



SaBRE

Supporting Britain's
Reservists & Employers

A guide to employing Reservists

SaBRE

An introduction from SaBRE



What is SaBRE?

SaBRE is an impartial body created by the Ministry of Defence (MoD) to provide you as an employer with all the information you need, from Reservists' training obligations, to your legal rights and responsibilities.

This brochure is designed to help:

- Individuals and organisations who employ members of the Volunteer Reserve Forces (VRF) now or in the future.
- Self-employed Reservists.

The following pages give background information on how the VRF is organised, the commitments required of its members and the many benefits that their training can bring to your business.

You'll find details of the processes of mobilisation and associated financial support – both for your business and Reservists.

Now more than ever, the VRF is an integral and vital part of the UK's Armed Forces. Those who join can expect to be mobilised at least once in their military career. This not only demands the continued dedication and enthusiasm of our Reservists, but also of the support of their partners, families and employers.

If you would like to know more, or need advice on any aspect of employing Reservists, please visit our website at www.sabre.mod.uk or call us on **0800 389 5459**.

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“We are supportive of our Reservists, as we consider that such activities give the individual extra knowledge and breadth of experience that they could not get routinely.”

*Richard Newcombe,
Head of Training and Development,
Thames Water*



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Employing Reservists: An overview

SaBRE helps businesses with all aspects related to Reservist employment. This summary gives you the information you need to gain a fuller understanding of what it means to employ Reservists; the commitments, as well as the many benefits.

What are the Volunteer Reserve Forces?

The Volunteer Reserve Forces consist of civilians from large and small businesses from a wide range of industries. Their collective skills are used to reinforce the Regular Armed Forces through the Royal Naval Reserve, the Royal Marines Reserve, the Territorial Army and the Reserve Air Forces.

How do I know if I employ a Reservist?

Anyone who joins the Volunteer Reserve Forces (VRF) or seeks to renew their commitment (re-engage) must give permission for the MoD to contact their employer directly. This procedure, known as Employer Notification (EN), has been in place since 1 April 2004. EN encourages an open and honest relationship between a Reservist and their employer, ensuring the employer is aware that they have an employee in the VRF and to tell them about the associated benefits, rights and obligations.

What is the training commitment for Reservists?

The Volunteer Reserve Forces need to train incredibly hard. The vast majority of this training takes place in the Reservist's spare time. Typically, they commit to 30 days training per year, comprising of evenings, weekends and 15 days' continuous duty.





“We are very proud of our Reservists. They genuinely have to come up with ‘outside the box’ thinking. They have to share their ideas and be open, which is something we would always want to see.”

*Peter Bowler,
Renishaw (technological innovation company)*

How are Reservist employees selected for mobilisation?

A Reservist employee within your company will carry a mobilisation liability. Mobilisation is only undertaken when absolutely necessary, and takes place under the 1996 Reserve Forces Act. Wherever possible the MoD will identify willing and available Reservists for specific appointments.

Is there financial assistance if an employee is mobilised?

You do not have to continue paying your Reservist while they are mobilised. However, the MoD understands mobilisation will have an impact on your business. To minimise any disruption, you can claim financial assistance to cover the cost of replacing an employee who is mobilised, over and above their earnings.

What are the benefits of employing a Reservist?

All members of the Reserve Forces undergo rigorous training which develops valuable skills like leadership, teamwork, effective communication and organisational ability. This can lead to improved performance in the workplace, with transferable attributes that include the ability to work under pressure, reliability, self-confidence and a determination to succeed. You'll find more information on the ways in which Reservist training can benefit your business in Sections 2 and 4 of this brochure.



For more information about the topics covered in this brochure, please visit our website:
www.sabre.mod.uk



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The benefits of Reserve Service to employers

Training and serving in the VRF enables employees to develop a wide range of skills and qualities which can be of real benefit to your business.

Transferable skills

The average Reservist receives training in transferable skills which could cost a company over £9,000pa* to implement. So, the more your Reservist employees take advantage of these opportunities, the greater their value to your business.

Core skills

Teamwork, self-confidence, leadership qualities and experience of other cultures are highly-prized attributes that many Reservists develop. Undergoing training and serving on duty in the field also develops resourcefulness, perseverance and the ability to improvise in unfamiliar or difficult circumstances.

Personal skills

Reservist training teaches individuals how to lead, as well as how to work within a team, solve problems, communicate, present ideas and organise complex events or processes. This encourages loyalty, reliability and integrity, developing confidence in abundance.



Research by Leeds Business School has shown that the value to UK employers of VRF training is around £377 million per year.

Conclusion

Every year, businesses invest millions of pounds in sending employees on courses designed to give them skills and attributes that VRF membership instils for free. There are few other training and personal development products to match it. Many companies and organisations demonstrate their support by giving Reservist employees paid or unpaid leave in addition to their annual leave, so that they can fulfil their yearly training commitments.

