

MAYOR & CABINET			
Report Title	Review of the Armed Forces Covenant for Lewisham		
Key Decision	No	Item No.	
Ward	All		
Contributors	Executive Director Resources & Regeneration		
Class	Open	Date:	21 March 2018

1 Summary

1.1 This report outlines a recent review of the Council's work under the umbrella of the Armed Forces Covenant.

2 Recommendations

2.1 The Mayor is recommended to

- note the review of the implementation of the Armed Forces Covenant for Lewisham;
- note the ongoing work being done to live up to the commitments made in the Armed Forces Covenant for Lewisham;
- note the appointment of Cllr Kevin Bonavia as Armed Forces Cabinet Champion;

3 Policy Context:

3.1 The measures in this report aim to meet the aspirations outlined in the Armed Forces Covenant for Lewisham agreed by Council on November 28 2012 and signed by the Mayor on 12 March 2013.

3.3 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 The Armed Forces Covenant expresses a mutual moral obligation between the nation and the British armed forces. Community Covenants were created in 2011, aiming to encourage local communities to support their local armed forces in a tangible way, 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 led by the Council's Reserve and Cadet Force Councillors, Pauline Morrison and James-J Walsh, and the Armed Forces Cabinet Champion Damien Egan. 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 In 2012 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 Armed Forces 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.
- 4.7 In September 2013 the Mayor agreed a series of policy measures that sought to make tangible in council policy and action the commitments within the Covenant.

5 Evaluating the Covenant

- 5.1 It is now over five years since the Covenant was signed. In late 2017 the Mayor appointed Cllr Kevin Bonavia as Armed Forces Cabinet Champion to lead a review of the Covenant and its associated policies. This report summarises the outcome of that review.

Covenant Infrastructure

- 5.2 In 2013 the Mayor agreed the creation of a single officer contact for all members of the armed forces community (Head of Benefits) and the appointment of a Cabinet member as an Armed Forces Member Champion to complement the work of the Council's representative for Reserve Forces and Cadets Associations.
- 5.3 The Civic Coordinator already acts as the Armed Forces Officer Champion, with a particular focus on maintaining relationships with the local armed forces, and leading on remembrance and recognition ceremonies.
- 5.4 The Ministry of Defence recommends that councils should also have in place an outward-facing forum which includes representatives of the armed forces and their families to ensure ongoing collaboration and communication.

5.5 Lewisham has therefore established a Covenant Stakeholder Group, including members, officers and representatives of the MoD, local reserve regiments and armed forces charities. Its first meeting took place in February 2018 and informed the development of this report.

Eligibility

- 5.6 The Covenant commits the council to offer support to the local Armed Forces community and make it easier for those who serve in the British armed forces, their families and veterans to access the help and support available to them.
- 5.7 The September 2013 decisions noted that 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 is 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 are eligible for similar support from five years from the date of their return.
- 5.8 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. MoD estimates that the following numbers of former service personnel live in the borough.

Ex Service Personnel in Lewisham			
Age 16-44	Age 45 – 64	Age 65 +	Total
1,288	1,234	11,070	13,592

5.9 The Head of Benefits reports that only a small number of veterans have come through to him as the single point of contact. This could mean that our veteran community requires relatively little support from the local authority, but it may equally mean that we need to communicate better with those who do in order to ensure our support matches their need.

Communication

- 5.10 Stakeholders have recommended that the council needs to improve its communication with the armed forces community about the services and support its offers. This will be done not only through the new Stakeholder Group, but also through a new Armed Forces Covenant communications plan.
- 5.11 This plan includes refreshed, visible and high profile information on the council website as well as proactive publicity about the council’s offer at regular points during the year, especially around e.g. Armed Forces Day or Remembrance Sunday.

Policy Areas

A Forces Friendly Employer

- 5.12 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

- 5.13 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. The Council guarantees to interview any armed forces veteran who has left the services in the last five years and meets the minimum criteria for the job as outlined in the job description and person specification. This also applies to the spouse of a veteran who has left the services in the last five years. Our application process asks candidates to confirm whether they are ex armed forces, or a military spouse, and are applying for the role under this scheme.
- 5.14 New recruitment and payroll systems that are due to go online in 2018 will enable us to monitor the number of reservists employed at Lewisham and the numbers of former armed services personnel applying for roles in the organisation.
- 5.15 Lewisham has been recognised with a Bronze award under the Ministry of Defence Employer Recognition Scheme and has been invited to apply for a silver award in 2018. The application has been submitted with the result to be announced in the autumn.

Re-integration and employment

- 5.16 The Council committed to 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
- 5.17 Learners who are in, or were previously in, the armed forces are eligible for full funding (zero fees) for English and Maths courses through Lewisham Council's adult education service, and may also be eligible for full funding for our ESOL, vocational and supported learning provision.

