

Name of meeting: Overview and Scrutiny Management Committee
Date: 20 June 2023
Title of report: Kirklees Armed Forces Covenant - Progress Report

Purpose of report:

- To provide the Committee with an update on the work of the Kirklees Armed Forces Covenant Board since the introduction of the Armed Forces Bill 2021

Key Decision	Yes Impact in 2 or more wards
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	Key Decision - No Private Report - No
The Decision - Is it eligible for call in by Scrutiny?	Not Applicable
Date signed off by <u>Strategic Director</u> & name. Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	Rachel Spencer Henshall, Director of Corporate Strategy, Commissioning and Public Health – 30/05/2023 Dean Langton – 27/05/2023 Julie Muscroft – 06/06/2023
Cabinet member portfoliohttp://www.kirklees.gov.uk/you-kmc/kmc-howcouncilworks/cabinet/cabinet.asp	Cllr Naheed Mather

Electoral wards affected: All

Ward councillors consulted: N/A

Public or private: Public

Has GDPR been considered? Yes

1. Summary

- 1.1 The Armed Forces Covenant is a promise by the nation that the Armed Forces Community should be treated fairly and face no disadvantage when accessing public and commercial services, with special provision made in appropriate cases for those who have sacrificed the most.
- 1.2 The Covenant was established in its current form in 2011 and since then, ten thousand different organisations nationally have chosen to sign a pledge to honour the Covenant and support their Armed Forces Community. In Yorkshire and Humber this includes 13 Local Authorities and seven hundred other organisations including universities, charities, and businesses. As a result of this, there have been many examples around the UK of good practice to remove, mitigate, or prevent incidents of disadvantage from occurring.
- 1.3 Building on this good progress, the Armed Forces Act 2021 amended the Armed Forces Act 2006 placing a legal duty (the 'Covenant Duty') on specified public persons and bodies to have due regard to the principles of the Armed Forces Covenant when exercising certain statutory functions in the fields of healthcare, education and housing.
- 1.4 The Covenant Duty (Duty) came into effect on 22 November 2022 and applies to specified bodies whether or not they have signed the Covenant pledge.
- 1.5 Kirklees Council first signed the Armed Forces Covenant (then known as the Community Covenant) in June 2012 and then re-pledged its support to the Covenant in July 2017 alongside all political groups and other partners including the military, military charities, West Yorkshire Police and Third Sector Leaders.
- 1.6 The Kirklees Armed Forces Covenant Board (KAFCB) was established in 2013 to encourage services and partners 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 for the MOD, from statutory providers and from charitable and voluntary sector.
- 1.7 This report provides an overview of the work and progress of the KAFCB in relation to the Armed Forces Act 2021 placing a legal duty to have due regard to the principles of the Armed Forces Covenant when exercising certain statutory functions in the fields of healthcare, education, and housing.

2. Information required to take a decision.

2.1 Background

2.1.1 Statutory Guidance on the Armed Forces Covenant Duty was published in November 2022 to assist the specified bodies comply with their legal obligations, by providing information about the Duty and those people within the Armed Forces Community who are beneficiaries of the Duty. It also highlights the issues these people can face as a result of Service life, and provides good practice in the areas of healthcare, education and housing.

2.1.2 The Covenant Duty (Duty) states: -

When a specified body exercises a relevant function, it must have **due regard** (see 2.1.7 below) to:

- a) the unique obligations of, and sacrifices made by, the Armed Forces.

- b) the principle that it is desirable to **remove disadvantages** (see 2.1.8 below) arising for Service people from membership, or former membership, of the Armed Forces, and
- c) the principle that **special provision** (see 2.1.9 below) for Service people may be justified by the effects on such people of membership, or former membership, of the Armed Forces.

2.1.3 The Armed Forces Community - the Duty applies to the following members of the Armed Forces Community, collectively defined in the Act as 'Service people':

- a) members of the regular forces and the reserve forces.
- b) members of British overseas territory forces who are subject to Service law.
- c) former members of any of Her Majesty's forces who are ordinarily resident in the UK.
- d) relevant family members of those in (a) to (c) above.

