



CM604

Reserves Policy

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| Issue 1

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1 Introduction

- 1 As a company that employs staff who are members of Reserve forces, Drumgrange Ltd recognises the valuable contribution that Reservists make to the UK Armed Forces, their communities and our civilian workplace.

2 Purpose and Scope

- 2 By signing the [Armed Forces Covenant](#), Drumgrange has pledged its support for members of, or those wishing to join the Reserve Forces.
- 3 The company also acknowledges the training undertaken by Reservists that enables them to develop skills and abilities that are beneficial to both the individual and their employer.
- 4 This policy intends to define the Company's obligations towards all employees who are members of the Reserve Forces. The accompanying Ministry of Defence document [Your Guide to Employing Reservists](#) is a practical guide to help manage and support these employees.
- 5 The Company pledge is outlined below:
 - (1) The Company will not disadvantage Reservists who notify the Company of their Reserve status or Reservists who are made known to the Company directly by the Ministry of Defence (MoD).
 - (2) The Company will, subject to the provisions set out in Section 5, agree to release Reservists where possible for attendance at Reserve Forces Training events where these take place on their normal working days.
 - (3) The Company will, subject to the provisions set out in Section 6 agree to the release of all employees mobilised for Reservist duties.
 - (4) 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.

A handwritten signature in black ink, appearing to read 'S. Howe'.

Managing Director

3 Types of Reservists

- 6 Under [The Reserve Forces Act \(Safeguarding of Employment\) Act 1985](#), there are two main types of Reservists:
- (1) Volunteer Reservists: civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Army Reserve and Royal Auxiliary Air Force.
 - (2) Regular Reservists: ex-regular servicemen who may retain a liability to be mobilised depending on how long they have served in the Armed Forces.
- 7 The [Reserve Forces Act 1996](#) also provides for other categories, such as:
- (1) Full Time Reserve Service: Reservists who wish to serve full time with regulars for a predetermined period in a specific posting.
 - (2) Additional Duties Commitment: part-time service for a specified period in a particular post.
 - (3) Sponsored Reserves: These are personnel employed by a contractor to provide a service to the Ministry of Defence (MoD).
 - (4) High Readiness Reserves: These are Reserves, usually with a particular skill set, that are available at short notice (with written agreement from their employer).

4 Reserve Status Notification

- 8 As a Reservist, you are required to inform the Company that you are a member of the Reserve Forces and the specific force that you belong to. This allows the Company to:
- (1) Provide the appropriate level of support you may require.
 - (2) Plan resources during your periods of leave, e.g. for training and/or mobilisation.
 - (3) Gain an understanding of where the additional skills and experiences you gain from being a Reservist exist.
- 9 As a Reservist employee, you are also required to grant permission for the Ministry of Defence (MoD) to write directly to Drumgrange as your employer. This is known as 'Employer Notification' and ensures the Company is made aware of your status as a Reservist and the benefits, rights and obligations that apply.
- 10 The MoD will issue written confirmation to Drumgrange Ltd informing the Company of your membership of the Reserve Forces. The letter will provide details of mobilisation obligations and your rights as an employee; the Company's rights as an employer; and details of the financial assistance available if you are mobilised.
- Where possible, the letter will provide details of any annual training commitments. The MoD will also send a follow-up letter each year to confirm that the information held is still accurate.

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- 11 It is your responsibility as a Reservist to ensure that your personal details are kept up to date, for example if you leave the Company or leave your respective Reserve Force.
 - 12 In any circumstance, you as the Reservist will not be disadvantaged as a result of notifying the Company of your Reserve status.

5 Training Commitments and Time Off

- 13 The Company recognises the importance of the training undertaken by Reservists that enables them to develop skills and abilities that are beneficial to their respective Reserve Force, themselves and the Company.
- 14 Reservists are typically committed to 24-40 days training per year. Training commitments may vary but in most cases include:
 - (1) Weekly training: most Reservists train at their local centre for around two-and-a-half hours, one evening a week.
 - (2) Weekend training: all Reservists are expected to attend a number of training weekends which take place throughout the year.
 - (3) Annual training: a 2 week annual training course sometimes referred to as 'annual camp'. This may take place at a training establishment, as an attachment to a Regular Unit, a training exercise or a combination of any of these. Training normally takes place within the UK, although each year some Reservists train overseas.
- 15 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.
- 16 As a reservist, additional unpaid or annual leave from your normal annual allocation of up to 5 days will be granted for short periods of training, provided that 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.
- 17 Your Line Manager will facilitate your work schedule to allow attendance at annual camp and other training commitments (e.g., weekly or weekend training sessions) unless there are exceptional circumstances.

6 Mobilisation

- 18 Mobilisation is the process of calling Reservists into full time service with the Regular Forces, in order to make them available for military operations. The maximum period of mobilisation will depend on the scale and the nature of the operation and is typically no longer than 12 months.
- 19 As a Reservist, you are asked to provide 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.

