



Putting People 1st

**Supporting Employees who are  
Members of the UK Reserve Forces**

**S.08**

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This policy document can be produced in various formats, for instance, in larger print or audio-format; and it can also be translated into other languages, as appropriate.

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# Mission, Values, Behaviours and Objectives

## Vision Strapline

Pineview Housing Association – Putting People 1st

## Mission Statement

“Pineview Housing Association aims to provide quality affordable homes, and deliver excellent service through listening to and engaging with our customers”

## Our Values

The values that our staff and Committee members are expected to adhere to at all time:

- Diligence – working conscientiously and to a high standard
- Integrity – being open, honest, and fair
- Resilience – continuously learning, developing, and adapting
- Dignity – treating everyone with respect and compassion
- Community – engaging, collaborating, and including.

## Our Strategic Objectives 2021 - 2023

1. To help our tenants live in an affordable and sustainable way.
2. To deliver on the promises we make to our tenants.
3. To develop our response to climate change.
4. To engage effectively with our tenants and the wider community.
5. To explore opportunities for partnership and wider action.
6. To support our people to succeed.
7. To ensure the ongoing financial viability and sustainability of the organisation.

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## Terms Of Reference

- Equality Act 2010
- The Reserve Forces (Safeguard of Employment) Act 1985 (SOE 85)
- Defence Reform Act (2014)
- Reserve Forces Act (1996) (RFA)
- EVH Model Policy Document – updated May 2019
- EVH Terms & Conditions of Employment

## Risk and Financial Implications

- Association requires suitable staffing structure and attendance to operate effectively and efficiently.
- Cost of absence and temporary cover arrangement

## Linkage to Business Plan/Regulatory Standards Compliance

Business Plan:  
Section 3: Mission, Values and Objectives  
Section 4: Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis

Regulatory Standards:  
Standard 1 - The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.  
Standard 4 - The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.  
Standard 5 - The RSL conducts its affairs with honesty and integrity.

## Introduction

This policy outlines the Association's commitment to supporting employees who are members of the Volunteer Reserve Forces when they are to be mobilised for active service.

The policy provides details of the following:

- The responsibilities for a Reservist who is an employee
- The responsibilities of Pineview if employees are members of the Reserve Forces
- The procedure if a Reserve be required to attend training
- Mobilisation
- Terms and Conditions of employment during mobilisation
- Reservist's return to work

This policy is for all employees of Pineview Housing Association Ltd who are members of any branch of the Volunteer Reserve Forces (VRF), Royal Naval Reserve (RNR), the Royal Marines Reserve (RMR), the Territorial Army (TA) and the Royal Auxiliary Air Force (RAAF).

## Equality & Diversity

The Association's Equal Opportunity and Diversity policy outlines our commitment to promote a zero tolerance to unfair treatment or discrimination to any person or group of persons, particularly on the basis of any of the protected characteristics. This includes ensuring that everyone has equal access to information and services and, to this end, the Association will make available a copy of this document in a range of alternative formats.

## Background

The Volunteer Reserve Forces form an integral and essential part of the United Kingdom's Armed Forces. The role of the UK's Reserve Forces has changed over the last decade from a large and mainly unused force, to one structured to support the UK's Armed Forces operations worldwide, and as such they have an ever-increasing role in operations at home and overseas. The Reserve Forces are used in sustained and large scale operations, to support and reinforce specialist capabilities in areas such as communications, medical and logistical support.

## Legislation

The main pieces of legislation covering the call-up, mobilisation, and employment of Reservists are:

- **The Reserve Forces (Safeguard of Employment) Act 1985 (SOE 85)**  
Describes the employment rights of Reservists, granting them the right to return to their existing jobs after call-up, and protecting them from dismissal for the reason of being mobilised.

- **Defence Reform Act (2014)**  
Outlines the employment protection arrangements for those who are a member of the Reserve Forces, and in civilian employment; the powers of the Secretary of State to call out Reservists, and; to make payments to employers of Reservists who are called out for service.
- **Reserve Forces Act (1996)**  
Sets out the call-out powers under which Reservists can be mobilised for full-time service.

