



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Rural and Communities Overview and Scrutiny Committee


8 December 2022

Report of Councillor Annie Mason
Cabinet Member for People and Safer
Communities

Armed Forces Covenant Update

Report Author

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Purpose of Report

This report provides an update on the new Armed Forces Act and the Armed Forces Covenant, implications of those for South Kesteven District Council and aspirations under the Council's Defence Employer Recognition Scheme Gold Award.

Recommendations

It is recommended Members of the Rural and Communities Overview and Scrutiny Committee:

- 1. Recommends to the Chief Executive consideration is given to prioritise the approved staff training budgets to include mandating the Armed Forces e-learning module**
- 2. Endorses the suggested approach for the Council's Economic Development Service to assist in promoting the Greater Lincolnshire Defence and Security Network to appropriate defence-related South Kesteven businesses**
- 3. Supports suggesting to the Culture and Visitor Economy Overview and Scrutiny Committee that recognition of South Kesteven's rich aviation history is included in the Council's emerging Visitor Economy Strategy**

Decision Information

Does the report contain any exempt or confidential information not for publication?

No

What are the relevant corporate priorities?

- Growth and our economy
- Housing that meets the needs of all residents
- Healthy and strong communities
- High performing Council

Which wards are impacted?

All

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance and Procurement

- 1.1 There are no financial implications associated with this report.

Completed by: Alison Hall-Wright, Assistant Director of Finance

Legal and Governance

- 1.2 There are no legal or governance implications to highlight that are not already referred to in the body of the report.

Completed by: Graham Watts, Assistant Director of Governance

Diversity and Inclusion

- 1.3 This report provides an overview of work carried out and planned in relation to the Council's responsibilities under the Armed Forces Covenant, the Armed Forces Act and status as a Defence Employer Recognition Scheme Gold Award and therefore does not require an equality impact assessment.
- 1.4 Being a serving or former member of the armed forces does not offer, by means of protected characteristic, specified protection under the Equality Act 2010. Military personnel and their families are however covered under the nine characteristics written in law. These protections against unfair treatment and discrimination are complementary to the protections afforded to serving and veteran Armed Forces personal and their families under the Armed Forces Act.

Completed by: Carol Drury, Community Engagement Manager

2. Background to the Report

- 2.1 The Armed Forces Covenant is a promise by the Nation ensuring those who serve or have served in the Armed Forces, and their families are treated fairly and not disadvantaged through their service. Since 2012, South Kesteven District Council has signed the Armed Forces Covenant and appointed an elected councillor Armed Forces Champion and Armed Forces Officer to ensure the armed forces community does not face disadvantage compared to any other citizen when accessing public services. The Council aims to encourage a defence-friendly environment across the District.
- 2.2 This report aims to ensure elected Members are aware and supportive of the work and impact of the Council's commitment to the Armed Forces Community Covenant. This includes providing a greater understanding of the Council's responsibilities under the Armed Forces Act and the initiatives designed to raise awareness of the Armed Forces community and the Armed Forces Covenant. Key policy developments flowing from the Armed Forces Covenant are set out in the report which will be accompanied by a PowerPoint presentation during the Committee meeting. Attached at **Appendix A** is an action plan outlining future work to meet the requirements of the Act and Covenant.

Training

- 2.3 Regular Armed Forces Awareness training is delivered with particular emphasis on the requirement to show 'due regard' under the Armed Forces Act 2021 in the provision of Education, Healthcare and Housing. "Due regard" means that organisations in scope of the Duty will need to consciously consider the unique obligations and sacrifices made by the Armed Forces; that it is desirable to remove disadvantages faced by the Armed Forces community; and that special provision may be justified in some circumstances.
- 2.4 South Kesteven District Council has an e-learning training module designed to raise awareness of the Armed Forces Covenant generally, as provided by Warwickshire County Council who launched their e-learning training module in June 2022. This is part of the core training offer for staff, and it would benefit the Council if this was made mandatory, including at new staff induction. As it is the role of the Chief Executive to prioritise the approved staff training budgets, it is suggested this Committee recommends that consideration is given to mandating the Armed Forces e-learning module.

<https://covenantfund.org.uk/resources/raising-awareness-of-the-armed-forces-covenant/>

Armed Forces Act

- 2.5 The Armed Forces Act, which gained Royal Assent in Parliament on 15 December 2021, enshrines the Armed Forces Covenant in law for the first time to help prevent service personnel and veterans being disadvantaged when accessing essential services, like healthcare, education and housing.

