

Westmorland and Furness Council

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

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