

**Armed Forces Reservist Policy**

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<b>Consultation</b>	HR Policy Group	<b>Applicable to:</b>	All staff All Sites
<b>Equality, Diversity And Human Right Statement</b>	The Trust is committed to an environment that promotes equality and embraces diversity in its performance both as a service provider and employer. It will adhere to legal and performance requirements and will mainstream Equality, Diversity and Human Rights principles through its policies, procedures, service development and engagement processes. This procedure should be implemented with due regard to this commitment.		
<b>To be read in conjunction with / Associated Documents:</b>		<b>Information Classification Label</b>	<input type="checkbox"/> <b>Unclassified</b>
<b>Access to Information</b>	To access this document in another language or format please contact the policy author.		

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Version number	Page	Changes made with rationale and impact on practice	Date

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## 1. Purpose

This policy is provided so that Trust employees that are members of the Armed Forces Reserves or any staff that want to become a reservist are supported to do so.

- This policy ensures that staff are supported to carry out reservist duties.
- Managers are equipped to support requests from staff to join reserve forces and support staff where possible during the mobilisation period.
- Ensure that employees are treated fairly and consistently.

## 2. Scope

### 2.1 Introduction

Liverpool University Hospitals NHS Foundation Trust ('The Trust' or 'LUHNFT') is committed to employ a number of staff 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. The Trust 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.

These staff require regular time off for training to maintain their skills and readiness for deployment. The training undertaken by reservists enables them to develop skills and abilities that can be of benefit to them as employees, and to the employer in terms of service delivery.

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.

The average Reservist receives approximately £8000 of training per annum in skills such as communications, IT and LGV licenses. Therefore, the more Reservists the Trust employs, 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.

The Trust has pledged its support for members of staff who are currently or wishing to join the Reserve Forces and acknowledges the training undertaken by Reservists that enables them to develop skills and abilities that are of benefit to both the individual and their employer.

This policy intends to define the Trust's obligations towards all employees who are members of the Reserve Forces.

The policy applies equally to all employees working on any of The Trust's sites.

The Trust will not disadvantage those Reservists who notify The Trust of their Reserve status or those Reservists who are made known to The Trust directly by the Armed Forces

### 3. Policy Content

#### 3.1 Training

Employees who are required to attend periods of training including annual camp will be permitted to take special paid leave for two working weeks. Permission will only be authorised on receipt of the completed special leave form (see Special Leave Procedure) and a letter from the Sergeant Major/ Commanding Officer confirming the details of the training / camp. Please note that whilst every attempt will be made to accommodate leave for the two weeks annual camp, permission can only be granted if the Trust can satisfy their operational requirements.

Employees requesting more than two weeks paid leave entitlement may apply to take annual leave or unpaid leave.

In the avoidance of doubt, Cadet Adult Volunteers will also fall under the military special leave provisions if they are required to attend 'annual camp'.

#### 3.2 Call Out

Once a Reservist receives a call-out notice pack (this will be 28 days prior to the date when the Reservist is required to report for duty except in the case of High Readiness Reservist specialist) they are required to notify their manager and provide their manager with the employer pack.

The employer pack will contain a letter setting out the date and possible duration of mobilisation. The employer pack will outline the statutory rights and obligations of the employer, including the entitlement to apply for exemption, deferral or financial assistance including details of the process and required supporting documentary.

Where possible LUHNFT will agree call-out requests. However, it is key to note that in all cases of mobilisation Reservist's along with employer's have the right to seek an exemption or deferral. LUHNFT will apply for exemption or deferral from mobilisation within seven days of the call out notice being received if the Reservists mobilisation may hinder service delivery.

If the Trust determines that it cannot release an employee, they reserve the right to appeal the Call Up. If this appeal is upheld the employee will not be released. In these circumstances the employee will be kept fully informed of the reasons for and progress of the appeal.

