



Armed Forces Reservist Policy

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DOCUMENT CHANGE HISTORY

Initiated by	Date	Author (s)
Terry Hicks	October 2017	Terry Hicks, Head of Operations
Version	Date	Comments
V2.1	August 2023	Reviewed, updated & re-modelled by Policy Lead and Terry Hicks. ELT approved change to 2 weeks paid reservist leave.
V2.2	January 2024	Further update and ELT changes made.
V2.3	12 February 2024	Reviewed / updated at HR Policy Subgroup
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POL026 – Armed Forces Reservist Policy

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Recommended at Date	SPF 4 March 2024
Approved at Date	CRG 25 March 2024
Valid Until Date	28 February 2027
Equality Analysis	Completed 12 February 2024
Linked procedural documents	Secondary Employment Policy Annual Leave Policy Grievance Policy Sickness Absence Management Policy Disability Policy Flexible Working Policy Reasonable Adjustment Policy
Dissemination requirements	All Trust employees by intranet
Part of Trust's publication scheme	Yes

POL026 – Armed Forces Reservist Policy

The East of England Ambulance Service NHS Trust has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

All Trust policies can be provided in alternative formats.

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1. Introduction

- 1.1 We at EEAST are committed to employ people who are in the Reserve Forces (Maritime Reserve, Army Reserve and RAF Reserve) and Adult Volunteers for the Cadet Forces (Sea Cadets, the Army Cadets Force, Air Cadets and Combined Cadet Force).
- 1.2 To demonstrate our commitment and support of the Armed Forces community EEAST has signed the Armed Forces Covenant, and we recognise the vital role of the Reserve Forces and the valuable contribution that they make to our defence, their communities, and the civilian workplace.
- 1.3 The Mandate from the Government to Health Education England: April 2014 to March 2015 states that there are clear advantages to the NHS, its staff and the Armed Forces of healthcare professionals and other staff contributing to the armed services as reservists. There are benefits which accrue to the NHS, its staff and the hosts and recipients of volunteering at home and overseas.
- 1.4 The average Reservist receives approximately £8000 of training per annum in skills such as communications, IT and LGV licences. Therefore, the more Reservists we employ, the more we can benefit from these transferrable qualities. Exposure to Reserve Forces also develops core values including teamwork, leadership, and the ability to improvise in unfamiliar or difficult circumstances.

2. Purpose

- 2.1 Reservists and Cadet Forces Adult Volunteers (CFAV) require regular training to maintain skills and/or readiness for deployment. This training enables them to develop skills and abilities which benefit the individual, us as their employer and furthermore our service users.
- 2.2 This policy aims to define our responsibilities towards all employees who are members of the Reserve Forces or Cadet Forces and their families, and our commitment to not

disadvantage those who notify us of their status, or who are made known to us directly by the Armed Forces.

2.3 The policy applies equally to all EEAST employees.

2.4 This policy does not apply to agency workers or casual workers.

3. Duties

3.1 Managers, HR and trade union representatives are responsible for providing advice and guidance to employees around the application of this policy.

3.2 Managers have a responsibility:

- to consider all Reservists and CFAV training and call-out requests fairly and consistently.
- to ensure that all decisions relating to these duties are balanced with service delivery needs.
- to support any employee who is mobilised and complete a **Mobilisation Support Plan (POL026-03)**

3.3 You have a responsibility to:

- inform your line manager if you are a member of the Reserve or are a CFAV and the specific Force you belong to, by completing a **Declaration of Military Service Form (POL026-01)**.
- maintain open and honest communication with your line manager relating to Reservist and CFAV training and duties, including mobilisation.
- grant permission for the Ministry of Defence (MOD) / Unit Commanding Officer to write directly to EEAST, subject to any security considerations. This is known as 'Employer Notification' and ensures we are made aware you are a Reservist and the benefits, rights, obligations and annual training commitments that apply.