Cadet Forces are not part of the Armed Forces however they are offered opportunities to experience what Service life is like by learning new skills and engaging in adventurous activities in disciplined and well-structured organisations based on the traditions, values and standards of the armed forces.

2.1.4 For information purposes the proportion of UK armed forces veterans in Kirklees and neighbouring local authorities based on the Office for National Statistics - Census 2021 is set out in table 1 below

Table 1 - Proportion of UK armed forces veterans in Kirklees

Local Authority Area	Previously served in regular UK armed forces.		Previously served in reserve UK armed forces.		Previously served in both regular and reserve UK armed forces.		Has previously served in any UK armed forces.		Has not previously served in any UK armed forces.	
	No.	%	No.	%	No.	%	No.	%	No.	%
Kirklees	8,942	2.6	2,371	0.7	478	0.1	11,791	3.4	334,484	96.6
Bradford	9,412	2.2	2,461	0.6	518	0.1	12,391	2.9	409,184	97.1
Calderdale	5,082	3.0	1,214	0.7	261	0.2	6,557	3.9	160,077	96.1
Leeds	14,811	2.2	4,730	0.7	860	0.1	20,401	3.1	638,070	96.9
Wakefield	9,067	3.2	2,144	0.7	512	0.2	11,723	4.1	275,815	95.9

2.1.5 It is important to note that the Covenant Duty is designed to raise awareness of the principles of the Covenant, the reasons for it, and in turn improve decision-making in respect of the Armed Forces Community. It requires that decisions about the development and delivery of specific services are made with conscious thought to the needs of those members of the Armed Forces Community within scope. It is not prescriptive about the approach a specified body should take to comply with their legal obligations. It also does not mandate that any particular conclusions are reached, or specific public service delivery outcomes achieved as a result of that consideration. The actions and outcomes that bodies deem appropriate will vary across the country depending on local circumstances.

2.1.6 The specified bodies subject to the Covenant Duty are summarised in Table 2 below.

Table 2 - Public bodies and relevant functions in scope of the Covenant Duty

Sector	Bodies in scope	Relevant functions are functions under or by virtue of the following legislative provisions
Healthcare	<ul style="list-style-type: none"> • NHS England • Integrated care boards • NHS Foundation Trusts • NHS Trusts • Local Authorities 	Provision of services Planning and funding Co-operation between bodies and professionals These healthcare functions are within scope of the Duty in the following settings: <ul style="list-style-type: none"> • NHS Primary Care services, including general practice, community pharmacies, NHS dental, NHS optometry services and public health screening services. • NHS Secondary Care services, including urgent and emergency care, hospital and community services, specialist care, mental health services, and additional needs services (as applicable). • Local authority-delivered healthcare services, including sexual health services and drug and alcohol misuse services.
Education	<ul style="list-style-type: none"> • Local Authorities • Governing bodies of maintained schools • Proprietors of Academies • Non-maintained special schools • Governing bodies of further education institutions • Special post-16 institutions 	Admissions Educational attainment and curriculum Child wellbeing Transport Attendance Additional needs support Use of Service Pupil Premium funding (England only) These education functions are within scope of the Duty in compulsory education settings, that is, primary, secondary, and, for England only, compulsory further education. The Duty does not cover nursery (early years education), higher education, or other voluntary adult education settings.
Housing	<ul style="list-style-type: none"> • Local Authorities 	Allocations policy for social housing Tenancy strategies (England only) Homelessness Disabled Facilities Grants

2.1.7 Due Regard - The Act does not state what a body must do in order to have due regard. How a body meets the Covenant Duty, and how the Duty is reflected in relevant policies or procedures, are therefore matters for the body in question. It is about informed decision making and means that specified bodies should think about and place an appropriate amount of weight on the principles of the Armed Forces Covenant when they consider all the factors relevant to how they carry out relevant functions. Therefore, specified bodies should ensure that mechanisms are in place that prompt decision-makers to assess how their decision might impact on service users from the Armed Forces Community in scope of the Duty. Bodies might wish to draw on their experience and practice in complying with other similar due regard duties. Keeping written records of how key policies and decisions have been made and documenting the factors that were considered in each decision, will help bodies demonstrate that they have had due regard to the principles of the Covenant, if challenged.