#### 3.3 Mobilisation

Mobilisation is the process of calling reservists into full-time service. This can be with the Regular Forces on the military operations or to fulfil their part of the UK's defence strategy. The Reserve Forces Act 1996 provides the legal basis for mobilisation. In the past this has usually been done on a voluntary basis with the prior agreement of employers but can involve compulsory mobilisation of selected personnel. Subject to the severity of the crisis there would normally be a minimum of 28 days' notice. Mobilisation will normally be for between 3 and 12 months. For operational reasons the Ministry of Defence (MoD) is unable to give the employer a precise return date.

An employee who wishes to volunteer for mobilisation must seek prior agreement of their employer via the designated contact and line manager. Any such request should be submitted in writing and will be considered within 10 working days. Any decisions made will be confirmed in writing.

Where there is compulsory mobilisation of any employee, The Trust is entitled to apply for deferral, revocation, or exemption from the call out. Suitable and timely evidence will need to be provided to support an application to defer, revoke or seek exemption from the call out.

*Pre-mobilisation:* Meetings with the Reservist must take place to ensure all mobilisation paperwork completed (including pay, benefits & pension arrangements) and to discuss any handover of work and agreements for keeping in touch.

*During mobilisation:* The Employee must keep in touch with The Trust as agreed and is obliged to inform The Trust should their circumstances change i.e., length of mobilisation or any health concerns.

*Post-mobilisation:* The Trust and the Employee must ensure to fulfil their return-to-work obligations, any necessary after care and support requirements to be discussed with the Employee.

When an employer is advised by a reservist that they want to return to work, the employer is obliged reengage them as per their contract of employment as stated in The Reserve Forces (Safeguard of Employment) Act 1985. Where this is not possible, they must be offered an equivalent position with the same terms and conditions of service. The right to return to work lasts for six months after demobilisation.

To enable LUHNFT to plan for the staff members return to work after their military service has ended, reservists must advise their line manager (or designated contact) in writing, the date they will be available to start work. This communication should be made no later than 5 weeks after the completion of military service. The employer must be advised as soon as possible, if, due to illness or some other reasonable cause, the employee is unable to return to work on the agreed date. 5.3.1 If an employee's call-out application is approved the individual and their line manager will agree the process. Annual leave will be calculated on a pro-rata basis up to the point that they are due to leave. Under the Employment Protection Amendment Act 2004 a Reservist's tour is considered continuous employment for the purposes of rights and benefits based on unbroken service, such as membership of superannuation schemes and leave entitlements.

LUHFT will not pay the Reservists salary or benefits during the time that they are mobilized, and the Reservist will not accrue leave during mobilisation. The MoD will:

- Assume responsibility for the Reservists salary for the duration of their mobilisation
- Pay a basic salary according to the Reservist's military rank. If this basic element is less than the salary element, they receive from LUHNFT, it is the Reservist's responsibility to apply to the MoD for the difference to ensure that they suffer no loss of earnings.
- Cover the cost of contractual benefits

At the end of a Reservist's tour they are entitled to post-operational tour leave up to 40 days, during this leave period the Reservist must make contact with their employer to agree a date for their return to work. Employers are obliged to reinstate a Reservist to his or her original position or, if that is no longer practicable, in the best job and on the most favourable terms which are reasonable and practicable in his or her case.

If a Reservist is ill or injured whilst mobilised, they will be treated by Defence Medical Services and will remain mobilised until treatment is completed – whether to return to active duty, or to return to their civilian job, depending on the nature of the illness or injury. As long as they remain mobilised, any financial assistance received by the employer will continue, as will the obligation on the employer to reinstate the individual once their treatment is completed.

If an injury occurs that requires a longer period of treatment and therefore prolongs a mobilised period, the employer will be informed by the MoD and will be kept abreast of the individual's progress to the point of demobilisation. Once demobilised (any such decision will be taken by a standing medical board), the Reservist will, return to work and their manager should seek support from the HR team to arrange a specific return to work program where necessary. It is also advisable for the manager to undertake a sickness absence Return to Work Interview to identify any additional support that may be required. The Trust may request the returning Reservist to undertake an occupational health assessment to ensure that they are able to carry out their role on return.