3.4 The Armed Forces Champion is:

- responsible for increasing awareness and benefits of employing Reservists and CFAV within EEAST.
- a dedicated contact for our armed forces employees to feel recognised, valued, well-supported and to establish an avenue for feedback.
- able to assist those who would like help finding Armed Forces networks and advisory agencies.

4. Definitions

- 4.1 **Reservist** - civilian recruited into any of the Reserve Forces: Royal Naval Reserves and Royal Marines Reserves, Territorial Army, and Royal Air Force or Royal Auxiliary Air Force.
- 4.2 **Regular Reservist** - ex-regular servicemen who may retain a liability to be mobilised depending on how long they have served in the Armed Forces.
- 4.3 **Full Time Reserve Service** - Reservists who wish to serve full time with regulars for a predetermined period in a specific posting.
- 4.4 **Additional Duties Commitment** - part-time service for a specified period in a particular post.
- 4.5 **Sponsored Reserves** - These are personnel employed by a contractor to provide a service to the Ministry of Defence (MoD).
- 4.6 **Veteran** - a person who has served in the Armed Forces.
- 4.7 **Volunteer Reserve** – these are staff that volunteer with cadet organisations affiliated to the Armed Forces (i.e., Army Cadets, Air Training Corps, Combined Cadet Force, etc.)
- 4.8 **Mobilisation** - the process of calling Reservists into full time service with the Regular Forces, to make them available for military operations.

5. Joining the Reserve or Cadet Forces

- 5.1 You must declare being a member of the Armed forces (see Section 3) by completing a **Declaration of Military Service Form (POL026-01)** and submitting this to your Line Manager. This enables your manager to support you in your reservist or CFAV duties and assists resource planning during periods of leave for training or mobilisation.
- 5.2 You should update ESR to reflect being a member of the Armed or Cadet forces by:
- logging into ESR and opening the My ESR Portal
 - using the left-hand navigation menu, select My Employment and then Supplementary Role,
 - Clicking on 'Create new role', selecting the relevant option to you and input the dates as appropriate,
 - Once completed, select 'Apply'.
- 5.3 The MoD will issue confirmation that you are a member of the Reserve Forces, providing details of mobilisation obligations, your rights as an employee, our rights as an employer and your annual training schedule.

6. Training

- 6.1 Training commitments for reservists and CFAV may vary but typically include:
- Weekly training (around two and a half hours one evening per week).
 - Weekend training (a couple of training weekends through the year).
 - Annual training (a two-week continuous training camp each year).
- 6.2 We will provide two weeks paid Armed Forces Leave (75 hours/pro rata for part time) per financial year (April – March) for you to attend annual camp or equivalent continuous training or teaching.

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- 6.3 To apply for Armed Forces Leave, you should complete and submit an **Armed Forces Leave Application Form (POL026-02)** to your line manager, including the letter from your Sergeant Major / Commanding Officer confirming the details of the training / camp.
- 6.4 Your line manager will review your application and accommodate the leave wherever possible, providing it can be balanced against service delivery/operational requirements. Once given, permission will not be withdrawn except in exceptional circumstances.
- 6.5 If there are multiple requests for employees in a single locality for Armed Forces Leave over the same time period, these will be referred to an operational 8c manager or above or equivalent for review. We may request for employee/s to be allocated alternative dates to attend annual training, on a date of application received basis.
- 6.6 It is expected that your weekend and weekly training commitments will be maintained outside of your usual working hours. Alternatively, you can apply for leave in line with our Annual Leave Policy.
- 6.7 If you require long term changes to your contracted hours, you can consider making an application under the Flexible Working Policy.
- 6.8 The above process will also apply to you if you are a member of the Cadet Forces Adult Volunteers (CFAV), and you are required to attend 'annual camp' for a period lasting no longer than 2 weeks.

To help us to support you, please provide your line manager with as much notice as possible of your training schedule.

- 6.9 Any concerns in relation to the above should be referred to your line manager or the Armed Forces Champion in the first instance. If you feel your concern has not been addressed, you can consider options under the Grievance Policy.

