

MAYOR & CABINET			
Report Title	Implementing the Armed Forces Community Covenant for Lewisham		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Resources & Regeneration Head of Law Executive Director for Community Service Executive Director for Children & Young People		
Class	Part 1	Date:	11 September 2013

1. Summary

- 1.1 This report outlines the steps being taken to implement the commitments made in the Armed Forces Community Commitment and seeks the Mayor's endorsement for this work.

2. Recommendations

- 2.1 The Mayor is asked to
- note the work already being done to live up to the commitments made in the Armed Forces Community Covenant
 - agree the creation of single officer contact for all members of the armed forces community
 - agree the appointment of Cllr Damian Egan as an Armed Forces Member Champion to complement the work of the Council's representative for Reserve Forces and Cadets Associations
 - agree that additional mental health support for veterans be commissioned through the Improving Access to Psychological Therapies (IAPT) service
 - agree that the council obtain an agreement to provide concessionary sport and leisure access for ex-service personnel.
 - agree that the extra support in the previous two recommendations be made available to former service personnel who are Lewisham residents and have returned from service in the last five years

3. Policy Context

- 3.1 The measures in this report aim to meet the aspirations outlined in the Armed Forces Community Covenant for Lewisham agreed by Council on November 28 2012 and signed by the Mayor on 12 March 2012.

3.2 Providing support to the borough's armed servicemen and women and their families links to the Corporate Priority of **Community Leadership**, and the Sustainable Community Strategy priority of **Ambitious and Achieving**.

4. Background

4.1 In 2011 the Prime Minister announced the creation of Community Covenants. The aim of the covenant is to encourage the local community to support its local armed forces in a tangible way. It is intended to promote an understanding of service life and to integrate the armed forces into the local community.

4.2 Lewisham has an excellent track record of supporting its local armed forces. In 2000 it adopted all the local cadet units, and in 2007 Lewisham staged a welcome home reception for Lewisham service personnel returning from Iraq.

4.3 Since the creation of Armed Forces Day Lewisham has arranged an annual service at the Allerford Road Memorial Garden in Bellingham to recognise its veterans from all conflicts.

4.4 Last year the Council formally adopted 1475 Squadron ATC to cement the relationship that has existed for over seventy years with the squadron and to honour them after they were judged as the best ATC unit in the whole of the UK. Each November Lewisham stages two Remembrance Sunday Services in the borough attended jointly by around 1,500 people.

4.5 In November 2012 Council agreed to sign up to a covenant with partners to demonstrate its ongoing commitment and appreciation for our local armed forces. The covenant document formed a statement of this borough's mutual support between our civilian and armed forces communities. It was formally signed in March 2013.

4.6 At the signing of the Military covenant, the Council committed to the following ambitions:

- Facilitate the placement of children of service personnel at Lewisham's schools and colleges.
- Provide support care for returning servicemen and women, including mental health.
- Set out to the armed forces how to access housing services in the borough.
- Forge closer links with our key partners and the wider community in the borough and the armed forces.
- Help the transition from serving to becoming a 'veteran' and recognise and remember the sacrifices made by the armed forces community.
- Assist ex-service personnel with retraining, education and employment opportunities enabling their full integration into Lewisham's community.

5 Eligibility and Identification

Who is the Covenant for?

- 5.1 The Armed Forces Community Covenant expresses a mutual moral obligation between the local community, the Local Authority and the Armed Forces, and in particular encourages support for the members of the Armed Services Community working and residing in Lewisham. It specifies that “this includes Pre-Service, Serving and ex-Service personnel, their families and widow(er)s.”
- 5.2 The commitment enshrined in the Covenant to offer support to the local Armed Forces community and make it easier for service personnel, families and veterans to access the help and support available to them should apply as broadly as possible in the work of the Council.
- 5.3 However, in some areas resource implications make it necessary to focus support on a smaller group of veterans, recognising recent service and helping those who have recently returned to civilian life to rejoin the community and receive the support they need. In these cases the priority will be given to former service personnel who are Lewisham residents and have returned from service in the last five years. Newly returning service men or women will be eligible for similar support from five years from the date of their return.

