evidence to suggest that this has or would impact disproportionately on staff due to their sex/gender.	No. It is noted that the Trusts equality data shows an equal split of male and female reservists, with all being granted requested leave.	No
<b>Religion and Belief</b>	As above	No. Trusts data shows that all reservists requesting leave have had this granted regardless of religion.	No.
<b>Sexual orientation including lesbian, gay and bisexual people</b>	As above	No. Trusts data shows that all reservists requesting leave have had this granted regardless of sexual orientation.	No
<b>Age</b>	As above	No. As above.	No
<b>Disability – learning difficulties, physical disability, sensory impairment and mental health. Consider the needs of carers in this section</b>	As above	No. As above.	No
<b>Gender Re-assignment</b>	As above	No. As above.	No
<b>Marriage and Civil Partnership</b>	As above	No. As above.	No
<b>Maternity / Pregnancy</b>	As above	No. As above.	No

## 9. Are there any gaps in the evidence outlined above? If 'yes' how will these be rectified?

No

10. Engagement has taken place with people who have protected characteristics and will continue through the Equality Delivery System and the Equality Diversity and Human Rights Group. Please note you may require further engagement in respect of any significant changes to policies, new developments and or changes to service delivery. In such circumstances please contact the Equality and Diversity Lead or the Involvement and Equalities Officer.

Do you require further engagement? Yes  No

11. Could the policy, strategy or service have a negative impact on human rights? (E.g. the right to respect for private and family life, the right to a fair hearing and the right to education?)

No, no impact on human rights is envisaged.

## PART 2

**Name:**

Victoria Usher

**Date of completion:**

19/01/2017

(If any reader of this procedural document identifies a potential discriminatory impact that has not been identified, please refer to the Policy Author identified above, together with any suggestions for action required to avoid/reduce the impact.)