7. Mobilisation

- 7.1 Mobilisation can be voluntary or compulsory for selected personnel. The period of mobilisation will depend on the scale and nature of the operation and is normally between 3 and 12 months, depending on your role and specialism. You would normally have 28 days' notice of the date you are required to report for mobilisation, but it could be less if you are needed urgently.
- 7.2 If you wish to volunteer for mobilisation, you must seek prior agreement from your line manager. All requests will be considered within 14 calendar days.
- 7.3 If there are multiple requests for employees to be mobilised in a single locality, these will be referred to the budget holder for review.

7.4 Call Out

- 7.4.1 If you are to be mobilised, you will be sent a call out pack which will contain:
- a copy of the call-out notice,
 - an employer call out pack which must be passed to your line manager,
 - notification of the expected return date and likely duration of mobilisation,
 - details of our and your statutory rights and obligations,
 - pension paperwork,
 - information about financial assistance,
 - information about exemption and deferral.
- 7.4.2 Providing service delivery can be met, your line manager will agree a call-out request, however, in all cases of mobilisation, both you and EEAST, have the right to apply to delay or cancel mobilisation.
- 7.4.3 If a decision is made that we cannot release you due to service delivery concerns, we must apply to delay or cancel

mobilisation within seven days of you receiving the call out notice. If this deadline is missed, you have to get permission from the adjudication officer to make a late application.

7.4.4 If a request to delay or cancel mobilisation is declined, you or EEAST can submit an appeal to the Secretary of Tribunals at the Reserve Forces Appeals Tribunals (RFAT). This must be received by the tribunal within 5 days of you receiving the decision or the application may be rejected. In these circumstances we will keep you informed of progress, and if the appeal is upheld you will not be deployed.

7.5 Pre-Mobilisation

7.5.1 Your line manager will forward you a copy of the **Mobilisation Support Plan (POL026-03)**, or you can access this via the intranet, and meet with you to complete part A of the plan, including:

- your last working day prior to mobilisation,
- booking any accrued annual leave/TOIL where operationally possible,
- completion of a HR2a to inform payroll of your mobilisation and the date your pay should stop,
- agreements for keeping in touch during mobilisation and what to do post mobilisation,
- handover of any work,
- completion of all mobilisation paperwork including pay, benefits and pension arrangements.

7.5.2 EEAST can apply for financial assistance if we believe your mobilisation will have an exceptionally severe impact on our ability to provide services. Details of how to apply for this and what can be claimed are contained within the call out pack. Your line manager should liaise with the finance department to make a claim. The latest date for submitting a claim is within four weeks of the date you are demobilised.

7.6 During Mobilisation

- 7.6.1 A period of mobilisation comprises of 3 distinct phases:
1. Medical and pre-deployment training,
 2. Operational tour,
 3. Post-operational tour leave.
- 7.6.2 Whilst you are mobilised the MoD assume responsibility for your salary and cover the cost of contractual benefits (please see section 8 for pension information and section 9 for annual leave). The basic salary is according to your military rank. If this is less than the salary you receive from us, it is your responsibility to apply to the MoD for the difference to ensure you do not suffer loss of earnings.
- 7.6.3 You must keep in touch with your designated contact as agreed in your Mobilisation Support Plan and inform them if your circumstances change, such as the length of mobilisation or any health concerns.
- 7.6.4 If you are ill or injured whilst mobilised, you will be treated by Defence Medical Services and will remain mobilised until your treatment is completed, and you are ready to return to either active duty or your role at EEAST. As long as you remain mobilised the MoD will continue to cover your salary and cost of contractual benefits as well as any financial assistance paid to us; our obligation to reinstate you once your treatment/mobilisation is complete will also continue.
- 7.6.5 At the end of your tour and before you are demobilised, you are entitled to post-operational tour leave, the length of which is determined by the length of your mobilisation (up to a maximum of 40 days) and what post tour leave you have accrued (see section 9). During this leave you must contact your line manager to agree your return-to-work date.