If upon returning to work a Reservist develops health capability issues as a result of their tour of duty, the Trust would support and manage them in line with the appropriate Trust policies, including the Sickness Absence Policy.

A Reservist cannot be made redundant on the grounds of their military duties or their liability to be mobilised. Reservists can be included in the redundancy pool if this is necessary due to a downturn in business or closure of a department. However, all employees should be treated consistently, and redundancy criteria should not discriminate against Reservists on the grounds of their Reserve service or call-up liability.

An employee who is a spouse or partner of active service personnel including Reservists is encouraged to contact their line manager, HR Manager and or the Armed Forces Champion in the event of mobilisation. LUHNFT endeavors to provide support during any transition of mobilisation/deployment, this support is also extended to post mobilisation. The type of support given may vary depending in the requirements of the employee. Where possible, LUHNFT will accommodate counselling provisions, flexibility with shift patters/working hours at key times during deployment. This may be at the time of deployment or a return from tour of duty.

### 3.4 Post-Mobilisation

Reservist's must apply in writing to LUHNFT for reinstatement, this letter must reach LUHNFT (and copied to their line manager) no later than the third Monday after the last day of military service.

In line with the Reserve Forces (Safeguard of employment) Act 1985 LUHFT will reinstate the employee in the same type of job in which they were last employed, on terms and conditions which are no less favourable. However, if this is not reasonable and/or practicable, the Reservist will be re-employed in a mutually acceptable alternative role. LUHNFT will re-employ the Reservist as soon as they are reasonably able to do so from the date stated by the Reservist in their letter for reinstatement.

## 4. NHS Pensions whilst on Active Service

A reservist who is called-up is entitled to remain a member of the NHS Pension Scheme. The MoD will pay the employer's pension contributions whilst the individual is mobilised, provided they continue to pay their individual contributions. Where mobilisation occurs, the employee will be given special unpaid leave of absence. The employee's pension contributions would be calculated and held over until the employee returns. These would then be recovered monthly from salary and over the same period as the employee was absent. The employer will continue, on request of the employee, to pay employer's contributions to the NHS Pension Scheme for the period of mobilisation and invoice the MoD to recover this amount. Further information regarding pensions refer to NHS Pensions Agency:

<http://www.nhsbsa.nhs.uk/Pensions/4189.aspx>

## 5. Annual Leave Whilst Mobilised

Reservists have no entitlement to accrue annual leave whilst mobilised and on unpaid leave.

Reservists will have a period of 'post tour' leave which they accrue at the rate of 2.5 days per month of service from the MoD. This leave will be taken before the individual is demobilised.

Any annual leave untaken in line with the *Annual Leave Policy* up to the date of mobilisation may be carried over into the following leave year. The maximum of 37.5 hours rule associated with untaken annual leave being carried forward is waived in the case of a reservist if they are unable to take leave due to being on duty.

## 6. Exceptions

The employer has the right to ask for exemption from, or deferral of, mobilisation if it is considered that the organisation will suffer serious harm because of their absence. Serious harm can be defined as demonstrable harm to the provision of services or any financial harm.

To be considered for exemption or deferral, the Reservist, or the employer, must make an application, within seven days of the Reservist being served with a mobilisation notice, to the Service Adjudication Officer (SAO) for the Service in which the Reservist will serve. Late applications can only be made with the permission of the SAO appointed by the MoD.

## 7. Training

Employees who are required to attend periods of training including annual camp will be permitted to take special paid leave for two working weeks. Permission will only be authorised on receipt of the completed special leave form (see Special Leave Procedure) and a letter from the Sergeant Major/ Commanding Officer confirming the details of the training / camp. Please note that whilst every attempt will be made to accommodate leave for the two weeks annual camp, permission can only be granted if the Trust can satisfy their operational requirements.

Employees requesting more than two weeks paid leave entitlement may apply to take annual leave or unpaid leave.

