



Reserve Forces Policy (Surrey and Sussex) (1025/2021)

Abstract

This policy sets out the Surrey Police and Sussex Police position on the engagement, mobilisation, pay, pension and leave for police officers and police staff who are members of the British Volunteer Reserve Forces (VRF).

Policy

1. Introduction

1.1 This policy is required in order to effectively manage the Force's commitment to providing for reservists of His Majesty's Forces (HMF). It defines the Force's obligations towards police officers and police staff who are members of / or wishing to join the reserve forces and to ensure there is a consistent approach to reservists adopted across Surrey Police and Sussex Police.

2. Scope

2.1 This policy and appendices provide a framework and comprehensive guidance for the effective management of reservists.

3. Policy Statement

3.1 The Forces recognise the valuable contribution reservists make to the UK Armed Forces and the skills and experience they can bring to the organisation. The Force pledges its support to those police officers and police staff that are, or seek to become, members of the reserves.

3.2 We expect line managers to give appropriate consideration to all requests related to reservist duties. Line managers must also ensure accurate records are kept of decision making which should consider organisational values, professional judgement (on the context and circumstances of each situation) and 'policing principles'. Decisions and subsequent action taken should be proportionate, legitimate and ethical as informed by the National Decision Making Model (NDM) and all associated documentation must be fully and accurately completed.

3.3 These meetings will not normally be taped. However, if an individual requests this as a requirement for a reasonable adjustment in the context of disability, as defined by the Equality Act 2010, this may be considered. Any covert recording of any meeting or private discussions during adjournment is also strictly prohibited.

Procedure

1. Force Staffing Levels

1.1 In order to maintain the policing service to the people of both Surrey Police and Sussex Police, a maximum of 0.5% of police officers and a maximum of 0.5% of police staff, in each Force, may become members of the reserve forces.

1.2 Surrey Police and Sussex Police will take steps to ensure that individuals receive fair treatment as a result of serving in the British reserve forces.

1.3 Surrey Police and Sussex Police shall, subject to the provisions set out in Section 4, agree to release reservists for attendance at reserve forces training events where these take place on their normal working days.

1.4 Surrey Police and Sussex Police shall, subject to the provisions set out in Section 5, agree to the release of all individuals mobilised for reservist duties.

1.5 Surrey Police and Sussex Police will continue to treat the contracts of employment of employees and terms and conditions of officers 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.

2. Types of Reservists

2.1 There are two main types of reservist:

- Volunteer Reservists - civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Territorial Army (made up of TA Group A and TA Group B - less Transitional Members) and Royal Auxiliary Air Force.
- Regular Reservists - ex-regular service personnel who may retain a liability to be mobilised depending on how long they have served in the Armed Forces.

2.2 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.
- Sponsored reserves - these are personnel employed by a contractor to provide a service to the Ministry of Defence (MoD).

High readiness reserves – these are reserves, usually with a particular skill set, that are available at short notice (with written agreement from their employer).

3. New and Continuing Reservists

3.1 New starters joining Surrey Police and Sussex Police must apply to remain in the volunteer reserve forces. They and existing officers and staff seeking to become

reservists must apply in writing to their line manager. Their line manager should contact People Services to check if tolerance levels for reservists have been reached via the SBS for Surrey (through People Solutions to the HR Desk) and in Sussex by email. The application to become a reservist should be discussed with their Divisional Commander/Head of Department prior to a decision being made. Volunteer Reservists engage for a period of 3 years at the end of which they will need to re-engage if they wish to remain a member of the reserve forces. Permission will need to be sought before extending.

3.2 Applicants who are police officers must be aware that they will not be permitted to take time off from their duties during their initial 12 weeks of probation or where it will impact on any programmed training requirements of their role.

3.3 Volunteer Reservists engage for a period of 3 years, permission from the Force must always be sought before extending an engagement as a reservist, or entering into a fresh one, in the same way as when engaging for the first time.

3.4 Police officers and police staff who are regular reservists must not transfer to become volunteer reservist without the consent of their home Force (Surrey Police or Sussex Police).

3.5 Neither police officers nor police staff are permitted to register as a 'high readiness' reservist (making them liable to be deployed with minimal notice).

