



To: The Chair and Members of the Cabinet

Supplement

Dear Councillor

CABINET - TUESDAY, 6 JUNE 2023

Please find attached agenda Item No 12 – Urgent Items Armed Forces Covenant, for consideration at the Tuesday, 6th June, 2023 meeting of the Cabinet. The report was unavailable when the agenda was printed.

Yours sincerely

Linda Jones
Chief Legal and Monitoring Officer

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| Enquiries to | Jackie Currie |
| Tel No | 07919 056193 |
| Email address | Jackie.currie@westmorlandandfurness.gov.uk |

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Westmorland and Furness Council

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| Report Title: | Armed Forces Community Covenant |
| Meeting: | Cabinet |
| Meeting Date: | 6 June 2023 |
| Report Author: | Linda Jones Chief Legal and Monitoring Officer |
| Lead Cabinet Member(s): | Jonathan Brook – Leader of the Council |
| Wards Affected? | All |
| PUBLIC, PART EXEMPT OR FULLY EXEMPT | PUBLIC |
| List of Appendices (if any) | Appendix 1 – Draft Armed Forces Covenant |

1. Executive Summary

- 1.1 The purpose of this report is to request that the Leader signs the Armed Forces Covenant, the report explains the background to the Armed Forces Covenant, the implications for the Council and the proposed next steps. The report also provides an update on legal duty under the Armed Forces Act 2021. A draft Westmorland and Furness Armed Forces Community Covenant is attached at Appendix 1.

2. Recommendations

For the reasons set out in this report, it is recommended that Cabinet-

- 2.1 agrees the Leader of the Council signs the Westmorland and Furness Armed Covenant on behalf of the Council;
- 2.2 notes the appointment of Cllr M Eyles (Eden), Cllr V Hughes (South Lakes) and Cllr B McEwan (Furness) as the Armed Forces Champions for their area;
- 2.3 notes Linda Jones is the Lead officer for the Armed Forces for Westmorland and Furness;
- 2.4 agrees that Westmorland and Furness Council establish a Westmorland and Furness Armed Forces Board, the Board to include key stakeholders, Local Armed Forces Champions, the Portfolio Holder and/ or representative and the Lead Officer;
- 2.5 agrees that the Board will set its own Terms of Reference these to include but not be limited to acting as the responsible body for collaboration with partners, monitoring funding opportunities linked to the Councils priorities and the use to which any Armed Forces funding is put;
- 2.6 agrees that the Council continues to work with and partake in the Cumbria Armed Forces Partnership and works with Cumberland Council to establish the Cumbria wide governance requirements;
- 2.7 agrees to request that Council endorses the signing of the covenant at its meeting on the 15 June 2023.

3. Information: The Rationale & Evidence for the Recommendations

3.1 The Armed Forces Covenant is a statement of the moral obligation which exists between the nation, the Government and the Armed Forces. It was published in May 2011, and its core principles were enshrined in law, for the first time in the Armed Forces Act 2011. The Covenant states that “those who serve must not be disadvantaged by what they do” and it seeks to “redress the disadvantages that the armed forces community faces compared to others and recognise sacrifices made.”

3.2 The aims of the Community Covenant are to:

- Encourage local communities to support the Armed Forces Community in their areas;
- Nurture public understanding and awareness amongst the public of issues affecting the Armed Forces Community;
- Recognise and remember the sacrifices faced by the Armed Forces Community;
- Encourage activities which help to integrate the Armed Forces Community into local life;
- Encourage the Armed Forces Community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement.

3.3 Former Cumbria County Council and former District Councils all signed up the Armed Forces Covenant in 2013.

At the same time across Cumbria a Cumbria Armed Forces Covenant Partnership was also established. The membership included District Councils and Cumbria County Council Armed Forces Champions, officers working in community development, businesses, charities, public sector partners and housing associations who provide support to the armed forces community.

3.5 Following on from Local Government Reorganisation the Council is working with colleagues in Cumberland to agree the governance arrangements and appointments required for the Cumbria Armed Forces Partnership.

Next Steps

3.6 A report will be presented to the Council meeting on the 15 June 2023 to expand in more detail on the work proposed relating to the Armed Forces covenant and our legal duties. The Ministry of Defence will be in attendance to sign the covenant with the Leader of the Council.

3.7 An inaugural meeting of the Westmorland and Furness Armed Forces Board will take place.

4. Link to Council Plan Priorities:(People, Climate, Communities, Economy and Culture, Customers, Workforce)

4.1 The work we deliver will be aligned with the all the Council Plan priorities.

5. Consultation Outcomes (with services, ward councillors & public consultation where required)

5.1 The signing of the covenant was discussed at the meeting of Council in May 2023.

6. Alternative Options Considered

6.1 It is not considered that there is an alternative option to signing the covenant.

7. Financial Implications and risk

7.1 There are no financial implications arising from this report, finance will review any financial implications arising from the action plan and workstreams as they develop.

