

<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>FULL AUTHORITY</b>		
<b>DATE:</b>	<b>15<sup>TH</sup> OCTOBER 2020</b>	<b>REPORT NO:</b>	<b>CFO/052/20</b>
<b>PRESENTING OFFICER</b>	<b>CHIEF FIRE OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>NICK MERNOCK</b>	<b>REPORT AUTHOR:</b>	<b>N HANLON</b>
<b>OFFICERS CONSULTED:</b>	<b>RACHEL MARTIN, MIKE PILKINGTON, RIA GROVES.</b>		
<b>TITLE OF REPORT:</b>	<b>RESERVISTS</b>		

<b>APPENDICES:</b>	<b>RESERVISTS SI 0865</b>
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### **Purpose of Report**

1. To update Members as to the success of the Authority's policies supporting staff who wish to be part of the Reserved Armed Forces and consider expanding the opportunities currently in place for number of registered reservists.

### **Recommendation**

2. That Members approve an additional 10 Grey Book (20 in total) and 3 Green Book (5 in total) staff are allowed to register as reservists.

### **Introduction and Background**

3. The Reserve Forces (RF) is made up of the Territorial Army, Royal Navy Reserve, Royal Marines Reserve & the Reserve Air Forces and supports the full time national defence forces. MFRA is a committed supporter of the UK armed forces having received a Silver Award under the Ministry of Defence Employer Recognition Scheme (ERS) for demonstrating support to armed forces service personnel and reservists.
4. Employees who wish to become members of the reserve forces must register details with the People Services Team on an annual basis, in line with SI 0865 Reservists (Appendix A). Registered members are then provided with support in terms of providing part of the time off required to attend annual camp.
5. The Authority's current policy that the maximum number of persons permitted to be members of the RF is no more than 10 Grey book employees and 2 Green book employees at any one time.
6. If the quota is exceeded and the employee cannot become a member of the RF at this time, then their name is added to a waiting list which will be held by the People Services Team. At present the Authority has a full quota of Grey and Green Book Reservists (10/2). With a waiting list of 5 Grey Book employees.
7. With an increasing number of staff wishing to become reservists added to our experience of the impact a reservist has it is felt that increasing the number of staff allowed to register would further affirm the Authority's commitment of support to the armed forces whilst improving the recruitment and retention of staff wishing to become reservists.
8. As such it is proposed to increase numbers of the permitted reservists to:

- a. 20 Grey Book at any one time
  - b. 5 APTC (Green/Red Book) at any one time
9. The typical commitment of a RF member is attendance at up to 30 days training per year made up of evening and weekend training along with attendance for a continuous 15 days period each year known as annual camp.
  10. In terms of impact of Reservists to the Authority, approval to join the RF does not automatically entitle the employee to leave to attend training camps or other RF activities. All leave approval is subject to staffing exigencies.
  11. The Authority currently supports all registered and accepted employees of MFRS with one weeks paid leave and one week unpaid leave to attend annual training camp. This is administered by Time & Resource Management and permission must be sought prior to attendance.
  12. From March 2019 to April 2020 based on current figures of 10 Grey and 2 Green book registered reservists, the following leave has been granted:

Station	Type of Leave	Date	Hours of Reservist Leave Granted
Crosby DCWTR	Annual Camp	Mar-19	48 hours
Toxteth Green	Annual Camp	Oct-19	48 hours
Wallasey DCWTRH	Annual Camp	Mar-20	48 hours
Formby LLAR	Annual Camp	Jul-19	48 hours
	Annual Camp	Aug-20	48 hours
Kirkdale Red	Annual Camp	Apr-19	48 hours
Marine Fire 1	Annual Camp	May-19	36 hours
	Annual Camp	Sep-20	48 hours