2.1.8 **Removing Disadvantages** - A disadvantage is when the level of access a member of the Armed Forces Community has to goods and services, or the support they receive, is comparatively lower than that of someone in a similar position who is not a member of the Armed Forces Community, and this difference arises from one (or more) of the unique obligations and sacrifices of Service life (e.g. danger, geographical mobility, separation, stress). This principle is that it is desirable to remove all such disadvantages arising for all members of the Armed Forces Community within scope of the Duty, however, it should not be assumed that everyone associated with the Armed Forces Community experiences disadvantages because of Service life.

2.1.9 **Special Provision** - special provision is the taking of actions that go beyond the support provided to reduce or remove disadvantage. These are actions that result in the provision of something bespoke, or something not normally available to the general public and the Armed Forces Community. Special provision may be justified in some cases by the effects of the unique obligations and sacrifices of Service life, especially for those that have sacrificed the most, such as the bereaved and the injured.

2.2 How bodies can raise awareness of Armed Forces issues

2.2.1 While the Duty is not prescriptive about the actions bodies should take to promote awareness of the Duty and the issues faced by the Armed Forces Community, the Statutory Guidance has provided examples of the type of actions that they might wish to consider adopting that are based on the existing good practice of those bodies already working to deliver the Armed Forces Covenant in their local area.

2.2.2 The actions are outlined in table 2 below along with details of the Councils progress against each action.

2.3 Progress and achievements in Kirklees

2.3.1 As mentioned above, disadvantage in service delivery most frequently occurs through a lack of understanding of the unique obligations and circumstances of the Armed Forces Community. That is why the aim of the new Duty is to build awareness among service providers of the Covenant's principles and the Armed Forces Community.

2.3.2 The table below provides an update on the progress and achievements in Kirklees based on the existing good practice contained within the Armed Forces Covenant Duty Guidance on how bodies can raise awareness of Armed Forces issues. It does highlight areas where good progress is being made and other areas that could also be considered.

Table 3 – Progress against how bodies can raise awareness of the principles of the Armed Forces Covenant.

Key Actions	Progress in Kirklees	Outcomes
<ul style="list-style-type: none"> Appointing individuals 		
Local authorities can appoint an elected member champion.	Cabinet Member Champion & Elected Member Champion in place	The champions ensure the visibility of and access to services and networks that support veterans, reservists and cadets in Kirklees.
Appointing a dedicated officer, staff group, or other lead person, who can advise on and co-	An officer champion has been identified who coordinates board meetings, provides updates and briefings and acts as the point of contact.	

ordinate Armed Forces issues across the whole organisation.		
Promoting a single point of contact within the organisation that members of the Armed Forces Community can contact if they require assistance or advice.	The single point of contact within the Council is the armed forces officer champion, whose details are on the website.	Enable the Covenant objectives and Duty to be implemented and developed within the organisation
	Contact officers within the Council have been identified in Housing Solutions, Homes and Neighbourhoods, Education, Public Health, Employee Health Care, Adults, Personalised Care, Governance and Democracy Services to attend KAFCB meetings and act as 'champions' within their service to share information and act as the first point of contact for enquiries.	Raise awareness amongst staff of the Council's pledge and support available
	An organisation survey is planned which will help identify staff that have a military connection who may be interested in becoming service champions to raise awareness of the principles of the Covenant and the impact of Service life.	Council staff with an understanding of military life will be aware of the new statutory guidance and help consider policies and practices that will support instances where special consideration may be applicable.
• Communication and Engagement		
Organising and/or attending regular meetings with Armed Forces representatives, charities, public sector representatives, the local Armed Forces presence, Armed Forces Covenant networks, and/or organisation champion(s).	Attend regional meetings and workshops for example, Veterans UK welfare / transition support masterclass for local authorities, employee recognition scheme workshops, Yorkshire and Humber network, liaison with the Armed Forces Covenant team for advice and guidance.	Improved awareness of other charities that may be able to support, including emergency support and instances where special consideration may be applicable.
Establishing and/or attending local partnership boards to collaborate with other similar organisations, sharing best practice and information.	<p>The Kirklees Armed Forces Covenant Board is made up of representatives from a range of council services, military charities, MOD, department for work and pensions, RAF, employment services. Meetings are arranged by the officer champion in consultation with the Chair.</p> <p>Just recently two representatives from the Calderdale and Huddersfield NHS Foundation Trust have joined the Board. Also, representatives from the Rural Veterans Hub have joined the Board.</p> <p>An invitation has been made to a local GP (clinical lead for veterans) to join the Board to</p>	Improved collaboration and partnership working to deliver outcomes