- 2.6 The Armed Forces Act (2021) required the Secretary of State for Defence to lay Statutory Guidance before Parliament. The Statutory Guidance has now been signed off. This explains the Armed Forces Covenant, and includes examples of where disadvantage can arise, of good practice, and other useful information. The guidance is available online. A link is provided as a background document at 6.4.
- 2.7 The implications of the Act for South Kesteven District Council are:
- Playing a key role in the provision or commissioning of services with partners and joining up support around the needs of an individual and their family
 - Building upon existing partnerships and good practice to foster local flexibility and support innovative approaches
 - Modification of policies, processes or procedures and how information is recorded to meet the due regard duty
 - Keeping any new burdens costs incurred in getting ready for and complementing the new duty under review.
- 2.8 The practical steps the Council is taking to get ready for the Act includes:
- Awareness raising
 - Identifying training needs for relevant staff and Members
 - Engaging the Assistant Director of Governance (Deputy Monitoring Officer) and Data Protection Officer.
- 2.9 The private sector is not covered by the Act. However, where relevant functions have been contracted out to private companies, the Council as the body responsible for managing the contract, will continue to be subject to the proposed legislation and will need to ensure policies and processes of the contractor are compliant.

Defence Employer Recognition Scheme

- 2.10 In July 2022, South Kesteven District Council was awarded the Employer Recognition Scheme (ERS) Gold Award by the Ministry of Defence (MOD) for support for the armed forces community. This makes the Council one of only 12 Gold Award holders in Lincolnshire, and among 643 Gold Award holders in the country.
- 2.11 The award was officially received by The Leader of the Council at the National Memorial Arboretum (the British site of national remembrance at Alrewas, Staffordshire) on 2 November 2022.
- 2.12 The accolade, the highest available in the ERS, recognises the Council's action to support currently serving troops, service families, veterans and cadets.
- 2.13 Working closely with the East Midlands Director of the Reserves and Cadets Association, the award submission in early 2022 focussed on the Council's work on advocacy and encouraging awareness of and support for the defence community, including details of:

- Closer working with Prince William of Gloucester Barracks
- The Council's investment in Wyndham Park's transformation to a WW1 Memorial Park
- The Council's support for and investment in Grantham's Heroes Commemorative Orchard
- The hosting of public tours at key sites, including St Vincent's Hall in Grantham (Dambusters Raid Head Quarters in 1943) and Twyford Wood (formerly known as Station 479, responsible for the supply and maintenance of all aircraft within the United States of America Air Force 9th Air Force in the build up to D-Day)
- The Council's launch of its own Armed Forces Discount card, connecting veterans to local businesses offering special discounts / offers
- Production of the District Heritage of Flight publication and World War II-related stories (WWII) hosted on the Discover South Kesteven website at <https://www.discoversouthkesteven.com?aviationheritage>
- Media campaigns during Armed Forces Week (20-25 June 2022)
- Worldwide media coverage of American WWII veteran visit to Royal Air Force (RAF) North Witham
- Financial support for Remembrance celebrations
- Military-related flag raising ceremonies
- Our employment of an Adult Cadet Force Volunteer – housing officer Drew Palmer – thereby supporting work with cadet detachments across the district.

- 2.14 Images illustrating some of this work will be shared with Members in the PowerPoint presentation. Other useful resources, such as the Local Authority Guide to the Covenant, best practice website and links to relevant organisations can be found on the Armed Forces Covenant website at:
<https://www.armedforcescovenant.gov.uk/localauthorities/useful-resources/>

Housing policies and the military

- 2.15 The Council's Housing Team has been kept up to date on Armed Forces Act requirements and these are reflected in the Housing Allocations Policy (see 6.5 in the Background Papers section).
- 2.16 Anyone applying to join the housing register is asked whether they have served. This does not imply preferential treatment, however there could be factors affecting assessment of their application.
- 2.17 The Council's new 'people-first' approach will help to ensure personal circumstances are noted.
- 2.18 When assessing a housing register application, a key consideration is an applicant's local connection with the area to which they are applying. As a serving member of the armed forces, this can be a challenge as often the usual requirements of residence or family members in the area cannot be met. Therefore, certain exemptions are applied to ensure members of the armed forces are not disadvantaged by this.
- 2.19 Specific changes under the Act also include that anyone leaving the military can apply for housing anywhere in the country and should be classed as an exemption to the local connection criteria.

- 2.20 Another key area within the Act addresses homeless ex-military. The emerging Lincolnshire Homeless Strategy is benefitting from specialist advice from the East Midlands Pensions and Advisory Committee.
- 2.21 Different criteria apply to homeless ex-military, where veterans still must prove a local connection but can use the location of work to establish eligibility – rather than being identified by their last military base.