In the avoidance of doubt, Cadet Adult Volunteers will also fall under the military special leave provisions if they are required to attend 'annual camp'

## 8. Monitoring of compliance

Minimum requirement to be monitored	Process for monitoring e.g. audit/ review of incidents/ performance management	Job title of individual(s) responsible for monitoring and developing action plan	Minimum frequency of monitoring	Name of committee responsible for review of results and action plan	Job title of individual/ committee responsible for monitoring implementation of action plan
Application of the Policy	Review of case management	HR Business Partner	Annual/ ongoing	Workforce Committee	Workforce Committee



Minimum requirement to be monitored	Process for monitoring e.g. audit/ review of incidents/ performance management	Job title of individual(s) responsible for monitoring and developing action plan	Minimum frequency of monitoring	Name of committee responsible for review of results and action plan	Job title of individual/ committee responsible for monitoring implementation of action plan
Application of specific processes of Policy through audits	Management of trigger points Return to work Interview	HR Business Partner	Quarterly audit	Workforce Committee	Workforce Committee

## 9. Relevant regulations, standards and references

### AUH Armed Forces Champion

Terry Hicks, Sector Head (Norfolk & Waveney)

[terry.hicks@eastamb.nhs.uk](mailto:terry.hicks@eastamb.nhs.uk)

Tel: 07834 249871

### SaBRE

Website: [www.sabre.mod.uk](http://www.sabre.mod.uk)

### Defence Relationship Management

[www.gov.uk/government/groups/defence-relationship-management](http://www.gov.uk/government/groups/defence-relationship-management)

### NHS Employers

Website:

[www.nhsemployers.org/your-workforce/retain-and-improve/managing-your-workforce/supporting-the-armed-forces-in-the-nhs](http://www.nhsemployers.org/your-workforce/retain-and-improve/managing-your-workforce/supporting-the-armed-forces-in-the-nhs)

### Advisory Conciliation and Arbitration Service (ACAS)

Website: [www.acas.org.uk/](http://www.acas.org.uk/)

### Department for Business, Innovation & Skills

Website: [www.bis.gov.uk](http://www.bis.gov.uk)

### Reserves in the Future Force 2020: valuable and valued

[www.gov.uk/government/consultations/future-reserves-2020-consultation](http://www.gov.uk/government/consultations/future-reserves-2020-consultation)

### Deloitte – Veterans work 2016

[www2.deloitte.com/uk/en/pages/about-deloitte-uk/articles/veterans-work.html#](http://www2.deloitte.com/uk/en/pages/about-deloitte-uk/articles/veterans-work.html#)

information regarding pensions refer to NHS Pensions Agency:  
<http://www.nhsbsa.nhs.uk/Pensions/4189.aspx>

## 10. Equality, diversity and human right statement

The Trust is committed to an environment that promotes equality and embraces diversity in its performance both as a service provider and employer. It will adhere to legal and performance requirements and will mainstream Equality, Diversity and Human Rights principles through its policies, procedures, service development and engagement processes. This SOP should be implemented with due regard to this commitment.

The Trust is committed to promoting positive measures that eliminate all forms of unlawful or unfair discrimination on the grounds of age, marriage and civil partnership, disability, race, gender, religion/belief, sexual orientation, gender reassignment and pregnancy/maternity or any other basis not justified by law or relevant to the requirements of the post.

By committing to a policy encouraging equality of opportunity and diversity, The Trust values differences between members of the community and within its existing workforce, and actively seeks to benefit from their differing skills, knowledge, and experiences in order to provide an exemplary healthcare service. The Trust is committed to promoting equality and diversity best practice both within the workforce and in any other area where it has influence.

The Trust will therefore take every possible step to ensure that this procedure is applied fairly to all employees regardless of race, ethnic or national origin, colour or nationality; gender (including marital status); age; disability; sexual orientation; religion or belief; length of service, whether full or part-time or employed under a permanent or a fixed-term contract or any other irrelevant factor.