	<p>encourage collaboration and sharing of information.</p> <p>An offer has also been made to attend the GP practice network meeting to raise awareness of the Duty, the work of the Board and explore how we can work together going forward.</p>	
Providing a web page or material with key information and links for members of the Armed Forces Community	<p>A dedicated armed forces webpage is available that provides information and support with housing, education, employment, health and wellbeing etc.</p> <p>Based on the past 6 months the webpage had 31 page views of which 26 were unique views (average per month)</p>	Information easily available on and offline with links to Housing, Health, Education and Employment, and to wider networks of support/information.
A clear statement of the support that members of the Armed Forces Community can expect from the organisation	Further work to be done to the webpage to make this clear	Armed Forces Community, staff and partners are aware of the Armed Forces Covenant and principles, and the support services available
A mechanism for reporting actions and achievements	Regular updates are provided at Board meetings, progress reported at Council meetings.	
A mechanism for prompting further research.	The West Yorkshire Armed Forces Covenant Survey last took place in October 2021. This was coordinated by Bradford council and although it was promoted locally did not have the reach we had hoped. Currently exploring how this can be adapted for use just in Kirklees.	Provides insight into the lived experience of members of the Armed Forces community, in particular the unique obligations and sacrifices they may make.
Training frontline staff.	The new armed forces covenant e-learning module for customer facing staff is now available for all staff via the Councils MyLearning web page. The Armed Forces Covenant Housing and Homelessness e-learning will be added to MyLearning in the next month, after which both modules will be promoted to all staff to access and number of learners will be monitored.	Raised awareness of the Armed Forces Covenant and Covenant Duty and how they may be applied. Improved support and services to the Armed Forces Community
• Collaboration		
Sharing awareness, data and good practice on the Armed Forces Community within the organisation and other similar organisations.	<p>Largely actioned via KAFCB plus briefings have taken place for customer service staff and legal governance and commissioning senior leadership team.</p> <p>Information about the armed forces covenant duty will be shared via the intranet alongside the new e-learning for customer facing staff.</p> <p>Within the Armed Forces Covenant Duty Guidance, the West Yorkshire Service Pupil Premium Resource Directory has been given as an example of good practice to support schools develop their understanding of the Armed Forces Covenant, the Armed Forces</p>	Staff are aware of the Armed Forces Covenant, Principles, Duty and statutory guidance, the support services available, good practice and how they can support.

	Community, and the Service Pupil Premium. This resource was produced in partnership by the 5 West Yorkshire local authorities and is shared with Kirklees schools on an annual basis.	
Requesting more information from organisations who have dealt with the Armed Forces Community before.	Information share is a regular agenda item at KAFCB meetings. Also, the Yorkshire and Humber network is a good mechanism for sharing information, advice and good practice.	Improved awareness of other charities that may be able to support, including emergency support and instances where special consideration may be applicable.
• Research		
Understanding the make-up of the Armed Forces Community in the local area.	Office for National Statistics - Census 2021 data is available – see table 1 above. Organisation survey in development to help identify staff that have a military connection.	Better insight into the lived experience of members of the Armed Forces community, in particular the unique obligations and sacrifices they may make.
Identifying gaps in knowledge.	To explore possibility of undertaking a Kirklees Armed Forces Covenant Survey with the data and insight team to better understand our community.	
Consulting online information and tools, such as the Veterans' Gateway or the Armed Forces Covenant Fund Trust's Knowledge Network.	Signed up to e-newsletters for updates	Improved awareness of other charities that may be able to support members of the Armed Forces community
Conducting a Joint Strategic Needs Assessment on the needs of the local Armed Forces Community and, where possible, anticipate the needs of those moving into the local area.	There is a former members of armed forces section in the KJSA. This does need updating with the latest information from the 2021 Census. https://observatory.kirklees.gov.uk/jsna/specific-groups-life-events/armed-forces/ To explore options to link to a Kirklees Armed Forces Covenant Survey, if developed	Better insight into the needs of the Armed Forces community in Kirklees.
Collecting and analysing data on the local Armed Forces Community, including by asking service users about their Armed Forces status.	Personalised care service is looking into the recording and reporting system used by GPs to identify veterans and service users that have a military connection. Based on good practice, to develop a consistent approach within the Council to identify service users that have a military connection.	Improving identification of local Veteran/ Armed Forces community in Kirklees.
Consulting national data sources such as the census, and statistics on the locations of Armed Forces pension and compensation recipients and recipients of Service Pupil Premium.	No current activity	

