

Thursday 16th July 2024

Report of the Portfolio Holder for People, Services, Leisure & Engagement

Armed Forces Covenant Update 2024

Exempt Information

N/A

Purpose

To report on work done to ensure the Council meets its commitment to the Armed Forces Covenant and associated plan

Recommendations

It is recommended that the Committee:

1. Endorse the updated Tamworth Borough Council Armed Forces Covenant work plan.
2. Recognise and affirm the award to Tamworth Borough Council of the Silver Employee Recognition Scheme Award.

Executive Summary

The Armed Forces Covenant is a promise by the nation that the Armed Forces Community should be treated fairly and face no disadvantage when accessing public and commercial services, with special provision made in appropriate cases for those who have sacrificed the most.

The Covenant was established in its current form in 2011 and since then, thousands of different organisations – including businesses, local authorities, universities, and charities – have chosen to sign a pledge to honour the Covenant and support their Armed Forces Community.

Tamworth Borough Council, with Staffordshire County Council and all other districts and boroughs in Staffordshire, re-affirmed commitment to the Armed Forces Covenant and the Armed Forces Act 2021 Covenant Duty in February 2023.

The Tamworth Armed Forces Covenant plan was endorsed by Cabinet in July 2023 with agreement that an annual update be provided to H&W Scrutiny annually.

The updated plan is attached as Appendix 1.

Key successes in 2023/24:

- The Council has successfully achieved the Employer Recognition Silver Award **(announcement embargoed until after the General Election)** which will be presented at the National Memorial Arboretum in September 2024.
- Enhancement of support to armed forces communities by improving policies including:
 - Automatic interviews for veterans and forces family members meeting the minimum job requirements.
 - Advertising vacancies on forces specific websites.

- Increased paid annual leave for Reservists which meets the Gold standard ERS scheme
- Events were arranged for DDAY 80 Celebrations with the Royal British Legion Tamworth Branch.
- A commitment has been made to recognise and celebrate annual Armed Forces Day event with free admission for serving and retired service personnel (and half price family) to Tamworth Castle.
- Compulsory training put in place for all staff to raise awareness of our commitment to the Armed Forces Covenant.
- Provided over £6,000 grant funding to Tamworth and Lichfield Sea Cadets to meet core funding costs.
- £10,000 grant awarded (announcement embargoed until after the General Election) to the Staffordshire 3 for a permanent memorial in the Castle Grounds to three local men killed on active service in Iraq.

Options Considered

The Council had already committed to the Armed Forces Covenant and re-affirmed in line with the other boroughs/districts in Staffordshire in line with the Armed Forces Act 2021.

Resource Implications

The Community Cohesion Officer will work in conjunction with appropriate teams within the Council to ensure that the action plan is implemented and is appointed until February 2025 (to be reviewed).

There are no direct financial implications because of this report. Events or activities identified through the Action Plan will be subject to budgetary resourcing and further reports.

Legal/Risk Implications Background

The Covenant Duty is not prescriptive about the approach the Council should take to comply with their legal obligations. It also does not mandate that any conclusions are reached, or specific public service delivery outcomes achieved because of that consideration. The actions and outcomes that bodies deem appropriate will vary across the country depending on local circumstances.

- The Covenant Duty does not abolish or replace existing Covenant pledges and other commitments.
- The Duty only applies to specific functions in healthcare, education, and housing. Other functions in these three areas, and functions in other, unrelated areas, are not within the scope of the Duty, though may still be relevant to the wider Covenant commitments.
- The Duty only applies to specified bodies. Many organisations that have signed the wider Covenant pledge are therefore not within scope of the legal Duty at all.
- The Duty applies to specific groups in the Armed Forces Community. Other groups in the Community may be included within the purposes of the wider Covenant.

The Covenant Duty does not supersede or replace any other statutory requirement. Those subject to the Duty must balance the requirements of the Duty with the need to deliver services more generally and the need to satisfy other statutory requirements, such as the Public Sector Equality Duty in England, Scotland and Wales, or the statutory duty on public authorities regarding equality of opportunity in s.75 of the Northern Ireland Act 1998.

Equalities Implications

The Armed Forces Covenant Duty is in place to ensure that there is no unfair treatment for serving personnel, their families or veterans when accessing public services.

Advantageous treatment as a matter of course is not within scope of the Duty, such as offering discounts to all through the Defence Discount Service, or to a broad group through the Veterans Railcard. However, bodies are still free to implement such schemes as part of their support to the Armed Forces Community through the Covenant. Similarly, the Duty does not give an individual any automatic right to the best house, best school, or to jump a queue. However, special provision can sometimes be justified on a case by case basis and will be recorded.

The Council has decided to offer some discounts and free access to certain events to serving personnel, veterans and families on special occasions where their service is at the forefront of the celebrations or commemoration and is part of the event planning.

A full Community Impact Assessment has previously been completed.

Environment and Sustainability Implications (including climate change)

There are no environmental or sustainability implications because of this report.

Background Information

Tamworth Borough Council has committed to the Armed Forces Covenant since 2012 and recognise the commitment to those that have and still remain serving the nation.

The Armed Forces Act 2021 amended the Armed Forces Act 2006 by inserting sections 343AA to 343AF. These place a legal duty (the 'Covenant Duty') on specified public persons and bodies to have due regard to the principles of the Armed Forces Covenant when exercising certain statutory functions in the fields of healthcare, education and housing ('relevant functions').

When a specified body exercises a relevant function, it must have due regard to:

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

Relevant functions in scope of the Covenant Duty include healthcare, education and housing.

The Council must have due regard to:

- Allocations policy for social housing
- Tenancy strategies (England only)
- Homelessness
- Disabled Facilities Grants

The Housing Allocations and Homelessness strategies have due regard to the Duty and are compliant. Disabled Facility grant administration has just been brought back into Council management which fund adaptations to a disabled person's home to enable them to live independently and comfortably.

Report Author

Joanne Sands – Assistant Director Partnerships
Anna McLauchlan – Community Cohesion Officer

List of Background Papers

Armed Forces Act 2021

Appendices