The Council as an Employer

- 2.22 As a signatory to the Armed Forces Covenant and a Gold Award holder under the DERS, the Council has ensured its staff handbook demonstrates the commitment to support staff within the military community. Key considerations include:
- An extra ten days annual leave will be granted for a Reservist to meet commitments, such as training camps or courses
 - If a Reservist is required to mobilise, policies and procedures help deal with each individual situation, including return to work post mobilisation
 - Cadet Force Adult Volunteers are entitled to a minimum of five extra days holiday yearly, and can take advantage of the policy permitting two days paid leave for agreed voluntary activities
 - Military spouses' requests for flexible working due to forces-related changes of circumstance are accommodated wherever possible
 - Spouses and partners are exempt from the normal Council requirement to repay training costs should an employee leave within two years of council-funded training, thereby recognising unforeseen circumstance.
- 2.23 The Council operates a guaranteed interview scheme for all volunteer reservists, service leavers and veterans whose qualifications meet the criteria of the role, thereby ensuring they suffer no disadvantage through service.

Armed Forces Champion

- 2.24 Councillor Richard Dixon-Warren was formally appointed at 22 September 2022 Council meeting as the lead Member for the Armed Forces.
- 2.25 A Senior Army Officer prior to retirement, Councillor Dixon-Warren's postings included the First Gulf War, Northern Ireland and Bosnia and Herzegovina, with garrison duties in the United Kingdom (UK), Germany and Hong Kong. Of relevance to the Armed Forces Champion role, was Councillor Dixon-Warren's former role as a Joint Regional Liaison Officer. This role focussed on delivering the Army's UK Engagement Mission to ensure all communities understand the role of the Army and the varied tasks the Army undertakes to secure UK interests at home and abroad.

The Greater Lincolnshire Defence and Security Network

- 2.26 South Kesteven District Council has engaged with the newly created industry-led forum, the Greater Lincolnshire Defence and Security Network (GLDSN). The GLDSN brings together national and international defence organisations, manufacturing, research, development and innovation expertise. The network is

designed to provide a single forum to overcome sector challenges and identify business opportunities in Greater Lincolnshire and Rutland.

- 2.27 Set up by the Greater Lincolnshire Learning and Enterprise Partnership (GLLEP), the Council was represented at 20 September 2022 launch event hosted at the International Bomber Command Centre in Lincoln. The GLDSN aims to become recognised as a Regional Defence Cluster (RDSC). This will identify companies already supplying defence and open up opportunities for others to access the multi-billion pound Ministry of Defence budgets as manufacturers and suppliers of high technology expertise and products.
- 2.28 The GLDSN presents an opportunity for the Council's economic development function to engage with South Kesteven manufacturers and innovative businesses, to introduce them to the network with a view to accessing the network's defence-related supply chains, and draw on Government funding to develop ideas, innovations and new products.
- 2.29 The GLDSN is planning to exhibit at the Defence and Security Equipment International (DSEI) event scheduled for 9 September 2023 at ExCel London exhibition and international convention centre in the Custom House area of Newham, East London. The DSEI is the only event to integrate all the pillars of national security and defence: Air, Space, Land, Naval, Security and Cyber. The DSEI is supported by the MOD and the UK Defence & Security Exports (part of the Department for International Trade) and serves as a forum between governments, national armed forces, industry and academics.

Army and civilian networking event

- 2.30 On 23 November 2022, the Army Training Regiment in Grantham hosted a high-level networking reception at Prince William of Gloucester Barracks, supported by the Council.
- 2.31 The cross-sector event invited guests from businesses, other local authorities, community organisations, veteran networks and fellow signatories to the Armed Forces Covenant. The reception offered invitees the chance to hear about:
- commercial opportunities from Defence and Security Network
 - how to better support our veteran community
 - skills ex-military personnel offer to organisations, and how to access the pool of talent they represent
 - ways in which organisations can sign up to and work collaboratively within the Armed Forces Covenant and engage with the Defence Employer Recognition Scheme
- 2.32 The event was evidence of the close working relationship with Prince William of Gloucester Barracks, illustrated by recent inspections of Army Reserves Pass-Off Parades by both the Chairman and the Leader.