**Your line manager will not ask you to return to work
before your post-mobilisation leave finishes.**

7.7 Post Mobilisation

7.7.1 You are entitled to return to your original position or, if that is no longer possible, you will be offered a mutually acceptable alternative role on terms and conditions which are no less favourable. (Where appropriate refer to the Change Management Policy and Redeployment Policy and Procedure.) Your right to return to work lasts for 6 months after your mobilisation has ended.

You will not be made redundant on the grounds of your military duties or liability to be mobilised. You can be included in a redundancy pool under normal redundancy criteria but will not be discriminated against because of your Reserve or Cadet Volunteer status.

7.7.2 There is a legal requirement under the Reserve Forces (Safeguard of Employment) Act 1985 for a Reservist to be re-employed for a minimum of 13, 26 or 52 weeks depending on your length of employment prior to mobilisation as follows:

Prior to mobilisation, was in continuous NHS employment for a consecutive period of:	Minimum period to remain reinstated after mobilisation
Less than 13 weeks	13 weeks
More than 13 weeks and less than 52 weeks	26 weeks
Not less than 52 weeks	52 weeks

7.7.3 To enable your manager to plan for your return, you must confirm in writing your intentions to return and the date you are available to start work no later than the third Monday after your last day of military service. You should be reinstated within 6 weeks of the last day of your full-time service.

7.7.4 Your manager will arrange a meeting with you to complete section B of your **Mobilisation Support Plan (POL026-03)**. This meeting will cover:

- any necessary after care and support requirements, including the need for reasonable time off to seek therapeutic treatment,
- in cases where injury or illness occurred during mobilisation, consideration of a referral to Occupational Health and completion of a return-to-work interview in line with the sickness absence policy,
- updates on changes and developments within EEAST,
- discussions around any specific changes to your role if applicable, and planning for refresher or skill set training where necessary,
- review of your pay progression. You will not be penalised if your mobilisation coincided with your pay band gateway, an appraisal meeting will be scheduled upon your return to work, considering the activities undertaken whilst mobilised and essential skills learnt. Any incremental increase awarded will be backdated to your normal incremental date.
- discussions around informal or social meeting up with colleagues if wanting to reintegrate to the team prior to return date.

7.7.5 You must let your line manager know as soon as possible if, you are unable to return to work on the agreed date and why.

7.7.6 Once you have returned to your role, if you develop health issues as a result of your tour of duty, we will support you and manage the situation in line with the appropriate policy, e.g., Sickness Absence Management Policy, Reasonable Adjustments Policy.

8. NHS Pension and benefits whilst mobilised

- 8.1 A Reservist's tour is considered continuous NHS employment for the purposes of rights and benefits, such as membership of superannuation schemes and leave entitlements.

Whilst you are mobilised you are entitled to remain a member of the NHS Pension Scheme. There are two options for managing your pension contributions:

- you can choose to continue to pay your individual pension contributions through your monthly MoD pay; if you do this the MoD will pay the employers pension contributions.
 - your pension contributions can be calculated and held until you return to EEAST, the contributions can then be recovered monthly from your salary over the equivalent period of your mobilisation. In these circumstances, and at your request, we will continue to pay the employer contributions to the scheme for the period of mobilisation and invoice the MoD to recover this amount.
- 8.2 Further pension guidance and the relevant documentation will be provided within the call out pack. Additionally, you can contact the Pensions Officer at our Payroll provider, their contact details are available on the intranet.

9. Annual Leave whilst mobilised

- 9.1 Wherever possible you will be encouraged to take any accrued leave within your current personal leave year prior to mobilisation and can submit applications in line with the Annual Leave Policy.
- 9.2 Any untaken annual leave prior to mobilisation may be carried over into the following leave year, provided you can demonstrate it was not possible to book this leave prior to mobilisation.
- 9.3 Once mobilised you will stop accruing annual leave with EEAST and instead will begin to accrue 2.5 days of 'post tour leave' for each month of service you undertake with the MoD. This

accrued leave will be taken before you are demobilised by the MoD and return to us.

