

Reserve Forces Policy

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| Prepared by | Corporate Manager |
| Policy created | May 2019 |
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| Date of current review | May 2025 |
| Date of next review | May 2028 |
| Reviewed by | Audit & Business Sub-committee |

| | | |
|---------------|--------------------------|---|
| Corporate Fit | Internal Management Plan | ✓ |
| | Risk Register | ✓ |
| | Business Plan | ✓ |
| | Equalities Strategy | ✓ |
| | Legislation | ✓ |

Keep in touch

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ਅਨੁਵਾਦ ਕਰਨ ਵਿੱਚ ਖੁਸ਼ੀ
乐意翻译

Our policies provide a framework to underpin our vision and values, to help us achieve our strategic objectives.

Our Vision

Local people, local control.

By providing quality homes and services, we will create stronger communities and a better quality of life for our customers.

Our Values

- Focused on the needs of our customers and communities.
- Supportive of our staff and Committee members.
- Responsible, efficient, and innovative.
- Open and accountable.
- Inclusive and respectful.
- Fair and trustworthy.

Strategic Direction

Consolidation and improvement: Applicable to our core business as a landlord & property manager.

Growth: Through the new build opportunities, we are taking forward.

Partnerships: Where this can help to address shared goals and increase capacity and value.

Resilience: A key priority across all parts of our business.

Strategic Objectives

Services: Deliver quality, value for money services that meet customers' needs

Homes & neighbourhoods: Provide quality homes and neighbourhoods.

Assets: Manage our assets well, by spending wisely.

Communities: Work with local partners to provide or enable services and activities that benefit local people and our communities as a whole

Our people: Offer a great workplace environment that produces a positive staff culture and highly engaged staff.

Leadership & Financial: Maintain good governance and a strong financial business plan, to ensure we have the capacity to achieve our goals.

Our Equalities and Human Rights Commitment

We understand that people perform better when they can be themselves and we are committed to making the Association an environment where employees, customers, and stakeholders can be open and supported. We promote equality, diversity, and inclusion in all our policies and procedures to ensure that everyone is treated equally and that they are treated fairly on in relation to the protected characteristics as outlined in the Equality Act 2010.

Privacy Statement

As data controller we will collect and process personal data relating to you. We will only collect personal information when we need this. The type of information we need from you will vary depending on our relationship with you. When we ask you for information, we will make it clear why we need it. We will also make it clear when you do not have to provide us with information and any consequences of not providing this. We are committed to being transparent about how we collect and use your data, and to meeting our data protection obligations with you. Further information about this commitment can be found within our full Privacy Statements.

Policy Scope & Review

For the purpose of this policy the term Association will include all members of the Tollcross Housing Association Limited. Therefore, all employees, governing body members, volunteers, customers and other relevant stakeholders will be expected to adhere to this policy and/or procedure. All policies and procedures are reviewed every 3 years in line with best practice and current legislation. The Association reserves the right to make additions or alterations to this policy and procedure from time to time. Any timescales set out in this policy may be extended where required.

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1. Introduction

- 1.1. This policy outlines our commitment to supporting employees who are members of the Volunteer Reserve Forces (for the purpose of this policy will be called reservists) when they are to be mobilised for active service. The policy provides information, on our legal responsibility to our employees, and our employees' procedural responsibilities.
- 1.2. There are three main pieces of legislation covering the call-up, mobilisation, and employment of reservists.
 - The Reserve Forces Act (1996) (RFA): Sets out the call-out powers under which reservists can be mobilised for full-time service.
 - 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 following 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.
- 1.3. This policy covers all employees of the Association 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).
- 1.4. No employees will be treated less favourably due to being a member of the reserved forces, and we will aim to release employees who are mobilised for reserved duties where possible while considering the needs of the business.

2. Notification

- 2.1. An employee must keep the Association informed at all stages of the reservist process. It is critical to allow for the Association to maintain services.
- 2.2. Employees must ensure that they formally notify the Association that they are a reservist and provide the Association's details to their commanding officer (who will confirm the reservists' details).
- 2.3. Employees should notify the Association as soon as possible for any training requirements, that may require unpaid leave.
- 2.4. Reservists and employers will be sent a 'call-out notice' if they employee is needed for full-time service. This is known as 'mobilisation'. In most cases, reservists and employers get 28 days' notice, but they could get less if they employee is needed urgently.
- 2.5. Reservists should confirm in writing as soon as they know when they can return to work, after a period of mobilisation (and no later than the third Monday after their last day of service).

3. Time off for training

- 3.1. There is no statutory requirement for employers to grant time off for training. However, in order to support our employees, unpaid leave may be granted (depending on the needs of the service), up to 3-working weeks per year.

4. Mobilisation

- 4.1. There are two types of mobilisation:

- Compulsory mobilisation will be notified by a 'call-out' notice and is legally enforceable.
- Voluntary mobilisation is not legally enforceable, and the Association is under no obligation to release the employee.