Arnhem/Airborne Forces Trail

- 2.33 A new project is exploring potential for a military heritage trail to explain the local build-up to the Battle of Arnhem in September 1944, linking that to how the offensive unfolded in Holland.
- 2.34 Military specialists and veterans are working with the Council to map and research key sites and stories to share a largely untold story of how paratroopers of the First Airborne Division trained locally for the iconic Arnhem airborne assault, immortalised in the film 'A Bridge Too Far'. Many billeted (lodged temporarily) in villages and flew from RAF Barkston Heath and RAF Saltby.
- 2.35 Research will include the essential contribution of the United States Army Air Force 9th Troop Carrier Command, who carried troops to Europe from huge American-occupied airfields across South Kesteven.
- 2.36 It will include sites at Twyford Wood (near Colsterworth), Easton Walled Gardens, Stoke Rochford Hall, Harlaxton Manor, RAF Saltby, RAF Barkston Heath, Fulbeck Hall and St Vincent's Church in Caythorpe.
- 2.37 This evolving project has potential impacts across South Kesteven. For example, there is relevance for Stamford, where the 1st Polish Independent Parachute Brigade had its HQ at Rock House in 1944, and other links are being discovered.
- 2.38 The trail has probable international visitor appeal with relevance for American, Polish and Dutch audiences, and already has the backing of key military organisations. It will offer cultural, heritage and rural economy benefits by providing interpretation boards at local public houses, businesses and accommodation providers to encourage visitors to the District.
- 2.39 The development of South Kesteven District Council's Visitor Economy Strategy was considered by the Culture and Visitor Economy Overview and Scrutiny Committee at its meeting of 6 December 2022. Members of the Rural and Communities Overview and Scrutiny Committee are being asked to support the suggestion that recognition of South Kesteven's rich aviation history is included in the final published Visitor Economy Strategy.
- 2.40 External funding will have to be secured, potentially through the Covenant Fund Trust (when the 2023 criteria are announced) or Heritage Lottery Fund, with some revenue funding potentially being sourced through the UK Shared Prosperity Fund.

3. Key Considerations

- 3.1 The new Armed Forces Covenant Duty is now published. Statutory Guidance supporting the new Duty has been disseminated to housing colleagues.
- 3.2 The new Covenant Duty places a legal obligation on public bodies to pay 'due regard to the principles of the Covenant' and requires decisions about the

development and delivery of certain services to be made with conscious consideration of the needs of the Armed Forces community.

- 3.3 It is understood there is no desire to add an administrative burden unduly on organisations, such as the Council. The legislation has been designed around a Duty to pay due regard, as this is the best way to minimise any burden placed on service providers while maximising the wider impact of Covenant delivery into the future.
- 3.4 Development and delivery of the Arnhem and Airborne Forces Trail will require external funding, as detailed in the background section of this report.

4. Other Options Considered

- 4.1 The Covenant Duty does not mandate what organisations must do – only that they must consider the Armed Forces community alongside other legal requirements. This allows affected organisations the flexibility to balance local needs within the local context. It is for this reason the ‘do nothing’ option was discounted.

5. Reasons for the Recommendations

- 5.1 The reason for the recommendations are to engender an all-council commitment to support the military community.

6. Background Papers

- 6.1 *Signing of the Lincolnshire Armed Forces Community Covenant*, Non-Key Decision approved 30 April 2012, available online at:
moderngov.southkesteven.gov.uk/mglIssueHistoryHome.aspx?lid=15916&optionId=0
- 6.2 *Armed Forces Community Covenant*, Report to Communities and Wellbeing Overview and Scrutiny Committee, published 5 September 2017, available online at: Item 28 –
moderngov.southkesteven.gov.uk/ieListDocuments.aspx?Cid=628&MID=3439
- 6.3 *Armed Forces Community Covenant*, Non-Key Decision approved 18 September 2017, available online at:
moderngov.southkesteven.gov.uk/mglIssueHistoryHome.aspx?lid=22987&optionId=0
- 6.4 *Statutory guidance on the Armed Forces Covenant Duty*, produced by the UK Government, published online in 2022, available at:
<https://www.gov.uk/government/publications/armed-forces-covenant-duty-statutory-guidance>
- 6.5 *South Kesteven District Council Housing Allocation Policy 2022*, Report to Cabinet, Published on 12 July 2022, available online at:
<http://www.southkesteven.gov.uk/CHttpHandler.ashx?id=28211&p=0>

- 6.6 *Political Proportionality, Allocation of Committee Seats and appointment of armed Forces Lead Member*, Report to Council, published on 22 September 2022, available online at Item 43:
moderngov.southkesteven.gov.uk/ieListDocuments.aspx?Cid=261&MID=4283#AI28593
- 6.7 *Development of South Kesteven District Council's Visitor Economy Strategy*, Report to Culture and Visitor Economy Overview and Scrutiny Committee, published on 6 December 2022, available online at:
<http://moderngov.southkesteven.gov.uk/ieListDocuments.aspx?CId=629&MId=4314>

7. Appendices

- 7.1 **Appendix A: Armed Forces Covenant Action Plan 2022-2023**