If you would like further details of VRF training, please contact SaBRE using the details provided in Section 12 of this brochure.



*Research by Leeds Business School 03/10/2005 has shown that the value to UK employers of VRF training is around £377 million per year.

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The Reserve Forces of the United Kingdom

Reservists provide extra resources and skills for each of the Regular Services – the Royal Navy, Royal Marines, Army and Royal Air Force.

The Volunteer Reserve Forces (VRF)

The VRF consists of the Royal Naval Reserve (RNR), the Royal Marines Reserve (RMR), the Territorial Army (TA), and the Reserve Air Forces. They provide individuals and/or ready-formed units to bolster the Regular Forces at times of increased operational demands. Members of the Reserve Forces can provide skills and capabilities which can prove invaluable to civilian business careers.

Royal Naval Reserve (RNR)

The RNR supports the Royal Navy in its operational commitments by providing extra trained personnel when needed. RNR personnel are trained in many areas including operations, logistics, medical, communications, submarine or air support, management roles and aviation.

Royal Marines Reserve (RMR)

Members of the RMR are trained to integrate with their regular counterparts, and are expected to reach and maintain similar high standards. Recruit training takes a minimum of one year and culminates in the award of the Commando Green Beret.

The Territorial Army (TA)

Today's TA provides formed units and individuals to give the Army back-up for operations across all military tasks. This ensures the Army is capable of mounting and sustaining operations worldwide.

Reserve Air Forces

The Reserve Air Forces are made up of the RAF Reserve (RAFR) and the Royal Auxiliary Air Force (RAuxAF). RAuxAF volunteers tend to be in full-time civilian employment, whereas members of the RAFR tend to be recruited for full time or part time service. Both support the Regular RAF on operations.



“It is the combination of both a professional and positive nature where needed that make us proud of our Reservist.”

*Peter Bowler,
Renishaw (technological innovation company)*



Civil Contingency Reaction Forces (CCRF)

Members of the VRF may also volunteer to join one of the regional Civil Contingency Reaction Forces, which provide support for the civil authorities in the event of extreme national need, such as a natural disaster or terrorist attack. CCRF volunteers receive special training and may be called up at very short notice (see Section 5).

THE DIFFERENT CATEGORIES OF RESERVE SERVICE

Standard Volunteer Reservists

Most Volunteer Reservists commit to 30 days' training per year, comprising of evenings, weekends and 15 days' continuous duty - often referred to as annual camp. They are also committed to the possibility of mobilisation under the Reserve Forces Act 1996. Reservists are only mobilised when absolutely necessary. Wherever possible the Ministry of Defence (MoD) will identify willing and available Reservists for specific appointments.

Full Time Reserve Service (FTRS)

FTRS gives Reservists the opportunity to serve full-time, for varying periods, alongside their Regular counterparts. Because of the valuable experience this provides, many employers grant sabbatical leave for such duties. However, you are under no legal obligation to reinstate an employee who resigns to carry out FTRS commitments.

Additional Duties Commitment (ADC)

ADCs are opportunities to undertake part-time work with the Services, either with Regular or Reserve units or, more usually, within Headquarter establishments. They may also form part of a job-sharing arrangement. The minimum commitment is 13 weeks (i.e. at least one day a week for a continuous period of at least 13 weeks). You are under no obligation to grant additional time off for employees who undertake ADC work. However, as with FTRS appointments, many employers choose to do so because of the valuable experience gained.

High Readiness Reserve (HRR)

The HRR has specific skills which the Armed Forces must have access to, but which are only required occasionally. They volunteer for High Readiness status and can be deployed with seven days' notice or less. If an HRR has a civilian job and works more than two days per week, the employer's written consent will be required in order for the Reservist to hold HRR status. This consent takes the form of an agreement that is renewed annually. If mobilised, a High Readiness Reservist can be asked to serve for up to nine months.

The Sponsored Reserves

The Sponsored Reserve enables the MoD to let defence contracts, on condition that an agreed element of the contractor's workforce has a reserve liability. These Reservists can be trained and called-out to undertake the contracted task as members of the Armed Forces. You will be aware if you already employ a Sponsored Reserve.

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The volunteer Reservist's training commitment

The Ministry of Defence (MoD) recognises the importance of minimising the impact of Reservist commitments on your workplace. Most training takes place outside normal working hours; however many employers grant their Reservist employees additional leave for periods of continuous training.

Training obligations

Although an individual's training commitment varies between the different elements of the Reserve Forces, for most Reservists training is made up of the following three forms:

Weekly training. Most Reservists attend a weekly training period at a local training centre. This will normally take place in the evening and last about two and a half hours.