10. Service Families

- 10.1 If you have a dependant or partner (whether opposite or same sex including spouse, civil partner or a person you are in a long-term relationship with) who is an active service member including Reservists we encourage you to contact your line manager, or the Armed Forces Champion in the event of a mobilisation. We recognise the impact this can have on a family, and we will endeavour to provide support to you throughout the mobilisation and into post mobilisation.
- 10.2 The support provided will depend on your requirements but could include counselling provisions, flexibility with shift patterns/working hours, or any other reasonable considerations. For longer term support, it may be worth considering completing a flexible working application in line with the Flexible Working Policy.

11. Useful contacts / additional information

- 11.1 See **Appendix A** for additional information.

12. Policy Review

- 12.1 This policy will be reviewed on a three-yearly basis or amended in the light of new employment legislation and/or relevant case law.

Appendix A

Useful contacts / additional information

EEAST Armed Forces Champion

Terry Hicks – Head of Clinical Operations

terry.hicks@eastamb.nhs.uk

Tel: 07834 249871

Defence Relationship Management

Support for organisations employing members of the Armed Forces, Reservists, Adult Cadet Volunteers, Veterans and service family members, providing advice around the armed forces covenant and ensuring fairness in the military community.

www.gov.uk/government/groups/defence-relationship-management

NHS Employers

Advice on managing employment of the armed forces within [NHS Employers](#)

Main legislation relating to the Reserve Forces / employers

- [The Reserve Forces Act 1996](#) (RFA 96) which provides the powers under which reservists can be mobilised for full-time service.
- [The Reserve Forces \(Safeguard of Employment\) Act 1985](#) (SOE 85) which provides protection of employment for those liable to be mobilised and reinstatement for those returning from mobilised service.

Appendix B

Equality Impact Assessment

EIA Cover Sheet																			
Name of process/policy	Armed Forces Reservist Policy																		
Is the process new or existing? If existing, state policy reference number	Existing (POL026)																		
Person responsible for process/policy	Terry Hicks / HR																		
Directorate and department/section	People Services																		
Name of assessment lead or EIA assessment team members	EQIA Panel																		
Has consultation taken place? Was consultation internal or external? (please state below):	Internal consultation through HR Policy Subgroup members																		
The assessment is being made on:	<table border="1"> <tbody> <tr> <td>Guidelines</td> <td>X</td> </tr> <tr> <td>Written policy involving staff and patients</td> <td>X</td> </tr> <tr> <td>Strategy</td> <td></td> </tr> <tr> <td>Changes in practice</td> <td></td> </tr> <tr> <td>Department changes</td> <td></td> </tr> <tr> <td>Project plan</td> <td></td> </tr> <tr> <td>Action plan</td> <td></td> </tr> <tr> <td colspan="2">Other (please state)</td> </tr> <tr> <td colspan="2">Training programme.</td> </tr> </tbody> </table>	Guidelines	X	Written policy involving staff and patients	X	Strategy		Changes in practice		Department changes		Project plan		Action plan		Other (please state)		Training programme.	
Guidelines	X																		
Written policy involving staff and patients	X																		
Strategy																			
Changes in practice																			
Department changes																			
Project plan																			
Action plan																			
Other (please state)																			
Training programme.																			

