

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Cabinet
Date:	13 June 2023
Title:	Supporting our Armed Forces Community
Report From:	Director People and Organisation

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Purpose of this Report

1. The purpose of this report is to:
 - Provide an overview of the context and background of the Armed Forces Covenant in the County Council.
 - Highlight the size and presence of the Armed Forces Community within Hampshire.
 - Inform Cabinet about the wide range of support given to our Armed Forces Communities – the County Council is recognised nationally as being a leading authority in the support we provide.
 - Update Cabinet on the new statutory obligations (the Covenant Duty) under the Armed Forces Act 2021 and the actions being taken to ensure the Council is compliant.
 - Give an overview of the Council's existing Covenant Pledge with a recommendation to update and re-sign the Pledge taking account of the new Covenant Duty.

Recommendation(s)

2. That Cabinet note and acknowledge the wide range of support provided for the Armed Forces Community.
3. That Cabinet note the new "Covenant Duty" and how the Council fulfils this duty.

4. That Cabinet agrees that the Council should update and re-sign the Armed Forces Covenant Pledge taking account of the Covenant Duty using the draft wording at appendix C.

Executive Summary

5. This report seeks to
 - Show the size and geographical spread of our Armed Forces Community.
 - Show the Council's ongoing commitment in supporting the Armed Forces Community both in the past and today.
 - Highlight the Gold Employer Recognition Award gained by the Council in 2016 and re-accredited in 2021.
 - Demonstrate the range and scale of wider support that is provided.
 - Inform Cabinet of the new Covenant legislation explaining what this means for the Council and how our legal obligations are being fulfilled.
 - Consider and agree a proposal to re-sign the Council's Pledge to the Armed Forces Covenant.

Contextual information

6. The Armed Forces Community is defined as serving personnel, reservists, veterans, spouses / partners, and dependent children. Cadets may also be included but fall outside of the Covenant.
7. Hampshire has one of the largest Armed Forces Communities in the UK with 72,000 households having 1 or more persons who have previously served in the UK armed forces and bases for all three services in our geographical area.
8. This includes Naval bases and accommodation in Fareham and Gosport (with the large Navy Dockyard in Portsmouth), a major Royal Air Force base at Odiham, British Army Headquarters in Andover and the home of the Army in Aldershot as well as the Army Training Regiment which is based at Winchester. Other examples include the Defence College of Logistics, Policing and Administration at Worthy Down, and the Army Aviation Centre at Middle Wallop.
9. Hampshire County Council established the Hampshire Civilian Military Partnership (CMP) in 2009. The Council formally recognised the importance of its relationship with the Armed Forces as a principal provider of public services to the Armed Forces Community.

10. The Armed Forces Covenant is a promise by the nation that the Armed Forces Community should be treated fairly and face no disadvantage when accessing public and commercial services, with special provision made in appropriate cases for those who have sacrificed the most.
11. In 2011, the County Council was the second local authority in the UK to sign the Covenant and commitment to the national Covenant at a local level. This effectively was a voluntary pledge that the “Council’s support for the Armed Forces is embedded into mainstream services, based on evidenced need”.
12. All local authorities in England have now signed the Covenant Pledge and many have since re-signed.
13. In 2016 Hampshire County Council was one of the first of only two local authorities to receive the defence Employers Recognition Gold Award. This prestigious award was re-accredited in 2021.

Hampshire’s Armed Forces Champion and the Civilian Military Partnership Board (CMPB)

14. The Leader of the County Council appoints a dedicated elected Member as Armed Forces Champion. Details of the role are given in Appendix A. Essentially the role is to advocate for civilian military relations, lead the Armed Forces Agenda, and to chair the CMP Board (CMPB).
15. The CMPB is a voluntary strategic partnership between the County Council, the Armed Forces and other key stakeholders to principally address countywide issues pertaining to the Armed Forces Community.
16. The CMPB meets twice a year and holds a conference every two years. The terms of reference and structure of the Board were refreshed in 2022. This included producing an annual report which will be published on the County Council’s Armed Forces web pages.
17. ‘Recognise and commemorate’ is a key theme within the CMPB and within the County Council. Key dates and anniversaries are appropriately remembered each year with events - either annual or bespoke one-off events – being arranged as appropriate.
18. A summary of some of the key commemoration dates and activities over the next 12 months are shown in Appendix B. This includes the 80th Anniversary of D-Day next year.