Occasional training weekends. All Reservists are expected to attend a number of training weekends, which are spread throughout the year. For most, this will add up to approximately 15 days per year.

Continuous training period. Once a year, there is a 15-day continuous training period, often referred to as 'annual camp'. This may take the form of a course at a training establishment, an attachment to a regular unit, a training exercise or a combination of elements. This usually takes place within the UK, although each year some Reservists have the opportunity to train overseas.

The importance of the Annual Camp

This continuous training period enables Reservists to perfect their skills and undertake more comprehensive activities. In some cases, it's the only time during the year when the whole unit can train together. In most cases, dates are determined as early as 6 months in advance to help Reservists arrange time away from work.

Training courses and other duties

Some Reservists volunteer for extra training courses and other duties in addition to their annual continuous training period. This training focuses on skills such as health and safety, IT and personnel management. As an employer, you don't have to make time available for this, but many see it as a valuable investment.



Reservist training typically involves one evening per week, a number of weekends and an annual training camp lasting 15 days.



Your support is vital

Your understanding and co-operation is essential if Reservists are to benefit fully from their training opportunities. This is particularly the case with the continuous training period which can represent a significant proportion of an employee's holiday entitlement. You are under no obligation to grant a request by a Reservist employee for additional paid or unpaid leave; however, the value of the transferable skills gained in training could be of real benefit to your company, and many businesses are only too pleased to grant extra leave, paid or unpaid, for the continuous training period.

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Mobilisation

Volunteer Reservists play a vital part in the UK's defence strategy. They are able to augment the capability of Regular units during military operations at any time, anywhere in the world.

When Reservists are needed they are 'mobilised' or 'called out'. Mobilisation is the process of calling Reservists into a period of permanent service within the Regular Forces in support of military operations. The Services are moving towards the more flexible use of Reservists, with operational tours varying in duration. The length of mobilisation currently ranges from three months or less, up to a legal maximum of 12 months in total, accumulated over a 3 year period.

With the exception of the Cadet Forces, all members of the VRF are committed to the possibility of mobilisation, if required, under the provisions of the Reserve Forces Act 1996.

When will employees be mobilised?

The Reserve Forces Act 1996 (RFA 96) provides for three main powers under which mobilisation can take place:

1. If it appears that national danger is imminent, or a great emergency has arisen, or in the event of an actual or apprehended attack on the United Kingdom.
2. If it appears that warlike operations are in preparation or progress, e.g. Iraq and Afghanistan.

3. If it appears necessary or desirable to use Armed Forces on operations outside the United Kingdom for the protection of life or property; or on operations anywhere in the world for the alleviation of distress or the preservation of life or property in time of disaster or apprehended disaster, e.g. the Balkans.

The mobilisation process*

Each of the Volunteer Reserve Forces follows a strict process when it mobilises Reservists. The process includes notifying you and the Reservist of the date when they are required to report for duty, at which point they undergo a medical assessment and complete pre-mobilisation training.

Prior notice of mobilisation

The Reserve Forces Act 1996 gives no statutory requirement for a warning period prior to mobilisation. However, it is unlikely that a Reservist employee would be called out before you were aware of a situation that might demand it.

The Services recognise that employers and Reservists need time to put their affairs in order before mobilisation. Subject to the severity and immediacy of the crisis, the aim is to provide both you and the Reservist with 28 days' notice of the date that they are required to report for mobilisation.

*See timeline in Section 10.

Mobilisation is made up of three phases; Pre-Mobilisation Training, Operational Tour and Post-Operational Tour Leave.



What happens when a Reservist is mobilised?

Reservists are responsible for informing you of their mobilisation order as soon as is practically possible. You will be notified of your Reservist's mobilisation by receipt of a mobilisation pack, either directly from the Ministry of Defence (MoD) or delivered by your Reservist. This pack will include your Reservist employee's mobilisation papers which set out the date and anticipated duration of mobilisation, and your statutory rights and obligations - including the entitlement to apply for an exemption or deferral from mobilisation.

The Reservist then reports to their mobilisation centre where they will undertake pre-mobilisation training, including a medical examination, before being accepted into full-time service. This whole process can take up to four weeks. They will then join a Regular unit for the duration of their mobilised service. Towards the end of their mobilised service they will return to the mobilisation centre to be demobilised.

After demobilisation, Reservists are entitled to a period of leave. During this leave period, the Reservist will contact you to agree a date for their return to work (see section 10).

Mobilisation of Civil Contingency Reaction Forces

The Civil Contingency Reaction Forces (CCRF) can be called up at very short notice, as little as 24 hours, but would only be mobilised for a relatively short period of time, probably no more than a week or so.

The authority for call-out of CCRFs is contained in the Reserve Forces Act 1996, which requires ministerial agreement before taking place. The rights of employers to claim financial assistance or apply for exemption are unaltered.