## Definitions

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

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
- **High Readiness Reserves:** Reserves with a particular skill set, that are available at short notice and written agreement from their employer
- **VRF - Volunteer Reserve Forces**
- **AR – Army Reserve**
- **RFA 96 - Reserve Forces Act 1996**
- **Mobilisation:** The process of calling Reservists into full-time service with the Regular Forces on military operations, this includes, pre-deployment training, deployment of operational period and, any post-operational accrued leave).
- **Demobilisation:** The release of a Reservist from military service prior to any outstanding leave owing.
- **Civil Contingency Reaction:** Volunteer Reservists who receive special training and may be mobilised in the event of extreme national need.
- **Post Operational Tour Leave:** Time off earned while on full-time military service.
- **Serious Harm to the Business:** Serious loss of sales, markets, reputation, goodwill or other financial harm or serious impairment of the ability to produce goods or provide services.

## Policy Principles

- Pineview recognises and supports the work carried out by the VRF.
- No one will be treated less favourably due to being a member of the reserved forces.
- Pineview will aim to release employees who are mobilised for reserved duties where possible while balancing the needs of the business.

## Responsibilities

### **Employees:**

- To inform their employer that they are a Reservist and the specific force they belong to.
- Grant permission for the MoD to write directly to their employer for Employer Notification.
- Ensure their personal details are up to date with the MoD.
- Be familiar with the contents of the policy, and to ensure they work with the Association within its framework.
- To make the Association aware of their basic training commitments and Annual Camp, and to ask for training leave when it arises.
- To give the Association as much notice as possible of any additional leave they will need.

### **Employers**

- Will not treat any employee any less favourably due to being a member of the reserved forces.
- Will aim to release employees, who are mobilised for reserved duties where possible.
- Managers who have employees in the VRF must ensure they are familiar with the contents of this policy, and work within its framework to support employees.
- That they have received written notification from the MoD informing them that their employee is a member of the Reserve Forces.
- Will comply with their requirements for mobilising and the return of employees.

## Reservist's Training Commitments

A Reservist will normally have three types of training commitments:

- Weekly training, this takes place in the evening during the week.
- Weekend Training, this takes place one weekend a month.
- Continuous Training Period or (annual camp): a continuous period of training for around 15 days.

As far as possible, line managers will plan shifts to allow attendance at regular training sessions.

There is no statutory requirement for the Association to grant time off for the continuous training period. However, in line with the Pineview's commitment to supporting its employees who are members of the Reserve Forces, time will be granted for the continuous training period if practical. Time off will be in the form of authorised unpaid leave, or annual leave if the employee wishes.

The employee must provide their line manager with as much notice as possible And must be requested in line with the Association's annual leave procedure.

## Mobilisation

Mobilisation is the process of calling Reservists into full time service with the Regular Forces, 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.

A period of mobilisation involves three distinct phases:

- Medical and pre deployment training
- Operation Tour
- Post operational tour

The call out papers for mobilisation will be sent by post to the Association or hand delivered by the Reservists to their line manager. The documentation will include the call-out date and the anticipated timeline. Whenever possible, the MoD will give at least 28 days notice of the date a Reservist will be required to report for mobilisation, although there is no statutory requirement for this.

## Applying for Exemption/Deferral/Revocation

In all cases of mobilisation, the Association will release the Reservist to report for duty unless there are exceptional circumstances, in such circumstances this will be explained to the Reservist.

If the Association wishes to request an exemption, deferral or revocation, the reason for this must be for reasons such as:

- Loss of reputation, goodwill or other financial harm.
- Impairment of the ability to produce goods or provide services.
- Harm to research and development of new products, services or processes.

## Appeal Process

An appeal can be made to the Reserve Forces Appeal Tribunal if the Association is unhappy with the decision of the Adjudication Officer. The Adjudication Officer will provide information on making an appeal. Appeals must be lodged with the office of the Secretary to the Tribunal; no more than five working days after the Adjudication Officer's decision is received. Appeals are normally heard within 28 days of receipt of the appeal, throughout which time the Reservist will not be deployed outside the United Kingdom.

If the tribunal rejects the application for exemption or deferral, the Association will be required to release the Reservist for mobilisation. The Reservist will suffer no detriment to their employment on such occasions.

## Terms and conditions during Mobilised

Employees who are mobilised will continue to accrue continuity of service throughout the time they have been mobilised. Specific terms relating to other parts of their employment are detailed below.