Armed Forces Act 2021

19. The Armed Forces Act 2021, which was implemented on 22 November 2022, created a new legal obligation (the Covenant Duty) on specified bodies which includes local authorities in England and schools to help prevent service personnel and veterans being disadvantaged when accessing public services:

*“When a specified body exercises a **relevant function**, it must 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, and (c) the principle that **special provision for Service people may be justified** by the effects on such people of membership, or former membership, of the Armed Forces.”*

20. This duty builds on, but is separate to, the voluntary Covenant Pledge.
21. The relevant functions in scope of the Covenant Duty are Housing, Education and Healthcare. See Appendix B for further details.
22. Unique obligations and sacrifices include danger; geographical mobility; separation; Service law and rights; unfamiliarity with civilian life; hours of work; and stress.
23. A disadvantage is when the level of access a member of the Armed Forces Community has to goods and services, or the support they receive, is comparatively lower than that of someone in a similar position who is not a member of the Armed Forces Community, and this difference arises from one (or more) of the unique obligations and sacrifices of Service life.
24. Special provision is the taking of actions that go beyond the support provided to reduce or remove disadvantage. Special provision may be justified by the effects of the unique obligations and sacrifices of Service life, especially for those that have sacrificed the most, such as the bereaved and the injured.
25. The Covenant Duty requires decision makers to have “Due Regard” to the Covenant when making decisions around relevant functions. Specific service delivery outcomes are not mandated.
26. The Covenant Duty is supported by [Statutory Guidance](#) to help in-scope bodies understand what is required of them under the new Duty.
27. Work is ongoing to ensure the County Council is fully prepared and able to fulfil its legal responsibilities under the Covenant Duty. This includes a suite of

training (combining in-person, virtual and e-learning) and policy guidance and relevant changes in procurement contracts.

Re-Signing the Covenant

28. The Council's Covenant Pledge has been incorporated into mainstream services with few issues. However, there is merit in updating our pledge so that it is aligned with the new Covenant Duty and to provide clarification that the scope applies specifically to the provision of goods, services and support they receive from the Council and what is meant by 'disadvantage'.
29. In addition, updating and re-signing the pledge, would demonstrate the Council's continued commitment to the Armed Forces Community in Hampshire and encourage other public and private sector organisation in the County to voluntarily sign up. To date there are 250 organisations who have signed the Covenant pledge and 15 organisations with the Gold Employer Recognition Award.
30. New wording for re-signing the County Councils Pledge to the Armed Forces Covenant has been drafted and is shown in Appendix C.

Resources

31. There is a dedicated post, the Armed Forces Programme Manager (c.0.75 fte) in place to manage and co-ordinate the Council's support for the Armed Forces Community.
32. The Armed Forces Programme Manager supports the CMPB, is an initial point of contact for Armed Forces stakeholders for Covenant queries, wider Armed Forces queries and complaints. In addition to her role with Hampshire Council, the programme Manager is also a member of the South East Veterans Advisory and Pensions Committee.
33. In addition, each Directorate has a nominated Armed Forces point of contact, with the duties incorporated into their substantive role. The broader support available is summarized below.
34. It is also worth noting that the network of Armed Forces contacts works to deliver the agreed actions from the CMPB.

Broader Support from the County Council

35. The Council provides a wide range of support in the public services it provides, and as an employer, to support the Armed Forces Community.