Given that the notice of call-out would be exceptionally short, members of CCRFs are expected to inform their employers in advance about this liability for call-out. As CCRFs would only be used in times of civil emergency, it is hoped that as an employer, you will be sympathetic towards any mobilisation as it will be directly supporting the welfare of the community.

High Readiness Reserve

The High Readiness Reserve (HRR) is made up of special Volunteer Reservists who should be available to report for service at a minimum of seven days' notice. If a Reservist has a regular job and works more than two days per week, they will require your written consent as their employer before they can hold HRR status. This consent is renewed annually.

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Employers' rights and exemptions

Your statutory rights and obligations as an employer

Under the Reserve Forces Act 1996:

- The employer of a Reservist who is to be mobilised is entitled to seek exemption from, or deferral of, mobilisation if it is thought that the loss of the employee will cause serious harm to the business. See The Reserve Forces (Call Out and Recall) (Exemptions etc.) Regulations 2005.*
- You may also seek exemption if your employee's absence would cause serious harm to any other business or undertaking of a partner, proprietor or employee of that business or undertaking.
- If the Reservist is a partner in your business or a director of your company (other than a non-executive director), then that business or company is regarded as his employer. The self-employed can apply as an employer or as a Reservist, or both.
- A Reservist who has been offered and has accepted a job, but has not yet started that job is regarded as an employee of that business or undertaking.
- You may also apply for financial assistance. (See Section 8)

Grounds for exemption from mobilisation

To obtain exemption, you must be able to show that the absence of the Reservist would cause serious harm to the business or undertaking in which the Reservist is employed, or to a partner, proprietor or employee of that business or undertaking. While the definition of serious harm will vary from case to case, the Regulations specifically mention:

- The serious loss of sales, markets, reputation, goodwill or other financial harm.
- The serious impairment of the ability to produce goods or provide services.
- Demonstrable harm to research and development of new products, services or processes, provided that the harm could not be prevented by the employer being given financial assistance under the Reserve Forces (Call Out and Recall) (Financial Assistance) Regulations 2005.

How to apply for exemption

You or the Reservist must make an application for exemption or deferral within seven days of the Reservist being served with a call out notice. If the application is not made within those seven days, permission to make a late application must be obtained from the Adjudication Officer who is appointed by the Ministry of Defence (usually a serving officer or Ministry of Defence official).

*Statutory Instrument no. 859 of 2005 – The Reserve Forces (Call Out and Recall) (Financial Assistance) Regulations 2005 (SI859/2005)

If the mobilisation of an employee would have a damaging effect on your organisation, you can apply for an exemption or deferral.

You will need to provide as much information as possible about the Reservist who is being mobilised. As well as personal details such as name, address, payroll number and National Insurance number, it is important to provide as much information as possible about:

- The business in which they are employed.
- The role that they perform.
- The effect that their absence will have should they be called out.
- The grounds for exemption in terms of serious harm to the business.

An application should be made in writing by post, fax or e-mail to:

- The person specified on the notice of mobilisation.
- An Adjudication Officer at the place where the Reservist was accepted into service.
- One of the Adjudication Officers whose addresses are listed in Section 12 of this brochure.

Determination of applications

An Adjudication Officer will decide whether an application for deferral or exemption will be accepted. Every effort will be made to do this quickly and with a thorough understanding of the implications for your business.

The Adjudication Officer will seek to balance your needs against the needs of the operation for which the Reservist has been called out. For example, if the Service requirement is for a widely available skill while the Reservist has specialist skills in the workplace, the application is more likely to succeed.

Appeals

If you are dissatisfied with the decision of the Adjudication Officer, you can appeal for a hearing by an Independent Reserve Forces Appeal Tribunal through the Tribunals Secretary.

For contact details of Adjudication Officers, please see Section 12 of this brochure.



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Appealing against an Adjudication Officer's decision



If you are dissatisfied with an Adjudication Officer's decision on an application for exemption, deferral or financial assistance you can appeal for a hearing by an Independent Reserve Forces' Tribunal through the Tribunals Secretary.

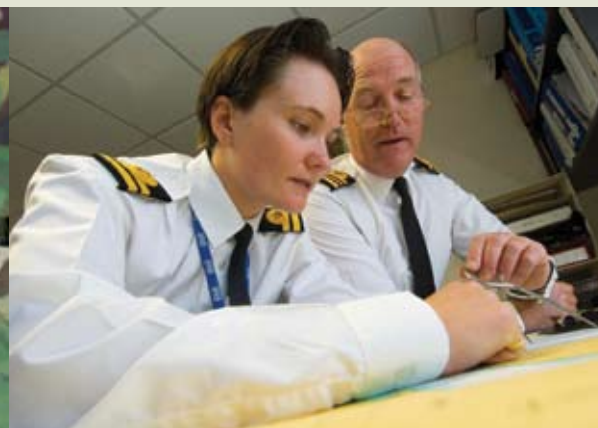
Tribunals are independent of the Ministry of Defence, with appointments made by the Secretary of State for Constitutional Affairs and the Lord Chancellor. The chairperson and members normally hold similar posts in the Employment Tribunals Services of England, Wales, Scotland or Northern Ireland.