Where there are barriers to understanding; for example, an employee has difficulty in reading or writing, or where English is not their first language, additional support will be put in place wherever necessary to ensure that the process to be followed is understood and that the employee is not disadvantaged at any stage in the procedure. Further information on the support available can be sought from the HR Department.

Employees exercising their rights and entitlements under these regulations will suffer no detriment as a result.

## 11. Legal requirements

This document meets legal and statutory requirements of the EU General Data Protection Regulation (EU 2016/679) and all subsequent and prevailing legislation. It is consistent with the requirements of the NHS Executive set out in Information Security Management: NHS Code of Practice (2007) and builds upon the general requirements published by NHS Digital/Connecting for Health (CfH).

There are two main pieces of legislation relating to employers and the Volunteer Reserve Forces.

- 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 1: Equality impact assessment

<b>Title</b>	
<b>Strategy/Policy/Standard Operating Procedure</b>	
<b>Service change (Inc. organisational change/QEP/ Business case/project)</b>	
<b>Completed by</b>	
<b>Date Completed</b>	

**Description** *(provide a short overview of the principle aims/objectives of what is being proposed/changed/introduced and the impact of this to the organisation)*

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**Who will be affected** *(Staff, patients, visitors, wider community including numbers?)*

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The Equality Analysis template should be completed in the following circumstances:

- **Considering developing a new policy, strategy, function/service or project(Inc. organisational change/Business case/ QEP Scheme);**
- **Reviewing or changing an existing policy, strategy, function/service or project (Inc. organisational change/Business case/ QEP Scheme):**
  - If no or minor changes are made to any of the above and an EIA has already been completed then a further EIA is not required and the EIA review date should be set at the date for the next policy review;
  - If no or minor changes are made to any of the above and an EIA has NOT previously been completed then a new EIA is required;
  - Where significant changes have been made that do affect the implementation or process then a new EIA is required.

Please note the results of this Equality Analysis will be published on the Trust website in accordance with the Equality Act 2010 duties for public sector organisations.

Section 1 should be completed to analyse whether any aspect of your paper/policy has any impact (positive, negative or neutral) on groups from any of the protected characteristics listed below.

*When considering any potential impact you should use available data to inform your analysis such as PALS/Complaints data, Patient or Staff satisfaction surveys, staff numbers and demographics, local consultations or direct engagement activity. You should also consult available published research to support your analysis.*

### Section 1 – Initial analysis

Equality Group	Any potential impact? Positive, negative or neutral	Evidence <i>(For any positive or negative impact please provide a short commentary on how you have reached this conclusion)</i>
<b>Age</b> <i>(Consider any benefits or opportunities to advance equality as well as barriers across age ranges. This can include safeguarding consent, care of the elderly and child welfare)</i>		
<b>Disability</b> <i>(Consider any benefits or opportunities to advance equality as well as impact on attitudinal, physical and social barriers)</i>		
<b>Gender Reassignment</b> <i>(Consider any benefits or opportunities to advance equality as well as any impact on transgender or transsexual people. This can include issues relating to privacy of data)</i>		
<b>Marriage &amp; Civil Partnership</b> <i>(Consider any benefits or opportunities to advance equality as well as any barriers impacting on same sex couples)</i>		
<b>Pregnancy &amp; Maternity</b> <i>(Consider any benefits or opportunities to advance equality as well as impact on working arrangements, part time or flexible working)</i>		
<b>Race</b> <i>(Consider any benefits or opportunities to advance equality as well as any barriers impacting on ethnic groups including language)</i>		
<b>Religion or belief</b> <i>(Consider any benefits or opportunities to advance equality as well as any barriers effecting people of different religions, belief or no belief)</i>		
<b>Sex</b> <i>(Consider any benefits or opportunities to advance equality as well as any barriers relating to men and women eg: same sex accommodation)</i>		
<b>Sexual Orientation</b>		

*(Consider any benefits or opportunities to advance equality as well as barriers affecting heterosexual people as well as Lesbian, Gay or Bisexual)*

If you have identified any **positive** or **neutral** impact then no further action is required, you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address.