36. **Education for Service Children.** The Local Authority actively supports all Hampshire schools and leads a network of school Service coordinators for each district in their pursuit of best practice for Service pupils. This includes termly meetings with senior leaders of all schools with Service pupils where experiences, practice sharing, and networking takes place. These meetings involve representatives of several wider partners including the Forces Family Federations, the University of Winchester, the Service Children's Progression Alliance (SCiP) Service Children in State Schools (SCiSS), Armed Forces Education, and Armed Forces Families and Safeguarding. Support for schools' grant applications is also provided. Outcomes from all this work are fed into the wider work of the Civilian Military Partnership Board and aspects are also featured on the Hampshire County Council's Armed Forces Community website pages.
37. Changes to the School Admission Code in 2021 has had implications for the admission of Service pupils. Prior to 2021, Hampshire County Council was able to apply a discretionary category to Service pupils within the In Year Fair Access Protocol. Following the revised Code, discretionary categories are no longer permitted, despite Hampshire supporting this former flexibility in its response to the DfE as part of its consultation and will continue to monitor ongoing application of the new admission code alongside the Covenant Duty. The Code does however support the awarding of school places to Service pupils by enabling the proposed base address to be used ahead of taking up residence.
38. School transport falls within the new Covenant legislation. Whilst there are no different transport arrangements for Service pupils outside of the standards eligibility criteria, the local authority does have the authority to exercise discretion in specific cases. This is rarely needed.
39. Eligible schools receive a Service Pupil Premium (SPP) so that they can offer mainly pastoral support during challenging times and to help mitigate the negative impact on Service children of family mobility or parental deployment. Schools are supported in their use and allocation of SPP by the sharing of good practice and signposting to supportive networks. Guidance is regularly provided in line with the DfE's requirements, as is ensuring schools complete their annual census correctly to access the premium grant.
40. **Academic Performance.** Service pupils in the Early Years Foundation Stage, and Key Stages 1 and 2 continue to perform well and above that nationally in Hampshire schools overall, although there is some variability across the different districts. At Key Stage 4 combined English and maths (Basics) performance at 4+ is also higher for Service pupils than non-Service pupils. Achievement generally at Key Stage 4 across the wider measures however is not as strong as that of the earlier key stages, and there are relatively fewer pupils in this phase of education.

41. Overall performance is also relatively stronger for Service pupils where there is a larger cohort of pupils, and for all stages is above that nationally.
42. **Combined Cadet Forces.** Several schools in Hampshire support the national Combined Cadet Force (CCF) initiative, either directly in their own school or through linking with others, as follows: 5 in maintained schools, 5 in independent secondary schools, 2 on Isle of Wight and 3 in post-16 Colleges.
43. **Further Education.** Hampshire County Council's Skills & Employment team is active in supporting residents to access skills training and employment opportunities. This includes serving and former members of the military community and their families. For example, the County Council's Construction Skills, Driving Futures, and Apprenticeship Levy Transfer programmes have created retraining and upskilling opportunities for former military personnel and their families to develop their skills and knowledge in sectors where there is a demand for talent, and which are important to the Hampshire economy. Similarly, our Adult & Community Learning programme, which operates across all relevant districts of the county, provides open access to a range of accredited and non-accredited courses which support health and wellbeing, employability, and key skills such as literacy, numeracy, and digital. The offer also includes a Family Learning programme aimed at helping parents support their children's education.
44. As part of the County Council's career programme, itself just one part of the wider careers offers across Hampshire, young people are supported to explore careers in a range of employment sectors. This includes technical, professional, and STEM areas relevant to future careers in the military and public services. A Military Preparation Training College (a 16-19 programme established in Wales and now operating across the UK) is located at Aldershot the 'home of the British Army'. Rated Outstanding by OFSTED, the MPTC instructors have all served in the British Armed Forces. It combines study for recognised vocational and academic qualification with sport and fitness programmes aimed at supporting progression to military and public services. Currently, MPTC programmes run in Aldershot, Portsmouth and Totton. [Military Preparation College for Training - MPCT](#)
45. **Military Friendly Employer.** The County Council proudly advertises its military friendly credentials when recruiting staff. There are flexible policies around working to allow staff to have time off for key occasions such as homecomings. New starters can identify themselves as service leavers to enable us to better understand our workforce demographics. The Council has a Reservist policy in place allowing staff 10 days paid leave for reservist duties, and support for the mobilisation of staff (for example several of our Reservists were mobilised as part of the national response to the Coronavirus pandemic). Furthermore, staff who are part of our Armed Forces Communities are invited to take part in ceremonial and remembrance events organised by the Council.