The Form of Appeal can be obtained by calling 020 7218 6854. Notices of appeal should be sent to the relevant address in Section 12 of this brochure.

Your time limits

Appeals must reach the Tribunals Secretary within five days of you receiving written notice of the decision. Contact details are given in Section 12. If the appeal is to be delayed by matters outside your control, a written explanation for the delay must be attached to the Form of Appeal.





The procedure

A preliminary date, time and place for the hearing of the appeal will be given, and you may be asked for further information to supplement what has already been provided. The acknowledgement of the appeal will be accompanied by a leaflet that explains more about what to expect on the day of the hearing. In light of the urgency of the Service's operational requirements, the Tribunal will aim to complete the appeal process within 28 days of receipt of the appeal, during which time the Reservist will not be deployed outside the United Kingdom.

The hearing, which is informal in nature, will normally be held at the office of the Employment Tribunals Service nearest to you.

More information

Further advice about the appeal process can be obtained via the Tribunals Secretary at the address or contact numbers shown in Section 12 of this brochure.

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Appeals must be made within five days of receiving notice of the decision. The appeal process aims to complete within 28 days.



Financial assistance and company pension schemes

Financial assistance for employers

An employee's mobilisation may result in additional costs to you. Reserve Forces regulations, introduced in April 2005*, provide a simple and effective scheme for claiming financial assistance to cover the costs of replacing an employee who has been mobilised. In order to claim, you must provide appropriate supporting documentary evidence.

What you can claim for

Additional costs. As an employer, you may claim financial assistance to cover the additional costs to you of replacing an employee who is mobilised, over and above their earnings. While the Reservist is mobilised you do not have to continue paying them, and the Ministry of Defence (MoD) will not pay you for doing so.

The additional costs may include, for example:

- Overtime if you use other employees to cover the work of the Reservist.
- Any costs of hiring a temporary replacement that exceed the Reservist's earnings.

The maximum amount you can claim for additional costs is currently set at £110 per working day that your Reservist is on permanent service, this is roughly equivalent to £40,000 per year. Payments will normally be paid monthly.

Non-recurring costs. You may also claim for certain one-off costs that you incur in replacing your employee. These include:

- Agency fees, if you use a recruitment agency or employment agency to find a temporary replacement.
- Advertising costs, if you place a recruitment advertisement by any medium to find a temporary replacement.

There is no cap on the amount you can claim for either of these types of costs, but you must be able to support your claim with invoices or bills and evidence of payment.

Training

You can claim if your Reservist employee needs training when they return to work to carry out their duties properly. In order to make this claim you need to be able to demonstrate that the Reservist needs the training as a result of having been mobilised; the MoD will not pay for training that you would have carried out anyway. There is no cap on the amount you can claim for training but you will have to provide evidence of the costs, and show that the Reservist could not reach the required standard by other means, such as workplace experience. If training is required, it must be completed within 6 months of the employee returning to work. The cost of retraining must be applied for within 8 weeks of the employee completing their training.

*Statutory Instrument no. 859 of 2005 – The Reserve Forces (Call Out and Recall) (Financial Assistance) Regulations 2005 (SI859/2005).

Changes in the law
have improved the provisions
for financial assistance to
employers of mobilised Reservists.

Pension contributions

A Reservist who is called out is entitled to remain a member of their occupational pension scheme. Provided that the Reservist continues to pay their contributions to the scheme, the MoD will pay the employer contributions that you would have made. This payment is made as part of an award to the Reservist - you do not need to claim for it.

What you cannot claim for

Reservist's salary or benefits. You are not under any obligation to pay the Reservist's salary or benefits in kind during the time that they are mobilised. If you choose to continue paying them, you cannot claim for this.

Loss of profits, turnover or goodwill. You cannot claim for these. If you believe that the loss of them will do serious harm to your business, then you should seek exemption or deferral of mobilisation. (See Section 6).

How to make a claim

You will receive, as part of the mobilisation pack application, details for financial assistance. (See Section 5).

You will need to complete a claim form and provide the evidence that the form describes. Your claim will then be considered by an Adjudication Officer, whose address is on the letter accompanying the form. The Adjudication Officer may ask you to produce additional evidence and if you do not do so, your claim could be delayed, not paid in full, or in certain circumstances not paid at all.