8. Legal & Governance Implications

8.1 It is likely that a refreshed approach to the Armed Forces Covenant will be required, it is important to consider what this might look like within the context of the statutory duty. It would be good practice to consider a refreshed approach to the Covenant in line with the statutory duty. The Westmorland and Furness Armed Forces Board will be required to consider its workstreams alongside the legal duty.

The Armed Forces Covenant Duty

8.2 The Armed Forces Act 2021 amends the Armed Forces Act 2006 to create a legal obligation on relevant bodies, when exercising relevant statutory functions, to have “due regard” to the principles of the Armed Forces Covenant. Statutory guidance has been produced (the Armed Forces (Covenant) Regulations 2022. It applies to specific functions within the fields of healthcare, education and housing services. When the Council exercises a relevant function it must have due regard to:

- (a) the unique obligations of , and sacrifices made by the , the Armed Forces ; and
- (b) the principle that it is desirable to remove disadvantages arising from service people from membership of , or former membership , of the Armed Forces , and
- (c) the principle that special provision for service people may be justified by the effects on such people of membership of , or former membership of the Armed Forces.

Summary of the functions in scope of the Covenant Duty

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| Healthcare | In the settings of NHS Primary Care, NHS Secondary Care, and local authority delivered health care services, the following functions : <ul style="list-style-type: none">• Provision of services;• Planning and funding; and• Co-operation between bodies and professionals |
| Education | In compulsory education settings, the following functions: <ul style="list-style-type: none">• Admissions• Educational attainment and curriculum• Child wellbeing |

| | |
|---------|---|
| | <ul style="list-style-type: none"> • Transport • Attendance • Additional needs support • Use of Service Pupil Premium funding |
| Housing | <ul style="list-style-type: none"> • Allocations policy for social housing • Tenancy strategies • Homelessness • Disabled Facilities Grants |

9. Human Resources Implications

9.1 The Human Resources team will contribute towards the delivery of the covenant obligations and action plan. By signing the Armed Forces Covenant an organisation demonstrates its intention to support the Armed Forces community and provides the signatory with the opportunity to be recognised by the Employer Recognition Scheme (ERS) award.

10. Equality & Diversity Implications (including the public sector equality duty, Armed Forces Families, Care Leavers and Health inequalities implications)

10.1 The signing of the Armed Forces Covenant will ensure we support our Armed Forces Families. Equality Impact assessments will be carried out as projects are delivered.

11. Background Information & Sources (used in preparation of this Report)

11.1 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1116148/Armed_Forces_Covenant_Duty_Statutory_Guidance.pdf



Westmorland and Furness Council

We, the undersigned, commit to honour the Armed Forces Covenant and support the Armed Forces Community. We recognise the value Serving Personnel, both Regular and Reservists, Veterans and military families contribute to our business and our country.

Signed on behalf of:

Westmorland and Furness Council

Signed:

Name:

Position:

Date:



**Westmorland
& Furness
Council**

The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom
Her Majesty's Government

– and –

All those who serve or have served in the Armed Forces of the Crown
And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

Section 1: Principles of The Armed Forces Covenant

1.1 We Westmorland and Furness Council will endeavour in our business dealings to uphold the key principles of the Armed Forces Covenant, which are:

- *no member of the Armed Forces Community should face disadvantage in the provision of public and commercial services compared to any other citizen*
- *in some circumstances special treatment may be appropriate especially for the injured or bereaved.*

Section 2: Demonstrating our Commitment

2.1 We recognise the value serving personnel, reservists, veterans and military families bring to our business and to our country. We will seek to uphold the principles of the Armed Forces Covenant, by:

- Promoting the Armed Forces: promoting the fact that we are an Armed Forces-friendly organisation, to our staff, customers, suppliers, contractors and wider public.
- Veterans: supporting the employment of veterans, recognising military skills and qualifications in our recruitment and selection process; working with the Career Transition Partnership (CTP) to support the employment of Service leavers;
- Service Spouses & Partners: supporting the employment of Service spouses and partners; partnering with the [Forces Families Jobs Forum](#); and providing flexibility in granting leave for Service spouses and partners before, during and after a partner's deployment.
- Reserves: supporting our employees who are members of the Reserve Forces; granting additional paid/unpaid leave for annual Reserve Forces training; supporting any mobilisations and deployment; actively encouraging members of staff to become Reservists;
- Cadet Organisations: supporting our employees who are volunteer leaders in military cadet organisations, granting additional leave to attend annual training camps and courses; actively encouraging members of staff to become volunteer leaders in cadet organisations; supporting local military cadet units; recognising the benefits of employing cadets/ex-cadets within the workforce.
- National Events: supporting Armed Forces Day, Reserves Day, the Poppy Appeal Day and Remembrance activities;
- Armed Forces Charities: supporting Armed Forces charities with fundraising and supporting staff who volunteer to assist;
- Commercial Support: offering a discount to members of the Armed Forces community;
- War Widow's / Widower's and their families : ensuring that we consider our War Widow's, Widower's and their families as part of our Armed Forces Covenant work.

2.2 We will publicise these commitments through our literature and/or on our website, setting out how we will seek to honour them and inviting feedback from the Service community and our customers on how we are doing.

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