46. **Training.** Several e-learning packages are available for staff and Councillors. In addition, over the last few years free frontline training for public sector staff and for Councillors who have been appointed as Armed Forces Champions together with Covenant lead officers. This has been promoted and made available through a regional Covenant grant funded project, "Forces Connect South East". The County Council has been a key partner in this project. Recent training has also focused on preparedness and understanding of the Armed Forces Act 2021, the Covenant Duty and the new statutory obligation of "Due Regard".
47. The Members' development programme includes a briefing on the Armed Forces Community and the Covenant Pledge and on occasion, this has been combined with a visit and tour of a military establishment. This will be updated to include the new Covenant Duty.
48. **Attracting Service Leavers.** Hampshire County Council prides itself as a military-friendly employer having achieved the prestigious Defence Gold Employer Recognition Award. Policies including flexible working and support for Reservists help to attract Service leavers. Further avenues are currently being explored to potentially expand this area further and to support the Council's recruitment and retention strategies.
49. **Health.** Under the Public Health Duties of the Council to improve and protect the health of the population, the needs of the Armed Forces Community are considered. Our [Joint Strategic Needs Assessments](#) (JSNAs), look at the current and future health and care needs of local populations, and the [Inclusion Health Group \(IHG\) JSNA](#) chapter includes Veterans. The Council's commissioned public health services encompass the needs of the Armed Forces Community. This includes services for those who use substances (alcohol, drugs and tobacco), experience domestic abuse, are affected by poor mental health, have sexual and reproductive health needs and are in need of our public health nursing services.
50. **Emergency Planning.** The Military have a Joint Regional Liaison Officer (JRLO) who is a key partner in Emergency Planning. The JRLO is a standing member of the Local Resilience Forum in Hampshire and represents all 3 Services of the military, leading in engagement with civil authorities in how the military can assist in preparing for, responding to and recovering from emergencies.
51. Emergency Planning worked extensively with the military during Covid where they provided significant assistance across several areas of the response, including temporary mortuary arrangements and testing.
52. **Veterans' Hubs.** Veterans' hubs are informal and regular meeting places which are safe and welcoming for all members of the Armed Forces

Community. Support and advice is available e.g. on health and welfare, finance and employment often provided by service charities. Signposting to other agencies is a key element. Veterans' hubs are located throughout the county including within some of our Libraries (e.g. Ringwood).

53. **Veterans Liaison and Diversion & Peer Mentoring Steering group.** The Veterans Liaison and Diversion Steering Group was established over ten years ago through initial partnership working that included Hampshire County Council and various other statutory and voluntary organisations. A bid was made by Hampshire County Council to fund the initiative, the first of its kind in the country. The objective of the initiative was to bring together all organisations that have contact with or provide support to veterans who come into contact with the criminal justice system with the aim of better co-ordinating responses and thus outcomes for individuals.
54. Since the inception of the steering group the membership has grown and now includes members from Hampshire Constabulary, National Probation Service, NHS Mental Health services, the charity Soldiers', Sailors' & Airmen's Families Association (SSAFA), HMP Winchester, Hampshire Justices of the Peace, Veterans Outreach Support, Project Nova, Hampshire County Council, Portsmouth City Council, Southampton City Council and others. The Liaison and Diversion Steering Group meets monthly, sharing key information, practice and ensuring services are co-ordinated. The groups ensure links to other Veterans initiatives are made, including key work through the Covenant and areas such as housing and family support.
55. **Wider Support / Signposting.** The Council also assists by signposting residents to other areas of support. It does this in various ways: through our Armed Forces Webpages; promotion and use of the free "Forces Connect" app and through Connect to Support Hampshire.
56. **Grants.** Several external grants are available to support our Armed Forces Community and integration of Civilian and Military communities. One source of grant funding deserves particular mention – the Armed Forces Covenant Fund Trust which has several different grant streams open each year. Hampshire has benefitted widely from these grants directly (e.g., grant of £250k towards Enda Ryan Poppy Pods (built 2016), £345k total for Forces Connect South East (2017-2023), Mental health First Aid for the Armed Forces, £73k 2017-2019) and within communities (e.g military support clubs in schools).