The latest you should normally make any claim, other than for training, is within four weeks of the date your Reservist is demobilised. If you think you will have difficulty in completing the form within that period, you should contact the Adjudication Officer immediately. They might be able to make an interim award based on the information you can provide.

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Welfare and support for Mobilised Reservists

It is important that Reservists and their families feel financially secure during their period of mobilisation. The section below outlines the financial help available to them.

Loss of Reservist earnings and benefits

If Reservists are mobilised and their civilian pay is higher than their Service pay, then they can claim the difference. The difference is calculated as a daily amount.

They are also able to claim for the daily cost of replacing certain benefits in kind that their employer suspends while they are mobilised, such as health insurance, educational fees for a dependent child or accommodation.

The overall amount which can be claimed for both earnings and benefits is not related to Service Rank. However, it is subject to a cap of £548 per day (equivalent to around £200,000 per year).

If a Reservist is on the GMC Specialist Register and serving as a Medical Consultant with the Defence Medical Services the cap is £822 per day (equivalent to around £300,000 per year).

Pension provision

The Reservist can elect to remain with his company or private pension scheme, or to opt for Reserve Forces' Pension Scheme benefits. If the former is chosen, any employee contribution must continue to be paid either through Direct Debit Mandate or via an allotment from the Reservist's military salary.

Evidence of such arrangements will be required before the Reservist receives any pay enhancement to compensate for those contributions.

Section 8 gives further details and should be read in conjunction with your company pension scheme.

Insurance provision

Mobilisation may affect the Reservist's Life Insurance and Personal Effects insurance policies and may be invalidated if the Reservist does not inform the insurer of the mobilisation. It is essential that the employee checks that all policies will continue to give the same or satisfactory cover.

The need for additional insurance is an important consideration for the protection of Reservists and their families, and all mobilised Reservists are strongly advised to revise their insurance to ensure that cover is adequate.

Death or disability

Apart from the Reservist's own provision through Personal Life and Personal Accident Insurance policies, the Government recognises the need to safeguard Reservists and their dependants while participating in Service activities. Financial provisions where ill-health or death is shown to be attributable to Service come from the Armed

Measures are in place to ensure a Reservist's salary whilst in permanent service is equal to their civilian salary.



Forces Compensation Scheme (AFCS). AFCS was implemented on 6 April 2005 for all illnesses, injuries or deaths due to Service caused after the date of introduction. The new AFCS replaces the previous arrangements under the Armed Forces Pension Scheme and the War Pension Scheme for all injuries, illnesses or deaths which are caused on or after 6 April 2005. Incidents that occur prior to this date will be covered under the current arrangements. The new AFCS focuses on those more severely disabled and is based on a 'lump sum' award to compensate for pain and suffering (also available for those remaining in-service) and a Guaranteed Income Stream to compensate for loss of earnings where appropriate.

Welfare

The Services recognise the valued role played by the Servicemen's families and in doing so have adopted a proactive approach to supporting the family through Welfare Packs and personal contact. Each branch of the Armed Forces runs its own Welfare Service which operates in conjunction with a number of other agencies. Additionally, for members of the Volunteer Reserve Forces, the Permanent Staff Administration Officer (PSAO) from the Reservist's Unit may be available to help in case of difficulty.

If you have any concerns regarding welfare and support for mobilised Reservists, please contact the SaBRE helpline on **0800 389 5459** or visit **www.sabre.mod.uk**

Details of the above information can be found

- In Statutory Instrument no.859/2005 – The Reserve Forces (Call Out and Recall) (Financial Assistance) Regulations 2005. The full version can be found at www.sabre.mod.uk
- In Regulations published by his or her Service.
- In Documentation provided with the Call-Out Notice.
- By administrative personnel at the mobilisation centre, once the Reservist has reported to the mobilisation centre. Single Service Personnel Centres will be ready to assist with these claims.

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Return from mobilised service

Demobilisation occurs when a Reservist returns from active duty to the mobilisation centre. Following the demobilisation process the Reservist is entitled to a period of post-operational tour leave before reaching the last day of whole-time service and returning to civilian life. The length of leave is dependent on the length of an individual's mobilisation. The average length is 30 days.



SaBRE is here to offer information and support on issues relating to demobilisation – whether practical, legal or welfare related

Adjusting to demobilisation

Demobilisation can be a difficult time, with a Reservist returning to work after a challenging period in deployment. Helping to ensure smooth reintegration into the team, and updating them on changes and developments in the organisation, can help prevent any feeling of dislocation.

Reinstatement

The Reserve Forces (Safeguard of Employment) Act 1985 provides protection for a Reservist by making it unlawful for you to terminate an individual's employment because they have a liability to be mobilised. For further details, see Section 11 of this brochure.