Housing

- 5.18 Lewisham's Housing Allocations Scheme incorporates The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, giving additional preference priority for housing to members of the armed forces and their family.
- 5.19 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

5.20 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

5.21 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

5.22 Lewisham has a 'local connection' criteria of having to live within the borough for 5 years. Ex-armed forces personnel (who meet the above criteria) are not subject to this criteria.

5.23 In addition to this, Lewisham entered into an additional nomination agreement with the Veterans Nominations Scheme (VNS) in 2014. We agreed to offer two properties; one studio and one 1 bed and each year we have met and often exceed this target.

5.24 Since 2014 we have moved 12 ex-serving armed forces personnel via the VNS scheme. A further three ex-serving armed forces personnel have moved since 01.04.13 where they met the statutory criteria. Therefore, in total of 15 ex-serving armed forces personnel have moved since 01.04.13.

5.25 There are currently 6 households including former armed services personnel registered on Lewisham's housing register:

	1 Bed	2 Bed	4 Bed
Former armed forces personnel	4	1	1

5.26 Stakeholders felt the Allocations and Lettings Team demonstrated some particular good practice, in particular by asking residents applying for housing whether they had an armed

forces background as standard. They felt this approach should be replicated across services as far as possible.

Health and Well-being

- 5.27 All ex-service personnel are offered information, guidance and sign-posting into statutory services via their named contact at the council.
- 5.28 Additionally for those who have returned from service in the last five years the Council has committed to:
- Commissioning additional places through the IAPT Service, providing specialist short term support for lower level mental health issues such as anxiety and depression.
 - obtaining an agreement with our leisure contractors to offer concessionary access to sports and leisure.
- 5.29 Lewisham's leisure operators are enthusiastic about this commitment but take up has been very low. Identification has also been cited as a barrier to implementing this commitment, as armed forces personnel, veterans and their families do not have a single consistent form of documentation that can be used to prove entitlement to discounts. Officers will be meeting soon with the Ministry of Defence and local regiments to discuss how this can be overcome.

School Admissions

- 5.30 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.
- 5.31 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

- 5.32 The council has committed to promoting and strengthening local cadet organisations through our links with Youth First, the Young Mayor's Office and the council's corporate communications, as well as existing volunteer organisations.
- 5.33 On International Women's Day, Thursday 8th March, the council hosted careers advice sessions from the Armed Forces aimed in particular at young women and girls.
- 5.34 The council also promotes events like Armed Forces Day, Personal Development Days, and other events for Lewisham residents led locally by 106 Regiment.

Other Achievements

- 5.35 Lewisham has joined the Royal British Legion Count Them In campaign, which is calling for new questions to be added to the 2021 census to improve understanding of the armed forces community and ensure that politicians, charities and service providers fully meet the needs of our serving personnel, veterans and their families. The Mayor has written to Chris Skidmore MP, Minister for the Constitution, to support the campaign.
- 5.36 Lewisham is also the lead borough in a successful bid to the Armed Forces Covenant Fund by the Ministry of Defence to improve the understanding and facilitate delivery of the Armed Forces Covenant across the 32 London Boroughs and the City of London. London

Councils and the MoD will use the funding to recruit a Programme Manager to build networks, provide training and raise awareness of the Covenant across London.

6 Extending the Covenant

- 6.1 Stakeholders suggested additional areas where the council could build on its commitment to the Covenant, in particular by promoting the goals of the Covenant to other partners.
- 6.2 Armed forces personnel, veterans and their dependents often have difficulty accessing healthcare services, especially when they are new to an area. Officers will facilitate opportunities for this issue to be discussed through the Health and Wellbeing Board.
- 6.3 Stakeholders considered whether the council's contractors could be asked to also commit to upholding the Armed Forces Covenant. The Crown Commercial Service has issued advice about how to do this to Government Departments. The Armed Forces Cabinet Champion will work with officers to consider whether the council can incorporate a similar policy into its procurement.

7 Conclusion

- 7.1 Stakeholders believe that Lewisham's offer to the armed forces is a good one, but more people need to know about it. We need to be sure we are reaching the people who need support and ensuring support matches their needs.
- 7.2 This report has outlined how the council will continue to engage with its local armed forces community, improve its communication and explore new opportunities to ensure veterans and their dependents are not disadvantaged.

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 paragraphs 5.18-5.26.
- 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.
- 11.2 The measures outlined in this report are therefore not considered to have a disproportionate impact, negatively or positively, on those with the protected characteristics of pregnancy and maternity, race, religion and belief, sex or gender reassignment.

12 Environmental Implications

- 12.1 There are no environmental implications relevant to this report.

Background Documents

Community Covenant (Council Report, November 2012)

<http://councilmeetings.lewisham.gov.uk/documents/s18991/Community%20Covenant.pdf>

Armed Forces Community Covenant (Mayor & Cabinet Report, September 2013)

<http://councilmeetings.lewisham.gov.uk/documents/s24448/Armed%20Forces%20Community%20Covenant.pdf>

If there are any queries on this report please contact Sam Elliot on 020 8314 9258.