Finance

57. Excluding the resource costs mentioned earlier in the report, there is no other specific budget for this area of work. There will be a small cost in re-signing the Covenant, but this will be kept to a minimum.

Consultation and Equalities

58. Not applicable.

Climate Change Impact Assessment

59. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.

60. **Climate Change Adaptation and Mitigation.** This area of work does not directly impact climate change adaptation and mitigation. Elements within which are relevant will be managed separately within that specific area of work (e.g. Emergency planning responding to incidents resulting from climate change).

61. **Carbon Mitigation.** Not applicable.

Conclusions

62. The Armed Forces Act 2021, which was implemented 22 November 2022, creates a new legal obligation (the Covenant Duty) on specified bodies which includes local authorities in England and schools.

63. The Duty builds on – but is distinct from – the pre-existing voluntary Covenant pledge which the Council signed in June 2011. It was a matter for each organisation whether they signed the pledge and how they chose to uphold and act in accordance with the basic principles of the Covenant.

64. The Council is taking the necessary steps to ensure that all relevant services comply with the new statutory obligations.

65. The Council's covenant pledge would benefit from being updated to ensure that it is aligned to the new statutory obligations and to specify more clearly how the Council will comply with the Covenant Duty.

66. Updating and re-signing the pledge, in line with our statutory obligations would also enable the Council to demonstrate its continued commitment to the Armed Forces Community in Hampshire.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
Armed Forces Bill	2021

Appendix A: Role of the Armed Forces Champion

- To chair the Hampshire Civilian Military Partnership Board and to advocate for civilian military relations in Hampshire.
- To liaise with the Armed Forces Programme Manager as their first point of contact for all matters relating to the Armed Forces community in Hampshire.
- To have a good understanding of the Armed Forces Covenant and the Covenant Duty of “due regard” and how it relates to service delivery within the County Council.
- To keep abreast of national developments concerning the Armed Forces.
- To raise the profile and needs of the Armed Forces community (serving personnel, both regular and reserve, their families, veterans and Cadets).
- To liaise and be involved with most military or ceremonial matters e.g., Armed Forces Day flag raising, Reserves Day, staff Armistice service.
- To maintain and develop strong working partnerships with senior staff from all three Armed Forces and other key military bases in Hampshire including training establishments.
- To work with the South East Reserve Forces and Cadets Association (SERFCA) to engage with key local businesses to promote the Armed Forces Covenant, the Ministry of Defence Employer Recognition Scheme, the employment of Reservists and the appointment of Cadet Force Adult Volunteers.
- To keep the Leader and other Members / MPs informed of the activity and issues within the County in relation to the Armed Forces community.

Revised 2023

Appendix B : Summary of key activities and events over next 12 months for the Programme Manager

- To support and embed the Covenant Duty.
- Developing succinct corporate how-to-guidance for managers needing to understand and apply the Covenant Duty on a day-to-day basis.
- Staff briefing / training (funded through a partnership grant funded project, Forces Connect South East) to promote and support the Armed Forces Covenant following the legislative change.
- Developing / sourcing suitable digital learning targeted for relevant officers responsible for applying the new duty.
- Development of internal guidance and resources as necessary to support implementation and compliance with the new statutory duty.
- Updating the Council's Armed Forces web pages.
- Routine Query / complaint management and signposting members of the armed forces community to appropriate services.
- Keeping abreast of public policy and affairs relating to Armed Forces.
- Deliver Members Briefings on Armed Forces matters when required.
- To manage the Hampshire Civilian Military Partnership Board meetings.
- To arrange, co-ordinate and manage the partnership Armed Forces Conference.
- To offer support as appropriate to the Armed Forces Community.
- To act as a point of contact and liaison with key partners and stakeholders within this sphere of work.