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- 20 The papers may be sent by post to Drumgrange or to you directly as the Reservist. Where the papers are sent to you directly, the papers must then be delivered in person to your line manager.
- 21 The call-out papers for mobilisation will include the call-out date and the anticipated timeline. Whenever possible, the Defence Department aims to give at least 28 days' notice of the date that you will be required to report for mobilisation, although there is no statutory requirement for a warning period prior to mobilisation.
- 22 A period of mobilisation comprises three distinct phases:
- (1) Medical and pre-deployment training;
 - (2) Operational tour; and
 - (3) Post-operational tour leave.

6.1 Pre-Mobilisation

- 23 The HR Manager or your Line Manager will;
- (1) Meet with you as the Reservist to ensure all mobilisation paperwork is completed (including pay, benefits & pension arrangements)
 - (2) Make a claim for financial assistance as appropriate (see Section 11 of policy)
 - (3) Discuss any handover of work and return of equipment
 - (4) Discuss arrangements for keeping in touch

6.2 During Mobilisation

- 24 The HR Manager or your Line Manager will keep in touch with you as arranged.

6.3 Post-Mobilisation

- 25 The HR Manager or your Line Manager will;
- (1) Ensure both Drumgrange and you fulfill your return-to-work obligations. (including reference to template letters)
 - (2) Provide the necessary after care and support requirements.

7 Applying for Exemption/Deferral/Revocation

- 26 In all cases of mobilisation, the company will release you, where possible, to report for duty unless there are exceptional circumstances, whereby the decision and reasoning will be explained to you in writing.
- 27 In such circumstances, the Company has the right to seek exemption, deferral or revocation if the Reservist's absence is considered to cause serious harm to the business service delivery.
- 28 Definitions of 'harm' will vary from case to case, but may include;
- (1) Loss of reputation, goodwill or other financial harm,
 - (2) Impairment of the ability to produce goods or provide services

- (3) Harm to the research and development of new products, services or processes (which could not be prevented by the granting of financial assistance under [Sections 83](#) and [84](#) of [The Reserve Forces Act 1996](#).
- 29 Details of how to apply for an exemption are included in the call-out pack. The application must reach the Adjudication Officer within 7 days of the Company receiving a call-out notice. If this timescale is not met, permission to make a late application will need to be obtained from the Adjudication Officer. As a Reservist, you also have the right to apply for exemption or deferral if the call-out papers arrive at a difficult time.
- 30 If an unsatisfactory decision is received following the application for a deferral, the Company can appeal for a hearing by the Reserve Forces Appeals Tribunal. Appeals must reach the Tribunals Secretary within 5 days receipt of written notice of the decision. If the tribunal rejects the application for exemption or deferral, the Company will be required to release the Reservist for mobilisation.

8 Treatment of Terms and Conditions during Mobilisation

- 31 The Company will continue to treat you as an employee with your contract of employment whilst you are mobilised for Reserve Service.
- 32 This treatment will apply throughout the period of your military service and there will be no loss of continuous service or service-related benefits.

8.1 Pay

- 33 The Company is not required to pay your salary during the period of mobilisation. The MoD will assume responsibility for your salary for the duration of your mobilisation and pay a basic salary according to your military rank.
- 34 If this basic pay is less than you usually receive from Drumgrange, it is your responsibility to apply to the MoD for the difference to ensure that you suffer no loss of earnings. This is known as a Reservist Award.
- 35 Where mobilisation occurs, you will be given special unpaid leave of absence.

8.2 Benefits

- 36 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:
 - (1) Health insurance
 - (2) Life insurance
 - (3) Company car
- 37 The HR Manager will discuss benefit arrangements with you 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.

8.3 Pension

- 38 If you, as a Reservist, are a member of the Company pension scheme and the Company suspends the employer contribution, you have the option to remain within the Company pension scheme. In such cases, the MoD will make the employer contributions for the period of mobilisation, as long as you continue to make your personal contributions.

8.4 Annual Leave

- 39 All Reservists will be encouraged to take any accrued annual leave before mobilisation.
- 40 During mobilisation, your annual leave is accrued with the MoD as you are in their full-time service. The Company is not obliged to accrue annual leave for you during this period.
- 41 When you demobilise, you will be entitled to a period of post-operational leave (POL). During this period, you will continue to be paid by the MoD.
- 42 Any Company holiday carried prior to mobilisation (up to a maximum of 5 days) can be carried across into your annual leave entitlement following POL when recommencing your work with Drumgrange Ltd.

8.5 Dismissal or Redundancy

- 43 As a Reservist, your employment cannot be terminated on the grounds of your military duties or your liability to be mobilised. To do so would be a criminal offence under Section 17 of [The Reserve Forces \(Safeguarding of Employment\) Act 1985](#).
- 44 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 will be treated consistently, and redundancy criteria will not discriminate against Reservists on the grounds of their Reserve service or call-up liability.