- 4.2. Where an employee is considering voluntary mobilisation, they should seek permission from their Director in the first instance. Where possible, the Association will support employees wishing to volunteer for mobilisation.

5. Apply to delay or cancel mobilisation (compulsory)

- 5.1. We are committed to supporting our employees to ensure that can meet mobilisation requirements. However, where this would significantly impact on the Association's work, we may exercise our statutory right to apply for a delay or cancellation. This will be discussed with the employee prior to any application being made.

- 5.2. An employer (or employee) can apply to delay or cancel mobilisation if:

- as a reservist, if you're called up at a difficult time (for example, you're caring for someone or you're in full-time education).
- as an employer, if it would seriously harm your business (for example, by causing financial harm or making it difficult to produce goods or provide services).

- 5.3. Application for delay or cancellation of mobilisation must be done within 7-days of receiving the call-out notice. The options for application are:

- defer mobilisation for up to a year - you'll get a new date to report for duty
- get an exemption for a year or more - you will not be called out again until it expires
- cancel (revoke) mobilisation if you've already been mobilised

- 5.4. If an application for delay or cancellation of mobilisation is turned down, an appeal can be logged with the Reserve Forces Appeal Tribunals. This must be done within 5-days of receipt of the application outcome.

- 5.5. Further information about the application for delay or cancellation, or appeal process can be found on the Government website (gov.uk).

6. Returning to work

- 6.1. After service, reservists are given a period of leave. This period of leave can only be ended by the reservists' commanding officer or the demobilisation centre (not by the Association).

- 6.2. Employees are entitled to return to the same type of job they were doing before they were mobilised, on the same terms and conditions. However, if the job no longer exists, they are entitled to a reasonable alternative.

6.3. To support the employee returning to work, we will:

- Carry out a return-to-work induction process.
- Update any key or significant changes in services or operational priorities.
- Review training and development requirements.
- Discuss any adjustments required to help the employee return to work smoothly.
- Build in review of requirements into the employee's standard 1-2-1.

7. Your terms and statutory provisions

- 7.1. During a period of mobilisation (and the return-to-work period), an employees' terms and conditions will be impacted as follows:
- 7.2. Continuity of service: continuity of services will continue throughout the time of mobilisation and given leave period.
- 7.3. Pay: your Association pay will be on hold for the time mobilised (service pay will be made from the MOD).
- 7.4. Annual leave: you will not accrue annual leave (including public holidays) during time mobilised. You will receive pro-rata based on the time worked in the leave year.
- 7.5. Pension: you are entitled to continue to make your pension payments. If you choose to do this, the MOD will pay the employer contributions for the duration of mobilisation.
- 7.6. Redundancy: you cannot be made redundant due to training or mobilisation. However, where a redundancy situation arises, you will be treated the same as other employees.
- 7.7. Sickness benefit: any sick pay during the mobilisation period will be made by the MOD.

Appendix 1 – Equality & Human Rights Impact Assessment

| | | | |
|---|-------------------------------------|---|---|
| Policy | Reserve Forces Policy | | |
| EIA Completed by | Corporate Manager | EIA Date | April 2025 |
| 1. Aims, objectives, and purpose of the policy / proposal | | | |
| To provide a clear and transparent framework for reservists and managers. | | | |
| 2. Who is intended to benefit from the policy / proposal? | | | |
| All employees. | | | |
| 3. What outcomes are wanted from this policy / proposal? | | | |
| For employees to understand what is expected of them. | | | |
| 4. Which protected characteristics could be affected by proposal? | <input type="checkbox"/> Age | <input type="checkbox"/> Gender reassignment | <input type="checkbox"/> Religion or belief |
| | <input type="checkbox"/> Disability | <input type="checkbox"/> Marriage & civil partnership | <input type="checkbox"/> Sex |
| | <input type="checkbox"/> Race | <input type="checkbox"/> Pregnancy and maternity | <input type="checkbox"/> Sexual orientation |
| 5. If the policy / proposal is not relevant to any of the protected characteristics listed in part 4, state why and end the process here. | | | |
| The policy does not directly impact any protected characteristics. | | | |
| 6. Describe the likely impact(s) the policy / proposal could have on the groups identified in part 4 | | | |
| | | | |
| 7. What actions are required to address the impacts arising from this assessment? (This might include; collecting data, putting monitoring in place, specific actions to mitigate negative impacts). | | | |
| | | | |
| 8. Consider the impact and actions to be considered for the following Human Right articles: | | | |
| Article 6: Right to a fair trial | | | |
| Everyone should be given the opportunity to participate effectively in any hearing of their case and present their side. | | | |
| Impact: n/a | Actions: | | |
| Article 8: Right to respect for private life, family life & the home | | | |
| Everyone has the right to access and live in their home without intrusion or interference. | | | |
| Impact: n/a | Actions: | | |
| Article 14: Prohibition of discrimination | | | |
| Everyone has equal access to the other rights contained in the Human Rights Act. | | | |
| Impact: n/a | Actions: | | |