4. Reserve Status Notification

4.1 Reservists are required to inform their home Force (Surrey Police or Sussex Police) they are a member of the reserve forces and the specific reservist Force that they belong to. They should have their reservist status recorded on their electronic personnel record by using the military reservist link via People Solutions in Surrey and via email to HR Operations in Sussex. This is so that Surrey Police and Sussex Police can provide the appropriate level of support to the reservist. It also assists with resource planning during periods of absence e.g. training and/or mobilisation.

4.2 Surrey Police and Sussex Police also recognise the additional skills and experiences that being a reservist can bring to the Force and, therefore, it is useful to have an understanding of where these particular skills and experiences exist.

4.3 Reservist police officers and police staff are also required to grant permission for the MoD to write directly to the Force. This is known as 'Employer Notification' and ensures that their Force is made aware that the police officer / police staff member is a reservist and the benefits, rights and obligations that apply.

4.4 The MoD will issue written confirmation to the Force informing them that the individual is a member of the reserve forces. The letter will provide detail of mobilisation obligations and rights as a police officer / police staff member; rights as an employer; and details of the financial assistance available if an individual is mobilised. The MoD will also send a follow-up letter each year to confirm that the information held is still accurate.

4.5 It is the responsibility of the reservist to ensure their personal details are kept up to date e.g. if they leave their respective reserve force and ensuring that People Services

are advised to amend their electronic personnel record (via People Solutions, using the military reservist link in Surrey and via email to HR Operations in Sussex) and ensuring their line manager is aware of their reservist status should their line manager change.

4.6 In any circumstance, the reservist will not be disadvantaged (either through discrimination or inequality) as a result of notifying the Force of their reserve status.

5. Training Commitments

5.1 Surrey Police and Sussex Police recognise the importance of the training undertaken by reservists that enables them to develop skills and abilities that are of benefit to their respective reserve force, the individual and employer.

5.2 Reservists are typically committed to 30-35 days training per year. Training commitments vary but, in most cases, include:

- Weekly training - most reservists train at their local centre for around two-and-a-half hours, one evening a week.
- Weekend training - all reservists are expected to attend a number of training weekends which take place throughout the year.
- Annual training - a 2 - week 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.

5.3 Line managers will aim to facilitate work rosters to allow attendance at annual camp and other training commitments however this cannot be guaranteed.

6. Volunteer Reserve Force leave (Surrey) / Special Leave (Sussex)

6.1 The Forces are committed to granting reservists additional paid leave up to a total of 15 days per year specifically to enable them to attend annual camp and any other reservist training.

6.2 Special leave / Volunteer Reserve Force Leave does not have to be taken in a block but can be used for any reservist training.

6.3 Special leave / Volunteer Reserve Force Leave with pay will not be granted in excess of working days during which the individual attends training.

6.4 All other training will be within the reservist's own time and expense, regardless of when they became a member.

6.5 Police officers may be allowed to change duty with another officer to facilitate attendance at training. However, it is Force policy that no officer will be required to work overtime or extra duty to facilitate the attendance.

6.6 Reservist police officers / police staff should give as much notice as possible to allow appropriate planning for absences. Permission once given will not be rescinded unless there are exceptional circumstances.

6.7 Applications for leave will always be considered and balanced with the operational requirements of the Forces.

7. Mobilisation

7.1 Mobilisation is the process of calling reservists into full time service with the regular Forces, in order to make them available for military operations.

7.2 The maximum period of mobilisation will depend on the scale and the nature of the operation and is typically no longer than 12 months.

7.3 Call-out papers will be issued as formal notification of a Reservists mobilisation. Both the reservist and the Force will receive a call-out pack. These will be sent by post to the Force or sometimes delivered in person by the reservist.

7.4 The documentation will include the call-out date (when the Reservist must report for duty at a specified mobilisation centre) and the anticipated timeline. Whenever possible, the MoD aims to give at least 28 days' notice of the date that the reservist will be required to report for mobilisation, although there is no statutory requirement for a warning period prior to mobilisation.