The Act gives a mobilised Reservist the right to be re-employed by their former employer after demobilisation. This is subject to the Reservist making an application for reinstatement in due time, and the continued unchanged existence of his previous employing organisation. There are provisos and time limits, so employers receiving applications for reinstatement from former employees may wish to take legal advice.



The Call-out pack

Once a Reservist has been selected for mobilisation, he or she will receive the Call-out Pack at his or her home address. It is usually issued 28 days prior to the date when the Reservist is required to report for duty.

Notifying the employer

At around the same time that your Reservist employee receives notification of mobilisation, you will receive an employer pack from the MoD. This includes a copy of the Call-out Notice, guidance on applying for exemption or deferral, plus guidance on financial assistance.

Reporting for service

On arrival at the Mobilisation Centre, the Reservist undertakes pre-mobilisation tests and training, including a medical, before being accepted into service. This can take up to four weeks, depending on the nature of the operation.

Deployment

Reservists are usually sent to a Regular Unit for their operational tour. The nature of their duties varies enormously – from front line involvement to humanitarian support roles – depending on the needs of the operation and their particular skills.

Returning to work

During the period of post-operational leave, the Reservist will write to his or her employer, to agree a date for returning to work. This letter must be sent no later than the third Monday after the last day of the Reservist's whole-time service.



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Reinstatement – obligation to reinstate returning Reservist employees

Once a Reservist makes an application for reinstatement to employment, you have a duty to reinstate the Reservist to their former job for a stated minimum period, or to offer the most favourable alternative employment.

Reinstatement

The Reservist must write to you within the period between the end of their whole-time service and the third Monday after that date, at their present or last known address, asking for reinstatement to their former job. If, owing to sickness or other reasonable cause, the Reservist is prevented from making the application until after the expiry of the third Monday after the end date of their whole-time service, they must write as soon as reasonably possible after that third Monday.

The Reservist must also write to you at the same time, or within 21 days of the third Monday after their whole-time service, to give the date on which they will be available to go back to work. Note: that date must be no later than the 21st day after the third Monday after the end of the period of whole-time service. If, because of sickness or any other reasonable cause, the Reservist is not available for work until after the 21st day, they must write to you, notifying an alternative prospective start date as close as reasonably possible after the 21st day.

If you offer alternative employment*, and the Reservist is dissatisfied with the alternative offer, they must inform you immediately in writing, stating why there is reasonable cause for them not to accept it.

If a Reservist believes that an employer's response to their application for reinstatement denies their rights, an application can be made to a Reinstatement Committee for assessment.

Reinstatement Committees are entirely independent of the Ministry of Defence.

Demobilisation

Demobilisation occurs when a Reservist returns from active duty to the Mobilisation Centre. Following this they are entitled to a period of post-operational tour leave before reaching the last day of whole-time Service and returning to civilian life.

Post-operational tour leave

The length of leave is dependent on the length of an individual's mobilisation. The average length is 30 days.

Last day of whole-time service

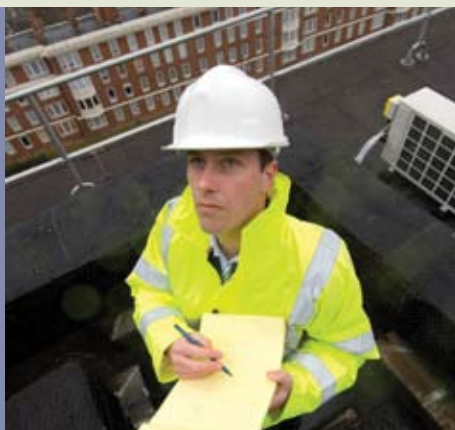
The end of post-operational tour leave signals the end of Military salary.

Retaining the right to reinstatement

The Reservist must write to their employer and apply for reinstatement to their civilian job by the 3rd Monday after the last day of whole-time service. Within this letter, the Reservist must state the date they wish to return to work. This must be no later than the 6th Monday after the last day of whole time service.

Reinstatement regulations

By law, the employer must reinstate the Reservist to their previous position. If this is not possible, the employer must by law offer an alternative position of equal stature and pay (subject to the Reservist's agreement).



The law seeks to protect Reservist employees who are liable for mobilisation, and to give them rights to reinstatement after a period of duty.

The Reservist makes the application through their local Employment Service Office or, in Northern Ireland, their local Training and Employment Agency Office. A committee, made up of a chairperson an employer's representative and an employee's representative, will then be set up to decide on the applications made to it.

The Reinstatement Committee will consider the Reservist's application and, if they accept it, will make an order for reinstatement and/or compensation.

There is a procedure through which you can appeal against the decision of the Reinstatement Committee and, subject to any prescribed time limit, you can make further appeals to an umpire.

If you do not conform to an order, the Reservist can go to a magistrates' court for payment or compensation.

