



ORGANISATIONAL DEVELOPMENT DIVISION

Issued: January 2020 Review: January 2025

Version Control

This document is intended for:

NOTES

This scheme has been developed on a corporate basis but the operational requirements of schools have been taken into consideration. The scheme is recommended to Governing Bodies for adoption. Support in managing issues in relation to the subject matter of this scheme can only be offered to

The Ministry of Defence (MoD) aims to give a least 28 days' notice of mobilisation, although for operational reasons it can sometimes be less. There is no statutory requirement for a minimum period of mobilisation.

On being called up, the reservist should inform their Line Manager/Headteacher. The Council/School will also receive an information pack, which sets out the date and possible

These include:

- ◁ An update on media coverage of the conflict they have been involved in, so they know what people at home have heard about it.
- ◁ A presentation on Post Traumatic Stress Disorder by specially trained medical staff, and the opportunity for one-to-one interviews.

Once a reservist arrives back in the UK, they will be taken to their demobilisation centre, where the process of reintegration continues. As well as all the necessary postoperative administration procedures, such as handing back their uniform, they will undergo a series of medical assessments, and receive further briefings on stress, their return to work, welfare guidance and advice. One-to-one and specialist sessions are available throughout their remaining time in service, and can continue for as long as needed.

They will then be formally demobilised and free to start their post-operational leave. All Reservists are entitled to a period of leave and will continue to be paid by the MoD during this time. (This usually works out at an average of around 30 days including any amount of annual leave they have built up during deployment.) Post-operational leave allows the reservist to fully readjust and prepare for civilian life.

Regular contact with their employer during their post-operational leave will help ease their transition back to work. Most reservists find it useful if Managers and colleagues are kept informed during this period, and to have an informal interview with their Line Manager/Headteacher on their return. This will give an opportunity to talk about their experiences and to update them on any key changes within the Council/department.

Regardless of the length of the military action, the mobilised reservist has the right to be reinstated in their former job within six months of demobilisation and, on the terms and conditions that are no less favourable than those that would have been in place prior to being called up.

The Council has an obligation to reinstate the post holder into employment at the first opportunity once notified of their availability. The employee should be reinstated into the post in which they were employed prior to the call up, and on terms and conditions comparable to those, which would have applied had there been no call out, unless not reasonable and practical. Heads of Service will need to evidence why they are unable to reinstate the reservist to their former job.

Reservists can be included on the Redeployment List, if necessary, due to them not being able to return to their previous post. Reservists can only be considered for redundancy purposes where there is a service review/restructure, or departmental need. Redundancy criteria should not discriminate against Reservists on the grounds of their Reserve service or call-up liability.

A Reservist's employment cannot be terminated on the grounds of their military duties or their liability to be mobilised. To do so would be a criminal offence under s.17 of The Reserve Forces (Safeguarding of Employment) Act 1985.

If a reservist is not happy with the offer of alternative employment they must write to the Head of Organisational Development stating why there is reasonable cause for them not to accept it. If a reservist believes that the Council/School's response to their application denies their rights under the Reserved Forces (Safeguard of Employment) Act 1985, an application can be made to an external body called the "Reinstatement Committee" for assessment. Consideration will be given to the reservist's application and, if accepted, can make an order for reinstatement and/or compensation.

If the Council/School wishes to appeal against a Reinstatement Committee's decision they can make a further appeal.

To exercise the right to be reinstated, the reservist must write to the Council/School no later than the third Monday after demobilisation confirming their intention to return to work within the following 13 weeks. The initial 13-week period may be renewed for a further 13 weeks if circumstances such as illness or injury prevent the reservists return during the initial period. However, the reservist forfeits their right to return to the Council/School if they fail to do so within 26 weeks of demobilisation.

Once the reservist has been reinstated, the Council/School will continue to employ them in that same occupation if possible and on the same terms and conditions for:

- ◁ A minimum of 13 weeks following reinstatement, if the employee was employed for less than 13 weeks prior to mobilisation.
- ◁ 26 weeks following reinstatement, if employed for more than 13 weeks but less than 52 weeks prior to mobilisation.
- ◁ 52 weeks following reinstatement, if the reservist had been employed for a consecutive period of at least 52 weeks prior to mobilisation.

The continuity of the reservist's period of employment is not broken by a period of compulsory or voluntary mobilisation, if they are reinstated in their former post within six months of demobilisation.

When calculating the employee's total period of continuous employment, the Council/School will discount the number of days falling in the period between the day on which the reservist is called up for military operations and the day prior to their return to work.

For example, if a reservist was called up for duty in January 2019 for 52 weeks and prior to their call up they had 4 years 26 weeks service. When they return to work in January 2020, they are reinstated to their former post. They still only have 4 years and 26 weeks' continuous service.

8. Financial A

- ◁ Training costs up to £2000 of the costs of training necessary for a Reservist's replacement during mobilisation, to ensure that they are as effective as possible in the role.

10. Further Information

Managers can get further information from SaBRE, (Supporting Britain's Reservists and Employers). You can contact SaBRE about any issue relating to the support of Britain's Reservists and employers via their helpline on 0800 389 5459 or by email via