7.5 A period of mobilisation comprises three distinct phases:

- Medical and pre-deployment training
- Operational tour
- Post-operational tour leave

Pre-mobilisation

- Meet with reservist to ensure all mobilisation paperwork completed (including pay, benefits and pension arrangements)
- Make a claim for financial assistance as appropriate (see section 13 below)
- Discuss any handover of work including detailing pending prosecution in which the individual might be involved and any current / potential court warnings that could be affected by the absence
- Return of any equipment
- Keeping in touch – exchange contact details (e.g. email addresses) to enable both parties to do so. This will help with a smooth reintegration of the Reservist back into the workplace. Next of Kin details should also be updated.

During mobilisation

- Keep in touch with reservist as arranged

Post-mobilisation

- Ensure both employer and reservist fulfil their return to work obligations (including reference to template letters)
- After care and support requirements

Checklists are available for managers and reservists.

8. Applying for Exemption / Deferral / Revocation of Mobilisation

8.1 In all cases of mobilisation, the Forces will release the reservist to report for duty unless there are exceptional circumstances, whereby the decision and reasoning will be explained to the reservist.

8.2 In such circumstances line managers have the right to seek exemption, deferral or revocation if the reservist's absence is considered to cause serious harm to service delivery.

8.3 Definitions of 'harm' will vary from case to case, but may include;

- Loss of reputation, goodwill or other financial harm
- Impairment of the ability to produce goods or provide services
- 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).

8.4 Details of how to apply for exemption are included in the reservist call-out pack provided by the MoD.

8.5 The application must reach the Adjudication Officer within 7 days of the reservist 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.

8.6 The reservist also has the right to apply for exemption or deferral if the call-out papers arrive at a difficult time (i.e. if the timing is linked to crucial training and development needed to carry out your role).

8.7 If an unsatisfactory decision is received following the application for a deferral, the Forces can appeal for a hearing by the 'Reserve Forces Appeals Tribunal'.

8.8 Appeals must reach the Tribunals Secretary within 5 days receipt of written notice of the decision.

8.9 If the tribunal rejects the application for exemption or deferral, the Forces will be required to release the reservist for mobilisation.

9. Treatment of Terms and Conditions During Mobilisation

9.1 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 Force, 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 individual will be given unpaid leave of absence and continuity of employment remains.

The Forces will suspend the reservist's salary during the period of mobilisation.

9.2 Benefits

All contractual benefits that are suspended by the Forces during mobilisation can be claimed by the reservist as part of their reservist award. Example benefits include: car allowance or health insurance

The line manager and reservist should discuss benefit arrangements during the pre-mobilisation meeting which should cover those benefits which will be suspended. For any continuing benefits, arrangements should be made as to how these will be paid.

9.3 Pension

If the reservist is a member of the Force's pension scheme and chooses to remain in it during the period of mobilisation, the MoD will make the employer contributions for the period of mobilisation as long as the reservist continues to make their personal contributions.

9.4 Annual Leave

Reservists should be encouraged to take any accrued annual leave before mobilisation and will not accrue any annual leave during the period of mobilisation. Reservists accrue annual leave with the MoD whilst they are in full time service and this is factored into their mobilisation period. When they demobilise, reservists are entitled to a period of post-operational leave (POL) during which they will continue to be paid by the MoD. The Forces will not automatically carry over leave from one leave year to another.

9.5 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 Section 17 of The Reserve Forces (Safeguarding of Employment) Act 1985.

Police staff, who are reservists, can be included in the redundancy pool if this is necessary, for officers they would become part of the internal redeployment process.

However, all police officers / police staff should be treated consistently, and redundancy / redeployment criteria should not discriminate against reservists on the grounds of their reserve service or call-up liability.

9.6 Sick Pay

During the period of mobilisation, reservists will continue to accrue any service-related organisational sick pay. Should they become sick or injured during mobilisation they will be covered by the MoD's healthcare arrangements (including pay) until they are demobilised. If the sickness or injury continues and this results in early demobilisation, they will remain covered by the MoD until the last day of paid military leave. After this time, they will be covered by the Force's sickness arrangements.

If they become ill post mobilisation, and a notional return to work date has been agreed, the Force's sickness arrangements will apply.

Please use the letter template outlining the individual's employment arrangements.