Equality Analysis																							
<p>What is the aim of the policy/procedure/practice/event?</p> <p>EEAST is committed to employ a number of people who are in the Reserve Forces (Maritime Reserve, Army Reserve and RAF Reserve) and who may be subject to call up and mobilisation to areas of conflict. EEAST has actively demonstrated their commitment to the Armed Forces by pledging their support and signing the Armed Forces Covenant. The Trust recognises the vital role of the Reserved Forces and the valuable contribution that Reservists make to our Defence, their communities and the civilian workplace. The trust has also recently been awarded as a Veterans aware Trust (VHCA)</p> <p>This policy seeks to eliminate the potential discrimination of reserve staff as a result of their voluntary commitments to the defence of the United Kingdom.</p>																							
<p>Who does the policy/procedure/practice/event impact on?</p> <table border="0"> <tr> <td>Race</td> <td><input checked="" type="checkbox"/></td> <td>Religion/belief</td> <td><input checked="" type="checkbox"/></td> <td>Marriage/Civil Partnership</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Gender</td> <td><input checked="" type="checkbox"/></td> <td>Disability</td> <td><input checked="" type="checkbox"/></td> <td>Sexual orientation</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Age</td> <td><input checked="" type="checkbox"/></td> <td>Gender re-assignment</td> <td><input checked="" type="checkbox"/></td> <td>Pregnancy/maternity</td> <td><input checked="" type="checkbox"/></td> </tr> </table>						Race	<input checked="" type="checkbox"/>	Religion/belief	<input checked="" type="checkbox"/>	Marriage/Civil Partnership	<input checked="" type="checkbox"/>	Gender	<input checked="" type="checkbox"/>	Disability	<input checked="" type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>	Age	<input checked="" type="checkbox"/>	Gender re-assignment	<input checked="" type="checkbox"/>	Pregnancy/maternity	<input checked="" type="checkbox"/>
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Age	<input checked="" type="checkbox"/>	Gender re-assignment	<input checked="" type="checkbox"/>	Pregnancy/maternity	<input checked="" type="checkbox"/>																		
<p>Who is responsible for monitoring the policy/procedure/practice/event?</p> <p>Terry Hicks/People Services Directorate</p>																							
<p>What information is currently available on the impact of this policy/procedure/practice/event?</p> <p>Testimonials from active reservists, commanding officers of reserve units, NHS employers have all shared that the introduction of this policy has allowed those staff to receive time-off to fulfil their commitments without pressure to utilise existing annual leave. The policy has also provided structure to managers and workforce directorate colleagues when approving leave requests. The policy aims to have a positive impact on staff, the reputation of the Trust regionally and nationally.</p>																							

Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.

Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? No

Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? No

Race	<input checked="" type="checkbox"/>	Religion/belief	<input checked="" type="checkbox"/>	Marriage/Civil Partnership	<input checked="" type="checkbox"/>
Gender	<input checked="" type="checkbox"/>	Disability	<input checked="" type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>
Age	<input checked="" type="checkbox"/>	Gender re-assignment	<input checked="" type="checkbox"/>	Pregnancy/maternity	<input checked="" type="checkbox"/>

Please provide evidence:

This policy is designed to be inclusive of all employees who are reservists, or for employees who have family members in the armed forces or Armed Forces Reserves.

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? No

Race	<input checked="" type="checkbox"/>	Religion/belief	<input checked="" type="checkbox"/>	Marriage/Civil Partnership	<input checked="" type="checkbox"/>
Gender	<input checked="" type="checkbox"/>	Disability	<input checked="" type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>
Age	<input checked="" type="checkbox"/>	Gender re-assignment	<input checked="" type="checkbox"/>	Pregnancy/maternity	<input checked="" type="checkbox"/>

Please provide evidence:

Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.

Action Plan/Plans - SMART

Specific – monitor that the annual leave element of this policy is effective

Measurable – by exception from reservist staff

Achievable – dedicated email for AF Champion to allow issues or concerns to be raised

Relevant – to ensure that the policy supports release of reservists for training

Time Limited – Review on annual basis

Evaluation Monitoring Plan/how will this be monitored?

Who – People Services Directorate & Terry Hicks

How – Direct feedback

By – Reservists staff & HR teams

Reported to – People Services Directorate & Terry Hicks

Appendix C - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrangements	Acting on recommendations	Change in practice and lessons to be shared
Audit of employee experience, and that the policy and procedure is being applied consistently, fairly and accurately for all reservists / families.	Head of HR People Partnering / Terry Hicks	Monitor GRS, ESR and ER Tracker data	Annually	Number of grievances/ complaints received in relation to the policy.	Reported to and discussed at People Committee / OSDG where required.	Head of HR People Partnering / Terry Hicks will address any actions or changes required.	Any change in practice will be identified and: <ul style="list-style-type: none"> • process updated with HR People Partnering team • HR People Partnering / Terry Hicks provide line manager training • policy updated where required