



# **Reserve Forces Training & Mobilisation Policy**

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**Company Definitions:****STEPS TO WORK**

The company is a charitable company limited by guarantee with its registered office being Townend House, Floor 6, Park Street, Walsall, WS1 1NS.

**STARTING POINT RECRUITMENT Ltd**

The company is a company limited by shares owned by Steps to Work with its registered office being Townend House, Floor 6, Park Street, Walsall, WS1 1NS.

Throughout this document Steps to Work is named to encompass all actions undertaken by Steps to Work / Starting Point Recruitment Limited.

**Our Mission**

To create opportunities and change futures by forging connections between local people and businesses.

**Our Vision**

To help people, many of whom face multiple barriers, find sustainable rewarding and meaningful jobs.

**Our Values**

- Our Passion Inspires
- Creating Positive Social Change
- Acting With Integrity
- We Transform Through Innovation

## CONTENTS

1.	Introduction	4
2.	Purpose & Scope	4
3.	Types of reservist	4
4.	Reserve status notification	4
5.	Training commitments & time off	4
6.	Mobilisation	5
7.	Pay	5
8.	Pension	5
9.	Annual Leave	5
10.	Dismissal & Redundancy	5
11.	Sick Pay	6
12.	Return to work	6
13.	Financial Assistance	7
14.	Aftercare	8

## 1. Introduction

Steps to Work employ staff who are members of the Reserve Forces and they recognise the valuable contribution that Reservists make to the UK Armed Forces, their communities and the civilian workplace.

## 2. Purpose and Scope

Steps to Work has pledged its support for members of, or those wishing to join the Reserve Forces and acknowledges the training undertaken by Reservists that enables them to develop skills and abilities that are of benefit to both the individual and their employer. This policy intends to define our obligations towards all employees who are members of the Reserve Forces. The accompanying document *Line Manager and Reservist Guidance* is a practical guide to help manage and support these employees.

Steps to Work will not disadvantage those Reservists who notify the Company of their Reserve status or those Reservists who are made known to the Company directly by the Ministry of Defence (MoD). The contracts of employment will remain live throughout any period of deployment or training requirements and as such there will be no loss of continuous service or service-related benefits.

## 3. There are two main types of Reservist:

Volunteer Reservists - civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Army Reserve and Royal Auxiliary Air Force.

Regular Reservists - ex-regular servicemen who may retain a liability to be mobilised depending on how long they have served in the Armed Forces.

## 4. Reserves status Notification

Reservists are required to inform their employer that they are a member of the Reserve Forces and the specific force that they belong to. This is so that the Company can provide the appropriate level of support to the Reservist. It also assists with resource planning during periods of leave e.g., training and/or mobilisation. The MoD will issue written confirmation to the employer informing them the employee is a Member of the Reserve Forces

It is the responsibility of the Reservist to ensure their personal details are kept up to date e.g. if they change employer or leave their respective Reserve Force.

## 5. Training Commitments & Time Off

There is a 2-week annual training course sometimes referred to as 'annual camp' which normally takes place within the UK, although each year some Reservists train overseas.

The Company is committed to granting additional paid leave of two weeks per year to Reservists specifically to enable them to attend their annual camp.

Additional unpaid leave or annual leave from the employee's normal annual allocation of up to 5 days will be granted for short periods of training provided adequate notice is given and where such training cannot be undertaken in off-duty time. Attendance at weekend training which cannot be undertaken during off-duty will be subject to the same arrangements. Reservist employees should give as much notice as possible of training commitments to allow appropriate planning for absences. Permission once given will not be rescinded unless there are exceptional circumstances.

## **6. Mobilisation**

The Company will continue to treat the contracts of employment of employees mobilised for Reserve Service as operable throughout the period of such service and there will be no loss of continuous service or service related benefits.[ Under The Reserve Forces Act (Safeguarding of Employment) Act 1985, an employee's service is terminated on mobilisation, but providing the employee follows the correct notification procedure under the Act, he or she can return to employment upon which their continuity of service will be restored]

## **7. Pay**

The MoD will assume responsibility for the Reservist's salary for the duration of their mobilisation. They will pay a basic salary according to the Reservist's military rank. If this basic element is less than the Reservist receives from the Company, 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.

Where mobilisation occurs, the employee will be given special unpaid leave of absence.

The Company is not required to pay the Reservist's salary during the period of mobilisation.

Contractual benefits that are suspended by the Company during mobilisation can be claimed by the Reservist as part of their Reservist Award. Example benefits include:

- Health insurance
- Life insurance
- Company car

The Line Manager and Reservist should discuss benefit 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.

## **8. Pension**

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

## **9. Annual Leave**

The employee should be encouraged to take any accrued annual leave before mobilisation. Annual leave will not accrue during the mobilisation period.

## **10. Dismissal/Redundancy**

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.

Reservists can be included in the redundancy pool if this is necessary due to a downturn in business or closure of a department. However, all employees should be treated consistently,

and redundancy criteria should not discriminate against Reservists on the grounds of their Reserve service or call-up liability.

### **11. Sick Pay**

During the period of mobilisation, the Reservist will continue to accrue any rights to service-related Company sick pay. Should a Reservist become sick or injured during mobilisation they will be covered by Defence Medical Services and any financial assistance will continue to be received (including pay) until demobilised. If the sickness or injury continues and this results in early demobilisation, the Reservist will remain covered by Defence until the last day of paid military leave.

After this time The Reservist will be covered by the Company sickness arrangements. If the Reservist becomes ill post mobilisation, and a notional return to work date has been agreed, they will be covered by the Company Sickness arrangements.

### **12. Return to work**

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

#### **Reservist**

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

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

#### **Employer:**

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

The Reservist should be reinstated within 6 weeks of the last day of their full-time service. They must be reinstated for a minimum period of 13, 26 or 52 weeks, depending on their length of service prior to mobilisation.

A Reservist returning to work will benefit from a smooth re-integration into the workplace/team. The following should be considered as part of this process:

The need to update on changes and developments in the Company.

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

### **13. Financial Assistance**

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 that employee. There are 3 types of award available:

One-off costs - Agency fees, if a recruitment agency or employment agency is used to find a temporary replacement, or Advertising costs

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]

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

### **14. Aftercare**

A Reservist returning to work will benefit from a smooth re-integration into the workplace/team. The following should be considered as part of this process:

- The need to update on changes and developments in the Company.
- 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

### **Performance Review**

Line managers who carry out Performance Review 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 ultimately lead to improved performance in the workplace.

## **Training award**

If a returning Reservist has to undertake additional training as a direct result of their mobilisation (routine training excluded), then the Company can make an application for the financial assistance.

## **Further information**

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

Defence Relationship Management

<https://www.gov.uk/government/groups/defence-relationship-management>

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

Royal Navy website [www.royalnavy.mod.uk/the-fleet/maritime-reserves](http://www.royalnavy.mod.uk/the-fleet/maritime-reserves)

Army website: [www.army.mod.uk/join/20233.aspx](http://www.army.mod.uk/join/20233.aspx)

Royal Air Force website [www.raf.mod.uk/rafreserves](http://www.raf.mod.uk/rafreserves)