A Reservist's application for reinstatement lapses at the end of 13 weeks from the day it was made. To maintain their rights, the Reservist must make a new application, in writing, before the end of the 13 weeks. That new application remains in force for another 13 weeks. Each further renewal must be made in writing within 13 weeks from the date it was last renewed.

Protection of Employment

If an employer terminates a person's employment without their consent, and does so solely or mainly by reason of a liability to be mobilised for military service, the employer is guilty of an offence, and the court may order the employer to pay compensation, as well as levying a fine.

Amendments

The Reserve Forces (Safeguard of Employment) Act 1985 (SOE 85) has been amended by Section 122 of the Reserve Forces Act 1996 (RFA 96) and by Statutory Instrument 1998 no. 3086[†], Regulation 10(4).

The Act, as amended, provides two types of protection –

- Reinstatement for those called out.
- Protection of employment for those liable to be called out.

In certain circumstances, it also provides for compensation.

[†]The Reserve Forces Act 1996 (Consequential Provisions etc.) Regulations 1998.

*Alternative employment = 'most favourable occupation and on most favourable terms and conditions which are reasonable and practical in his/her case'.

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Who to contact

ADJUDICATION OFFICERS

Where to apply

Applications for exemption or deferral should be made to either:

- The person specified in the notice of mobilisation.
- The Adjudication Officer at the Mobilisation Centre.
- The Adjudication Officer appointed for the Service in which the Reservist will serve, at one of the addresses below.

Royal Navy/Royal Marines

Royal Naval and Royal Marines Adjudication Officer

Fleet Headquarters
Leach Building (MP 3-4)
Whale Island
PORTSMOUTH
Hampshire
PO2 8BY
E-mail: fleet-npsrnmadjudication@mod.uk

Army

Army Adjudication Officer

Territorial Army and Reserves Manning
and Career Management
Divisions (Mail Point 295)
Army Personnel Centre
Kentigern House
65 Brown Street
GLASGOW G2 8EX
Fax: 0141 224 8746
E-mail: tareemplapps.dmcm@apc.army.mod.uk

Royal Air Force

RAF Adjudication Officer
Room 255/G106
HQ Personnel & Training Command
RAF Innsworth
GLOUCESTER GL3 1EZ
Fax: 01452 510949
E-mail: gcrestores@ptc.raf.mod.uk

APPEALS

If you are dissatisfied with an Adjudication Officer's decision (see Section 7), an appeal can be directed to:

Assistant Secretary

Reserve Forces Appeals Tribunals
Directorate of Reserve Forces and Cadets
Ministry of Defence
Level 8, Zone E, Desk 12
Main Building
Horse Guards Avenue
Whitehall, LONDON SW1A 2HB
Telephone: 020 7218 6854
Fax: 020 7218 5612

Where to find further
information and advice
or to make appeals.

Regional SaBRE Campaign Directors (RSCDs) – your local sources of support:

Highland

Tel: 01382 668 283
Fax: 01382 566 442

Lowland

Tel: 0141 945 4951 ext 211
Fax: 0141 945 4869

North of England

Tel: 0191 384 7202 ext 232
Fax: 0191 384 0918

Yorkshire and Humber

Tel: 01904 637 929
Fax: 01904 622 245

North West of England & Isle of Man

Tel: 0151 728 2069
Fax: 0151 727 8133

Wales

Tel: 029 2037 5734
Fax: 029 2022 4828

West Midland

Tel: 0121 427 5221 ext 242
Fax: 0121 427 8380

East Midlands

Tel: 0115 924 8627
Fax: 0115 924 8629

South West

Tel: 01823 250 111
Fax: 01823 259 935

East Anglia

Tel: 01245 244 817
Fax: 01245 492 398

Greater London

Tel: 020 7384 4676
Fax: 020 7384 4679

South East

Tel: 01252 357 624
Fax: 01252 357 620

Northern Ireland

Tel: 028 9066 4902
Fax: 028 9066 2809



Regional Contacts

Your local source of information and support

Region	Telephone Number	Fax Number
Highland	01382 668 283	01382 566 442
Lowland	0141 945 4951 ext 211	0141 945 4869
North of England	0191 384 7202 ext 232	0191 384 0918
Yorkshire and the Humber	01904 637 929	01904 622 245
North West of England & Isle of Man	0151 728 2069	0151 727 8133
Wales	029 2037 5734	029 2022 4828
West Midland	0121 427 5221 ext 242	0121 427 8380
East Midlands	0115 924 8627	0115 924 8629
South West	01823 250 111	01823 259 935
East Anglia	01245 244 817	01245 492 398
Greater London	020 7384 4676	020 7384 4679
South East	01252 357 624	01252 357 620
Northern Ireland	028 9066 4902	028 9066 2809