Identification

- 5.4 At present there are no formal arrangements for the services to inform the council that ex-service personnel are coming back to reside in the borough, nor any precise numbers of ex-service personnel currently living in Lewisham.
- 5.5 Cllr Pauline Morrison, Lewisham’s representative for Reserve Forces and Cadet Associations, has formally requested that local reserve forces notify the council whenever one of their members returns from active service.
- 5.6 Given there are no military bases in the borough or close by it seems reasonable to estimate the numbers falling into this category will be very low, and for the purposes of this paper are estimated as up to ten per year. This estimate, however, will be closely monitored.

6. Implementing the Covenant

- 6.1 Promoting the council’s offer to ex-service personnel and identifying them when they seek to access our services is essential. Customer Services have nominated the Head of Benefits to be the main point of contact for ex-service personnel. The Lewisham website will also have a dedicated information page for service personnel.
- 6.2 The Council’s communications team will promote the offer to veterans and how ex-service people can contact the council. Additionally, council services will provide guidance to all front line officers about the enhanced offer available.
- 6.3 At member level, Cllr Damian Egan will be the council’s Armed Forces Champion. Cllr Pauline Morrison will retain her role as the member representative for Reserve Forces and Cadets Associations.

A Forces Friendly Employer

- 6.4 The Council prides itself on being a forces friendly employer and positively supports staff who are reservists. Our offer to reservist employees includes:
- 10 days additional paid leave each year to attend military training
 - a flexible working policy to assist with military commitments
 - management support in preparation for, during and after mobilisation
 - access to an Occupational Health service
 - eligibility for sickness absence pay in line with terms and conditions
 - eligibility for maternity, paternity and adoption leave in line with terms and conditions
- 6.5 Expanded corporate Volunteer Reserve Forces guidance is to be issued for across the organisation which will detail all the above policies, ensure that recognition will be given to training and experience relevant to employment and encourage reservists to keep in contact at a social level with friends and colleagues from their workplace during periods of mobilisation.
- 6.6 Lewisham Council recognises the transferable skills that job applicants with an Armed Forces background can bring to help us continue to successfully deliver Council services. Any applicant who has left the services within the last five years will be automatically shortlisted where they match the person specifications for vacancies.

Re-integration into the Community

- 6.7 The Council will work with the South London District Armed Services Lead at Jobcentre Plus to reintegrate ex service personnel back into the community by:-
- Promoting events and facilitating access to British Forces resettlement services
 - Promoting Armed Forces Independent Payments and supporting eligible ex service personnel to apply for these payments
 - Promoting events coordinated by the Career Transition Partnership, including employment fairs with a range of job opportunities from multi national co-operations
 - Working with the British Legion to establish mutual referral protocols to services provided by partner organisations. This will also include identifying individuals and undertaking diagnostic interviews so that ex service personnel who need additional support can be identified
 - Acting as a point of contact between key voluntary and community service organisations and ex service personnel

Housing

- 6.8 Lewisham introduced a new Allocation Policy on 29th October 2012 which incorporated The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, giving additional preference priority for housing.
- 6.9 Ex-armed forces can therefore apply for Council housing if they meet the following criteria:-

- those who are serving or have served in the regular armed forces within the period of 5 years preceding their application
- or a person has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where the spouse or civil partner has served in the regular forces; and their death was attributable (wholly or partly) to that service
- or is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service

6.10 When a single ex-armed forces personnel approach Lewisham for housing they are referred to SHIP (Single Homeless Intervention & Prevention). They are:

- assessed to ensure they meet one of the above criteria
- if accepted they would attract band 3 (priority housing)
- if assessed as having as high priority e.g. high medical this would attract a band 2 (high priority)
- if a case is assessed as band 2 a case can be put forward to the Lettings & Support Services Manager to grant additional priority and as a consequence moved up into Band 1.
- Eligible for one offer only

6.11 When ex-armed forces personnel and family approach Lewisham they are assessed by the Applications Team. They are:

- assessed to ensure they meet one of the above criteria
- if accepted they would attract band 3 (priority housing)
- if assessed as having as high priority e.g. high medical this would attract a band 2 (high priority)
- if a case is assessed as band 2 a case can be put forward to the Lettings & Support Services Manager to grant additional priority and as a consequence moved up into Band 1.
- Eligible for one offer only

6.12 Lewisham has a 'local connection' criteria of having to live within the borough for 2 years. Ex-armed forces personnel (who meet the above criteria) are not subject to this criteria.