8.6 Sick Pay

- 45 During the period of mobilisation, you will continue to accrue any rights to service-related Company sick pay.
- 46 As a Reservist, should you become sick or injured during mobilisation, you will be covered by Defence Medical Services and any financial assistance will continue to be received (including pay) until demobilised.
- 47 If your sickness or injury continues and this results in early demobilisation, you will remain covered by the Defence Department until the last day of paid military leave.
- 48 Should you continue to be ill upon returning to Drumgrange, your sick pay will be covered by the Company sickness arrangements.

9 Return to Work

- 49 Both you and Drumgrange have obligations under [The Reserve Forces \(Safeguarding of Employment Act\) 1985](#) regarding the return-to-work process. These obligations are highlighted below.

9.1 *Responsibilities of the Reservist*

- 50 As a Reservist on military duty, you are encouraged to make contact the HR Manager at Drumgrange to discuss your return to work at the earliest opportunity, whether via a letter, a meeting or a telephone call.
- 51 To formally start the return-to-work process, and for your return-to-work request to be valid under the [The Reserve Forces \(Safeguarding of Employment\) Act 1985](#), you must put your request in writing to the HR Manager at Drumgrange Ltd.
- 52 The request must be submitted by the third Monday after your last day of military service, suggesting a date for your return to work which should fall within 6 weeks of your last day of military service.
- 53 Upon your return, you would be returned to your same role where possible. If, however, this isn't possible you will return to a role of equal status and salary.
- 54 If you are not happy with the offer of alternative employment, you must write to the HR Manager stating why there is reasonable cause for you not to accept it.
- 55 If you, as a Reservist, believe that the Company's response to your application denies your rights under [The Reserve Forces \(Safeguarding of Employment\) Act 1985](#), an application can be made to a Reinstatement Committee for assessment. This committee will consider your application and can make an order for reinstatement and/or compensation.

9.2 *Responsibilities of the Employer*

- 56 As your employer, Drumgrange Ltd has an obligation under [Reserve Forces \(Safeguarding of Employment\) Act 1985](#) to reinstate you, where possible, to your former role, and if not, to a mutually acceptable role on the same terms and conditions prior to mobilisation.
- 57 You should be reinstated within 6 weeks of the last day of your full-time service. You must be reinstated for a minimum period of 13, 26 or 52 weeks, depending on your length of service prior to mobilisation.
- 58 Sometimes Reservists may need refresher training when they return to work or be given time to familiarise themselves with processes and procedures in the workplace. Financial assistance may be available for retraining if it is required as a direct result of your mobilisation, although applications cannot be made for training courses that would have taken place anyway. Evidence of costs will be required in addition to evidence that you could not reach the required standard by any other means, such as workplace experience.

10 *Aftercare*

- 59 A Reservist returning to work will benefit from a smooth re-integration into the workplace/team. The following will be considered as part of this process:
- (1) The need to update on changes and developments in the Company.
 - (2) The need to offer specific refresher training where it is sought/considered necessary.

- (3) Where the job duties have changed since mobilisation a period of skills training may be required to assist with new aspects of the job.
- (4) 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.
- (5) Reasonable time off to seek therapeutic treatment if required.

10.1 Performance Review

- 60 Line Managers carrying out your Performance Review meeting will be made aware that Reserve Forces activities undertaken by you (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.

11 Financial Assistance

- 61 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 awards available:

- (1) One-off costs
- (2) Recurring costs
- (3) Training award

11.1 One-off Costs

- 62 One-off costs have no financial cap on claims, but any claim must be supported by relevant documentation.
- 63 One-off costs may include:
- (1) Agency fees, if a recruitment agency or employment agency is used to find a temporary replacement; or
 - (2) Advertising costs

11.2 Recurring costs

- 64 The maximum claim available for recurring costs is £110 per day (£40,000 per annum). Claims can be made for every normal working day that the Reservist is away on service.
- 65 An application for one-off costs and recurring costs must be made within 4 weeks of the end of full time Reservist service
- 66 Examples of recurring costs may include:
- (1) Overtime costs, if other employees work overtime to cover your work by the amount that such costs exceed earnings of the Reservist

- (2) Costs of temporary replacement by the amount that such costs exceed your earnings

11.3 Training Award

- 67 If you are required to undertake additional training as a direct result of your mobilisation (routine training excluded), then the Company can make an application for the financial assistance.

12 Further Information

- 68 For sources of guidance and information can be obtained from the following:

- (1) [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.

- (2) [Royal Navy website](#)

- (3) [Army website](#)

- (4) [Royal Air Force website](#)

Revision Control

Role	Position	Signature	Date
Accountable Authority	HR Manager	<i>J. Anderson</i>	14/03/2022
Responsible Authority	HR Manager	<i>J. Anderson</i>	14/03/2022
Originator	J Anderson	<i>J. Anderson</i>	14/03/2022

Change Record

Issue	Reason for Change	Date
A	Issued for review	15/03/2022
1	Formal issue	22/03/2022
		22/03/2022