Key Annual Dates marked by the County Council:

- Flag Raising to mark the start of Armed Forces Week
- Reserves Day
- Staff Remembrance Service

Commemorative Events e.g. 40th Anniversary of end of Falklands Conflict 2022; 80th Anniversary of D-day next year 2024.

Appendix C: Proposed wording for the Council to re-sign the Armed Forces Covenant

Introduction:

Hampshire County Council is fully supportive of, and firmly committed to honouring, the Armed Forces Covenant and fulfilling its statutory duties in respect of healthcare, education and housing under the Armed Forces Act 2006, as amended by the Armed Forces Act 2021 (“the Covenant Duty”).

Hampshire County Council recognises the value the Armed Forces Community contributes to Hampshire and endeavours to ensure that in its provision of public services, and pursuant to the Armed Forces Covenant and Duty, no member of the Armed Forces Community is placed at a disadvantage compared to someone in a similar position who is not a member of the Armed Forces Community.

Principles of The Armed Forces Covenant

The Armed Forces Covenant is based upon two key principles:

- The Armed Forces community should not face 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.

Principles of The Covenant Duty

In accordance with its legal duty, when exercising relevant public functions in the areas of housing, healthcare and education, the Council will have due regard to:

- 1. the unique obligations of, and sacrifices made by, the armed forces,*
- 2. the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces, and*
- 3. the principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.*

Removing Disadvantages

We aim to ensure that the level of access a member of the Armed Forces Community has to **goods and services, or the support they receive** is not comparatively lower than that of someone in a similar position who is not a member of the Armed Forces Community, and that any difference does not arise from one (or more) of the unique obligations and sacrifices of Service life.

Demonstrating our Commitment:

Hampshire County Council recognises the value serving personnel, reservists, veterans and military families bring to our communities.

Hampshire is at the heart of the UK’s defence capability, and it is home to some of the UK’s most important defence forces and organisations. Examples include

British Army Land Forces Headquarters, Aldershot Garrison, RAF Odiham, Worthy Down, Marchwood Military Port and HMS Collingwood. There are enormous benefits both economic and culturally to having a military presence in this county. Promoting mutually beneficial relationships between employers and Defence, by advocating the transferable skills and attributes that Armed Forces personnel take to the civilian workplace, is an economic asset to Hampshire.

We will strive to deliver our Armed Forces Covenant principles through working collaboratively with partners including military representatives, charities, third sector, businesses and other public bodies to promote the wider armed forces agenda, covenant and covenant legislation.

In respect of the Covenant Duty we will achieve this through the following:

- Providing local authority delivered public health services that take into account the needs of the Armed Forces Community as informed by the Joint Strategic Needs Assessment (JSNA).
- Supporting service children around school admissions and educational achievement.

Alongside our Covenant Duty we will seek to uphold the principles of the Armed Forces Covenant, by **promoting Hampshire County Council as an Armed Forces friendly organisation** by:

Supporting Veterans: recognising the value of Armed Forces Veterans in the civilian workforce and supporting the transition to civilian life.

Recruitment - recognising equivalent military skills and qualifications and / or experience in our recruitment and selection process

Understanding our workforce - Capturing service data of our employees to understand our workforce profile.

Supporting Service Spouses & Partners, before, during and after a partner's deployment in accordance with our leave policies where we can.

Supporting Reservists: with a clear Reservist Policy, which grants additional paid/unpaid leave for annual Reserve Forces training and helps managers to support mobilisations and deployment, as well as raising awareness amongst members of staff of the opportunities to become a Reservist.

Commemorating significant events and celebrating our Armed Forces: such as Remembrance activities, Armed Forces Day and Reserves Day.

Facilitating and providing **advice and support within our Armed Forces communities**.