Health and Well-being

6.13 All ex-service personnel will be offered information, guidance and sign-posting into statutory services via their named contact at the council.

6.14 Additionally for those who have returned from service in the last five years the Council will:

- commission additional places through the IAPT Service, providing specialist short term support for lower level mental health issues such as anxiety and depression.
- obtain an agreement with our leisure contractors to offer concessionary access to sports and leisure.

School Admissions

- 6.15 All applications for school places for the children of full-time service personnel are prioritised under the 'exceptional medical or social' criterion under Lewisham's school admissions policy.
- 6.16 If the child is in Key Stage 1, where infant class size legislation applies, the child can be placed as an 'exception' as detailed in the School Admissions Code.

Promoting the Armed Forces to young people and the community

- 6.17 The Youth Service will promote the Cadets through our Youth Service Offer, as will the Young Mayor's office and the Council communications team. We will also work with existing volunteer organisations in Lewisham to promote and strengthen local cadet organisations.
- 6.18 One of the Youth Task Force proposals recently approved was the establishment of a Schools Employability Programme, bringing employers into schools to allow young people the opportunity to explore diverse career options. The council will work with schools to ensure that the armed forces have the opportunity to show what they have to offer as a career option.
- 6.19 The council will, through its communications team and other departments like the Young Mayor's Office, promote events like Armed Forces Day, Personal Development Days, and other events for Lewisham residents led locally by 106 Regiment.

7. Evaluation

- 7.1 The Council will evaluate its progress against the aims of the Covenant every twelve months, incorporating feedback from the local armed services, measuring the success of these core objectives in our support for the armed forces and assessing the impact the covenant is having amongst the community.

8. Financial implications

- 8.1 The Armed Forces Community Covenant is designed to ensure that the needs of the Armed Forces community are considered by the whole council. Therefore the majority of measures outlined in this report will be absorbed as part of the council's core business. It is impossible accurately to predict the numbers of ex-service personnel who make seek help from the council and in some cases such help will not have a direct financial cost, for example in terms of the changes already made to the housing allocations system. However, direct costs that are incurred will initially be met from corporate reserves.

9. Legal Implications

- 9.1 Under S1 of the Localism Act 2011 the Council has a general power of competence to do anything which an individual may do unless it is expressly prohibited.
- 9.2 The specific powers in relation to the allocation of Council housing to ex-armed forces personnel are set out in the body of the Report at paragraph 6.7.
- 9.3 The School Admissions Code issued under Section 84 of the School Standards and Framework Act 1998 requires local authorities to allocate a place to children of UK armed service personnel with a confirmed posting to their area, or returning from overseas to live in that area. They must allocate a place in advance of the family arriving in the area. Local authorities must also ensure that arrangements in their area are committed to removing disadvantage for children of service personnel.
- 9.4 Under the National Health Service Act 2006 the Council is able to commission mental health services from Health providers and the Council has entered into arrangements relating to this provision with the Maudsley Foundation Trust under this Act.
- 9.5 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.6 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 9.7 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 9.8 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but

nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

9.9 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

9.10 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

10. Crime and Disorder Implications

10.1 There are no crime and disorder implications relevant to this report.

11. Equalities Implications

11.1 The Covenant is in place to ensure that in service personnel, veterans and their families do not face disadvantage compared to other citizens in the provision of services that civilian communities have access to.

12. Environmental Implications

12.1 There are no environmental implications relevant to this report.

Background Documents

- Community Covenant (Council Report, November 2012)

If there are any queries on this report please contact Robyn Fairman on 020 8314 6635.