- a. The above shows on average 48 hours are granted for reservist leave for each employee.
  - b. A total of 84 hours for Green Book (Marine Team) and 288 hours for Grey Book employees has been granted since March 2019.
13. Mobilisation of reservists (when a member of the RF is called up into full time military service on military operations) poses the biggest risk to the delivery of Authority's services. It is the view of Workforce Planning however that a revised maximum figure of 20 grey book staff (3% of total grey book headcount) is manageable. In addition the Authority can access financial assistance to mitigate the costs of replacing a mobilised reservist under the 'Reserve Forces (Call-Out and Recall) (Financial Assistance) Regulations 2005'
  14. Further protections are available under The Reserve Forces (Call-out and Recall) (Exemptions etc.) Regulations 1997 which allow for employers to seek deferral or exemption from a mobilisation where this would cause serious harm to the business. As such each request from mobilisation is considered by the Flexible Working Panel on a case by case basis taking into account the impact approval would have on service delivery to determine whether applying for an exemption is necessary/appropriate.
  15. In the event of mobilisation the Authority does not incur any costs from the employee, the MOD would reimburse for pension contributions and salary payments, along with additional expenses for areas such as retraining costs.
  16. The increase in numbers reinforces our commitment to the Armed Forces Covenant. Members will be aware that the Service received the Silver Award back in 2017 in national

recognition of our commitment to those who have served in the armed forces.

17. The fact that we have increased the numbers of operational staff since 2017 moving from 620 to 642 supports this approach. As the Service is able to demonstrate significantly more resilience than previously based on the increase in Wholetime Retained Contract holders.

### **Equality and Diversity Implications**

18. Liaised with the Equality and Diversity Team who have confirmed, any E&D implications will be reviewed via the EIA if/when the Policy is amended. At present do not foresee any changes to the current EIA.

### **Staff Implications**

19. The change to allow more people to be registered Reservists would allow current and new employees to maintain/commence their reservist responsibilities allowing the Authority to benefit for the training, experience and leadership developed as a reservist.
20. There will be an increased commitment to allow for annual training for all those registered. However, it is predicted that this will have limited impact on overall Service delivery and staffing, given all requests remains subject to staffing/departmental exigencies.
21. Participation as a Reservist offers our employees access to alternative training and Development that can be reutilised within the Fire Authority. This can be in areas such as Leadership, team work, communication and decision making. They can also have access to ILM training that will support their own development within the Fire Service as well as other supporting colleagues in areas such as organisational competencies and values.

### **Legal Implications**

22. The Authority are under a legal duty to adhere to the relevant legislative requirements for all employees who are registered reservists particularly in respect of mobilisation. An employee dismissed on the grounds of possible mobilisation as a reservist is a criminal offence and would also likely result in an Employment Tribunal claim being brought. There is also no qualifying period for unfair dismissal in respect of a claim where the reason for dismissal is connected with the employees' membership as a reservist. The Authority would comply with all of its duties within the legislation.
23. The Authority's insurers would not cover any costs in respect of any claims for loss damage or injury sustained by the employee whilst mobilised and ultimately under the direction of the MOD.

### **Financial Implications & Value for Money**

24. Increasing the amount of employees who are permitted to be registered reservists will likely result in more employees requesting special leave for attendance at training. Requests will only be approved providing they can be contained within existing departmental/operational staffing models.
25. For full mobilisations the Authority is able to apply for a full reimbursed for the costs of the employee and the employees training costs associated with the mobilisation, any costs incurred would be a result of a request to attend a training event or the annual training camp which would be part paid part unpaid.

## **Risk Management, Health & Safety, and Environmental Implications**

26. During pandemic incidents such as Covid-19, with regards to notice periods, there may not be the full 28 days to apply for an exemption, however the numbers involved within the process may well mitigate this risk against the service that can be provided.

## **Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Fire Fighters***

27. Being an employer of choice and attracting and retaining the best possible staff contributes to ensuring we have Safe Effective Firefighters and Safer Stronger Communities
28. Provides a statement of support by the Fire Authority with the Armed Forces which have a high level of recruitment in the North West encouraging mutual understanding between parties

## **BACKGROUND PAPERS**

SI 0865 Reservists (Appendix A).

## **GLOSSARY OF TERMS**

**MFRA -** Merseyside Fire and Rescue Authority  
**EIA –** Equality Impact Assessment