- **Pay**

The Association will not pay a reservist during the time they are mobilised. The MOD will pay the reservist a basic salary in accordance with the Reservists military rank. If this is less than the Reservists normal salary, the reservist can apply to the MoD for the difference to ensure no loss of earnings. The Reservist will resume contractual pay with the Association when they return to work after mobilisation.

- **Holidays**

Reservists should be encouraged to take any accrued annual leave before mobilisation. The Reservist will not accrue annual leave during the period of mobilisation. Reservists will accrue annual leave with the MoD whilst they are in full time service. Reservists will be entitled to a period of post-operational leave, during this time the MoD will pay them. Therefore, if a reservist within Pineview is mobilised for part of the annual leave year the Reservist's holiday entitlement will be pro-rated for the time in receipt of pay from the Association.

- **Pension**

A Reservist who is mobilised is entitled to remain a member of their occupational pension scheme. The MoD will pay the employer contributions that Pineview would have made provided that the Reservist continues to pay their contributions to the scheme. The pension scheme administrator can not refuse to accept MoD payments.

- **Dismissal/ Redundancy**

It is automatically unfair to dismiss an employee who is a member of the reserved forces if the reason for the dismissal is in any way connected with them being a Reservist. This applies from the first day of employment; no qualifying period is required.

Reservists can be included in the redundancy pool if this is necessary. However, all employees will be treated consistently, and redundancy criteria should not discriminate against Reservists on the grounds of their Reserve service or call-up liability.

## Sick Pay

If a Reservist is unfit for work during mobilisation they will be covered by Defence Medical Services, and any financial assistance will continue to be received (including pay) until their demobilisation, the Reservist will remain covered by the MoD until the last day of military leave.



## Return to Work

Both Pineview and the Reservist have responsibilities and obligations under The Reserve Forces (Safeguarding of Employment Act) 1985 regarding return to work.

### Employee

- Must write to their employer by the 3<sup>rd</sup> Monday after their last day of military service making their request to return to work and suggesting a date which falls within 6 weeks of their last day of full time service. This letter formally starts the return to work process under the Reserve Forces (Safeguarding of Employment Act) 1985 Act.
- Informally contact their line manager to discuss their return to work as early as possible
- Accept offers of support and training as is appropriate and required.

### Employer

- To reinstate the Reservist, where possible to their previous role, or if not possible to a role on no less favourable conditions.
- The Reservist should be reinstated within 6 weeks of their last day of full time service.
- To ensure adequate support and training is put in place to refresh the employee and assist them in integrating back into the workplace.
- Will recognize that adjusting back to work life may be challenging and will offer any appropriate support as required.

## Reintroduction to Employment

Pineview recognises that employees returning to work after completing military service have been out of the workplace for some time. The Association will commit to ensuring the Reservist receives a re-induction into their role.

The aim of the re-induction programme is to support employees back into the workplace. Re-induction programmes will be tailored to meet the needs of individual employees, and be designed to ensure they receive appropriate updating of skills, knowledge and competence. The programme may cover the following areas:

- Detailed update covering any changes to the Association's objectives, team objectives, changes to policies and changes to health and safety legislation
- If appropriate update on conditions of service, personal development plans and job profile
- Access to relevant training and development both as a refresher and as part of ongoing development

## General Data Protection Regulations

The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in our Transparency Statement – Employees.

## Monitoring and Review

This policy requires the full co-operation of all employees who are members of the Volunteer Reserve Forces, and their line managers.

This Policy will be reviewed on a 3 yearly basis, to ensure it meets legislative and organisational needs or where EVH issues a revised Model Policy, whichever is sooner.

## Further Information

- Royal Navy [www.royalnavy.mod.uk/the-fleet/maritime-reserves](http://www.royalnavy.mod.uk/the-fleet/maritime-reserves)
- Army [www.army.mod.uk/join/20233.aspx](http://www.army.mod.uk/join/20233.aspx)
- Royal Air Force [www.raf.mod.uk/rafreserves](http://www.raf.mod.uk/rafreserves)
- Government information <https://www.gov.uk/defence-and-armed-forces>  
<https://www.gov.uk/government/groups/defence-relationship-management>