If you have identified any **negative** impact you should consider whether you can make any changes immediately to minimise any risk. This should be clearly documented on your paper cover sheet/Project Initiation Documents/Business case/policy document detailing what the negative impact is and what changes have been or can be made.

**If you have identified any negative impact that has a high risk of adversely affecting any groups defined as having a protected characteristic then please continue to section 2.**

### Section 2 – Full analysis

If you have identified that there are potentially detrimental effects on certain protected groups, you need to consult with staff, representative bodies, local interest groups and customers that belong to these groups to analyse the effect of this impact and how it can be negated or minimised. There may also be published information available which will help with your analysis.

<b><u>Is what you are proposing subject to the requirements of the Code of Practice on Consultation?</u></b>	Y/N
<b>Is what you are proposing subject to the requirements of the Trust’s Workforce Change Policy?</b>	Y/N
<b>Who and how have you engaged to gather evidence to complete your full analysis? (List)</b>	
<b>What are the main outcomes of your engagement activity?</b>	
<b>What is your overall analysis based on your engagement activity?</b>	

### Section 3 – Action Plan

You should detail any actions arising from your full analysis in the following table; all actions should be added to the Risk Register for monitoring.

Action required	Lead name	Target date for completion	How will you measure outcomes

Following completion of the full analysis you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address

**Section 4 – Organisation Sign Off**

Name and Designation	Signature	Date
Individual who reviewed the Analysis		
Chair of Board/Group approving/rejecting proposal		
Individual recording EA on central record		

## Appendix 2: Roles and responsibilities

Role	Responsibility
<p><b>Line Manager</b></p>	<p>Responsible for:</p> <ul style="list-style-type: none"> <li>• Facilitating the release of reservist employees to allow attendance for annual camp and other compulsory training requirements, e.g., weekly or weekend training sessions. Written confirmation will need to be provided.</li> <li>• Acknowledging an employee’s declaration, in writing, within three working days. Ensuring that a copy of the application and acknowledgement are stored on the employee’s personnel file.</li> <li>• Ensuring the employees outstanding annual leave entitlement is accurately calculated and that any outstanding annual leave is used prior to leaving wherever possible.</li> <li>• Ensuring an appropriate and effective handover of work/cases is completed for all staff prior to mobilisation. Any reservist staff working in clinical roles must have their clinical caseloads reviewed and reallocated with an appropriate handover to ensure continuity of care. Additionally, managers must ensure that all notes are up to date and outcomes completed prior to mobilisation.</li> <li>• To consider workforce planning and the requirements for the service following the employee’s mobilisation. Some thought should be given as to whether the work can be provided in a different way.</li> <li>• Processing change forms and ensuring employees are not overpaid.</li> </ul>
<p><b>Employee</b></p>	<p>Responsible for:</p> <ul style="list-style-type: none"> <li>• Notifying their line manager in writing of their intention to join or declare their current membership of a reservist force by completing the declaration form.</li> <li>• Reservists are responsible to inform their managers of the training they are committed to do (this ranges from 19-27 days depending on which service they belong to and any specialist skills they have)</li> <li>• Reservist employees are required to give as much notice as possible to allow appropriate planning for absences. This should include detail of all planned military training that will require absence from the workplace at the beginning of each year. Permission will be granted where possible in line with service needs, provided that sufficient notice is given. Once given, permission will not be rescinded except in exceptional circumstances e.g., in the event of the declaration of a major incident.</li> </ul>