Consulting research and best-practice guides, such as the Forces in Mind Trust's 'Our Community Our Covenant' report.	No current activity	
Engaging regularly with service end-users who are members of the Armed Forces Community.	No current activity, currently exploring opportunities	
• Vision		
Having an action plan that is regularly monitored and reviewed.	<p>The action plan has been co-produced with members of the KAFCB and is reviewed at board meetings.</p> <p>The Leader and Chief Executive have agreed a small budget to help deliver action plan priorities.</p>	Improved collaboration and partnership working to deliver outcomes
Conducting regular policy reviews	<p>The KAFCB has been consulted in the Kirklees Council Housing Allocations Policy Review.</p> <p>The Councils Cabinet Report Guidance has been amended to include information on the Armed Forces Covenant to help ensure that services pay due regard to the principles of the Armed Forces Covenant when developing policy and making decisions. This will require them to keep written records of how key policies and decisions have been made, particularly in the areas of Healthcare, Housing and Education and document the factors considered to demonstrate that we have had due regard to the principles of the Covenant.</p> <p>The Council's new online Integrated Impact Assessment form and associated guidance now includes the armed forces as a protected group and services will need to ensure they take account of issues directly related to service in the Armed Forces, and where appropriate, that special consideration is given, for example those who have suffered injuries, and in the case of the bereaved.</p> <p>The Council offer a guaranteed interview scheme for armed forces Veterans (a guaranteed interview will be offered to individuals who have served in Her Majesty's Armed Forces and meet the essential criteria for the role as outlined in the Job Profile)</p> <p>The council is committed to granting additional paid leave of 10 days per year to Reservists, specifically to enable them to attend their annual camp.</p>	Enable the Covenant objectives and Duty to be implemented and developed within the organisation

2.3.3 The Covenant Duty guidance provides examples of the disadvantages arising from the unique obligations and sacrifices of Service life that are most likely to be experienced by Service families and veterans in terms of healthcare, education and housing.

2.3.4 The officer champion is currently cross referencing the KAFCB action plan to ensure the priority actions align to the guidance both in terms of raising awareness of the issues, preventing disadvantage and ensuring services pay due regard to the principles of the Armed Forces Covenant when developing policy and making decisions, particularly in the areas of Healthcare, Housing and Education. The revised action plan will be shared at the KAFCB meeting in June.

3. Implications for the Council

3.1 Working with People

The Kirklees Armed Forces Covenant Board has developed an action plan that has been co-produced with military personnel, military charities, third sector organisations, council staff and partners. The action plan is informed by partners sharing their knowledge and expertise, intelligence and lived experience.

3.2 Working with Partners

The Kirklees Armed Forces Covenant Board (KAFCB) is chaired by a Kirklees Councillor and is represented by a range of organisations who network, share good practice and work together. It is represented by: -

- Kirklees Council - Democracy & Place Based Working, Civic Office, Employee Healthcare, Pupil Admissions, Homes and Neighbourhoods, Kirklees Housing Solutions, Adult Services, Community Plus Team, Public Health, Adults & Health Services
- Military - Regional Employer Engagement Director, MOD Welfare Management, RAF Families Federation
- Military Charities - Royal British Legion, The Rifles Association, Regular Forces Employment Association, RFEA the Forces Employment Charity, Officers Association, Richmond Fellowship, Help for Heroes
- Health - Calderdale and Huddersfield NHS Foundation Trust
- Local Third Sector Organisations - Royal British Legion (Huddersfield Branch), 3 Yorks Association Huddersfield, CHART Kirklees, The Welcome Centre, Change Grow Live
- Locally based Mental Health support - Salute, counselling and psychotherapy support services
- West Yorkshire Police - Partnerships and Liaison Services
- Kirklees Citizens Advice
- Department for Works and Pensions

3.3 Place Based Working

Understanding the make-up of the Kirklees Armed Forces Community is a challenge, however, is important to our approach. By working with partners and networks we hope to develop an action plan that reflects the priorities, needs and opportunities for the Armed Forces Community across the district.