10. Demobilisation

10.1 Once a Reservist's deployment has finished they are demobilised at a nominated demobilisation centre. The reservist undergoes checks including a medical and period of leave will follow. The Force will be notified of the demobilisation date and once leave has been calculated, they will be notified of the Reservist's last day of military service. After this date, the Reservist can return to work.

11. Return to Work

11.1 Both the reservist and the Forces have an obligation under The Reserve Forces (Safeguarding of Employment Act) 1985 regarding the return to work process.

11.2 Reservist:

The reservist must write to their Force 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 their line managers to discuss their return to work at the earliest opportunity, whether via a letter, a meeting or a telephone call. The formal application must be made in writing for it to be valid under the Act.

Upon their return, individuals will normally return to the substantive job they were doing prior to mobilisation. However, if for exceptional reasons, this is not possible the individual will be entitled to another post of the same rank / grade which is both suitable and appropriate"

If a reservist is not happy with the offer of alternative employment, they must write to the Head of Service Delivery for the employing Force (Surrey Police or Sussex Police) stating why there is reasonable cause for them not to accept it. If a reservist believes that the response to their application from Surrey Police or Sussex Police denies their rights under the Reserve Forces (Safeguard of Employment) Act 1985, an application can be

made to a Re-instatement Committee for assessment. This committee will consider the reservist's application and can make an order for re-instatement and/or compensation.

11.3 The Forces will formally respond to a reservist's request to return to work and to arrange a meeting by using the acknowledgement of return to work letter. The Forces have 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.

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 their mobilisation, although claims cannot be made for training courses that would have taken place anyway. Evidence of costs will be required in addition to evidence that the reservist could not reach the required standard by any other means, such as workplace experience.

11.4 Prior to returning to work from mobilisation, police officers and police staff will be required to complete the following:

- Pass vetting and a medical in accordance with the Joint Force Vetting Policy
- Undertake and successfully complete a Job-Related Fitness Test (JRFT) (police officers, Special Constables and Police Community Support Officers (PCSOs) only) in accordance with the JRFT Policy

12. Vetting

12.1 Police officers or police staff who have left the Force following mobilisation or have been absent for less than 12 months will be subject to a vetting review that involves Police National Computer (PNC) and Police National Database (PND) checks.

12.2 Police officers or police staff who have left the Force following mobilisation or been absent for a period of more than 12 months will require full recruitment vetting. In these circumstances, a full vetting application will be submitted for consideration and for vetting enquiries by the Joint Force Vetting Unit.

13. Aftercare

13.1 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 the individual on changes and developments within the Forces
- 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.

- Encourage the individual to meet up with colleagues informally or socially before or after return to work to prevent any feeling of dislocation, if this is sought.
- Discuss any health concerns. If there is a concern that a reservist maybe experiencing issues (i.e. physical / mental health) as a result of their deployment, then the Reservist should be encourages to seek advise / help and consult their unit / GP.
- Ensure that the reservist is aware of the support available through the Employee Assistance Programme (EAP).

13.2 Performance Review

Line managers who carry out performance / Focus 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.

14. Financial Assistance

14.1 Financial assistance for the Forces in the event a police officer or member of police staff reservist is mobilised is governed by the Reserve Forces (Call out and recall) (Financial Assistance) Regulations 2005.

14.2 These cover additional costs above the normal earnings of the called-up reservist associated with replacing that police officer / police staff. 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
- No financial cap on claims, but any claim must be supported by relevant documentation

Recurring costs

- Overtime costs, if other individuals 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)

Training costs

If a reservist has to undertake additional training as a direct result of their mobilisation (routine training excluded), then the line manager can make a claim for the cost. This training must be claimed for within 8 weeks of the Reservist returning to work and the training must be commenced within 6 months of the return to work.

14.3 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.

14.4 An application for one-off costs and recurring costs must be made within 4 weeks of the end of full-time reservist service.

15. Further Information

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

- [Defence Relationship Management DRM replaced SaBRE in 2016](#)
- 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](#)
- [Army website](#)
- [Royal Air Force website](#)

16. Employment Data

16.1 The Forces collect and process personal data relating to police officers and police staff to manage the employment relationship. It is important that individuals understand how that data is collected and used in order to meet the Force's data protection obligations. Further details can be located on intranet by searching for 'Privacy Notice'.

Team: Reward and Recognition