	<ul style="list-style-type: none"> <li>Reservist employees are required to append their monthly salary returns with any reserve work completed; this is to comply with the requirements of the European Working Time Directive (WTD)</li> <li>Ensuring appropriate handover of any outstanding workload or caseload is carried out including passing any case notes or files to their line manager prior to mobilisation.</li> <li>Wherever possible, to use all outstanding accrued annual leave prior to mobilisation.</li> </ul>
<p><b>Human Resources</b></p>	<p>Responsible for:</p> <ul style="list-style-type: none"> <li>Providing fair and consistent advice and support to managers and staff in the practical application of the Policy.</li> <li>Notifying managers of any declarations submitted directly to Human Resources.</li> <li>Ensuring that reservist information is reported at the appropriate time to Divisional Workforce Groups, NSSG and WELG and other committees and groups as appropriate or required.</li> </ul>
<p><b>Trust</b></p>	<p>Responsible for:</p> <ul style="list-style-type: none"> <li>To provide reasonable leave to support training an additional <b>2 weeks paid leave</b> will be made available to reservists to attend annual camp or equivalent continuous training. Additional annual leave from the employee's normal annual allocation may be granted for short periods of training provided adequate notice is given (at least 31 working days) and where such training cannot be undertaken in off-duty time. Attendance at weekend camps, which cannot be undertaken during off-duty, will be subject to the same arrangements.</li> <li>Reservists need to apply for this additional leave by submitting a request in writing.</li> <li>Note that this is an application for leave and not a right, and managers may not be able to grant this leave under exceptional circumstances only. However, this request should be viewed favourably. The more notice that is given, the greater the likelihood that it will be granted.</li> <li>Staff with less than 5 years NHS service will need to work towards a full 2 weeks of paid annual leave and start with <b>one week paid and one week unpaid</b> leave to support their reserve commitments.</li> <li>Application for additional annual leave will be made via the 'Special Leave' Policy to allow the trust to monitor the use of the additional allocation.</li> </ul>

### Appendix 3: Armed Forces Reservist Declaration

#### Armed Forces Reservist Declaration

Existing employment with Liverpool University Hospitals NHS FT

Surname:..... Forename(s) .....

Post held: .....

Location:..... ESR No: .....

Line  
Manager.....

Current weekly working hours:.....

Name of Reservist Unit.....

Address of Unit:.....

.....Postcode: .....

Contact name at Unit:.....

**Please describe the main activities of this role:**

*Enclose a job description & person specification where available.*

## Appendix 4: Additional Management Guidelines

### Reservist Training

Reservists are typically committed to between 19-27 days training per year. Training tends to take place 1 evening per week, over various weekends throughout the year and one continuous 15 day training period also known as 'annual camp'. Training commitments vary but, in most cases, include:

- **Weekly training** - most Reservists train at their local center for around two-and-a-half hours, one evening a week.
- **Weekend training** - all Reservists are expected to attend a number of training weekends which take place throughout the year.
- **Annual training** - a 15-day continuous training course sometimes referred to as 'annual camp'.

This may take place at a training establishment, as an attachment to a Regular Unit, a training exercise or a combination of any of these. Training normally takes place within the UK, although each year some Reservists train overseas.

The Trust's Special Leave Procedure outlines the process that staff should follow when requesting time to attend periods of Military Reservist Training.

### Applying for exemption/deferral

LUHNFT can apply for exemption or deferral from mobilisation within seven days of the call out notice being received if they can demonstrate that the Reservist's absence would cause serious harm to the business in one of the following ways

1. Loss of sales, markets, reputation, goodwill or other financial harm
2. Serious impairment of the ability to produce goods or provide services (Managers must consider whether a Reservist's mobilisation may affect the service delivery of LUHNFT)
3. Harm to research and development of new products, services or processes, provided that this could not be prevented by the employer being given financial assistance under SI 2005/859.

Details of how to apply for exemption are included in the call-out pack. The application must reach the Adjudication Officer within 7 days of the Reservist being served with a call-out notice. If this timescale is not met, permission to make a late application will need to be obtained from the Adjudication Officer.

The Reservist also has the right to apply for exemption or deferral if their call-out papers arrive at a difficult time.

If an unsatisfactory decision is received following the application for a deferral, LUHNFT can appeal for a hearing by an Independent Reserve Forces Tribunal. Appeals must reach the Tribunals Secretary within 5 days receipt of written notice of the decision. If the tribunal rejects the application for exemption or deferral, LUHNFT will be required to release the Reservist for mobilisation.