3.4 Climate Change and Air Quality

No Change

3.5 **Improving outcomes for children**

Due to the high mobility associated with the military lifestyle, children of serving members are likely to experience a number of school moves, some of which may occur at short notice and within the school term. The Armed Forces Bill 2021-22 will help raise awareness and understanding within the organisation of the unique obligations and circumstances of the Armed Forces Community.

3.6 **Financial Implications for the people living or working in Kirklees.**

An amount of £20k has been set aside to support the work on the Armed Forces Covenant, funded by way of a one-off contribution from the Council's Reserves.

3.7 **Other (e.g. Integrated Impact Assessment/Legal/Financial or Human Resources)**

- The relevant functions in scope of the Duty are within the fields of healthcare, education, and housing services. These are key areas where delivery of the Covenant remains inconsistent and where disadvantages to members of the Armed Forces Community have commonly arisen. A lack of awareness of issues affecting the Armed Forces Community can be a major factor in some incidents of disadvantage.
- **Integrated Impact Assessment (IIA)**
The new online IIA form and associated guidance now includes the armed forces as a protected group and services will need to ensure they take account of issues directly related to service in the Armed Forces, and where appropriate, that special consideration is given, for example those who have suffered injuries, and in the case of the bereaved.

4. **Consultation**

Members of the KAFCB have been involved in considering how they and the Council can help remove disadvantages arising for Service people from membership, or former membership, of the armed forces and have developed an action plan based on sharing data, information and the existing good practice of those bodies already working to deliver the Armed Forces Covenant in their local area.

5. **Next steps and timelines**

- Work will continue to develop the KAFCB action plan so that it aligns to the Armed Forces Covenant Duty guidance.
- The Council's Armed Forces webpage will be updated to give a clear statement of what members of the Armed Forces Community can expect from the organisation in terms of support.
- The new armed forces covenant e-learning module for customer facing staff will be made available for staff to complete via the MyLearning portal and then promoted to all staff along with the Armed Forces Covenant Housing and Homelessness e-learning module.
- Carry out an organisation survey by July to help identify staff that have a military connection who may be interested in becoming service champions.
- Liaise with the GPs leading on Military Veteran Support (PCNs) to attend the GP practice network meeting and support their involvement in the KAFCB.
- Liaise with the data and insight service to explore possibility of undertaking a Kirklees Armed Forces Covenant Survey to better understand our community.
- Work with services to develop a consistent approach to identify service users that have a military connection.

6. Officer recommendations and reasons

Members are asked to note the work of the KAFCB to date, the immediate priorities and provide feedback and suggestions on any other actions the Council could take to raise awareness, prevent disadvantage and ensuring services pay due regard to the principles of the Armed Forces Covenant when developing policy and making decisions, particularly in the areas of Healthcare, Housing and Education.

7. Cabinet Portfolio Holder's recommendations

The Cabinet Portfolio Holder is supportive of the work undertaken to date and welcomes comments and feedback from the Overview and Scrutiny Management Committee.

8. Contact officer

Vina Randhawa, Democracy Manager
Email: Vina.randhawa@kirklees.gov.uk
Tel: 01484 221000

9. Background Papers and History of Decisions

Overview and Scrutiny Management Committee, 21 December 2021: Kirklees Armed Forces Covenant Progress Report and Armed Forces Bill 2021/22 - <https://democracy.kirklees.gov.uk/documents/s44265/Kirklees%20Armed%20Forces%20Covenant%20and%20Armed%20Forces%20Bill%202021-22%20002.pdf>

10. Service Director responsible

Joanne Bartholomew, Service Director, Development - Growth & Regeneration
Rachel Spencer Henshall, Director of Corporate Strategy, Commissioning and Public Health