Employment Committee – 25 November 2026

Report by: Leanne Harfield, Head of HR and OD

Lead Cllr: Cllr Stephen Claffey
Portfolio Holder for Workforce

Wards	Open / Exempt	Key Decision?
All	Open	No

Employment Policies Update

Executive Summary:

HR have a programme of undertaking a programme to review and refresh employment policies to ensure that they are accurate, legally compliant and reflect current practice within HDC.

Recommendations

1.1. Employment Committee are requested to endorse these policies

	Key Corporate Plan Priorities
1	*Doing our Core Work Well*

Report Author(s)

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1. PURPOSE OF THE REPORT

1.1 This report provides a summary the policies that are being submitted for endorsement.

2. BACKGROUND & CONTEXT

2.1 The policies reviewed in this period are:

- Prevention of Sexual Harassment at Work Policy (New)
- Reserve Forces Training and Mobilisation Policy (New)

Summary of the changes:

Policy	Amendments
Prevention of Sexual Harassment at Work Policy	This is a new policy created in line with the Employment Rights Bill 2026 and incorporates: - 'All reasonable steps' duty - Liability for third-party harassment - Shift from reactive to preventative approach - Clear guidance on how HDC will support staff raising concerns about sexual harassment at work
Reserve Forces Training and Mobilisation Policy	This is a new policy created in line with the Armed Forces Covenant

3. ALTERNATIVE OPTIONS CONSIDERED & NOT RECOMMENDED

3.1 N/A.

4. COMMENTS OF OVERVIEW & SCRUTINY

4.1 N/A

5. POST-DECISION IMPLEMENTATION

5.1 Policies endorsed will be reviewed in line with the policy schedule.

6. IMPLICATIONS OF THE DECISION

6.1 Council Key Priorities and Performance

- Improving quality of life for local people
- Creating a better Huntingdonshire for future generations
- Doing our core work well

These policies support the organisation to ensure that they are legally compliant and have the right processes and procedures in place to support staff to do our core work well and to delivery the Council's key Priorities. This allows HDC to continue to work towards being an employer of choice.

6.2 Financial Implications

6.3 There is unlikely to be an adverse financial implication from either of these policies

6.4 Policy Implications

6.4.1 These have been amended to ensure that they are in line with legislative updates and best practice.

6.5 Legal & Constitutional Implications

6.5.1 These have been amended to ensure that they are in line with legislative updates and best practice.

6.6 Community Impact

6.6.1 Equality Impact Assessment will be carried out for each policy following endorsement

6.7 Environment & Climate Change Implications

6.7.1 N/A

6.8 Equality & Diversity Implications

6.8.1 The Sexual Harassment at Work Policy will ensure that staff feel protected whilst at work and the Reserve Forces Training and Mobilisation Policy will ensure that staff are managed fairly and consistently whilst undertaking reservist duties

6.8.2 Equality Impact Assessment will be carried out for each policy following endorsement

6.9 Implications on Resources

6.9.1 There may be resource implications if there are requirements to backfill reservists, however this will be like for like replacements on fixed term contracts for the duration of the deployment.

6.10 Health & Wellbeing Implications

6.10.1 N/A

6.11 Local Government Reorganisation (LGR) Implications

6.11.1 LGR is taken into consideration for all policies that are reviewed or updated in line with legal requirements, and where possible, taking into consideration what neighbouring Council's approaches are.

7. RISK MANAGEMENT

7.1 These policies are designed to mitigate risk to the organisation and to allow consistent application across all service areas.

8. BACKGROUND PAPERS– LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

8.1 N/A.

Prevention of Sexual Harassment at Work Policy

1.1

Version Control			
Version	**Author**	**Date**	**Changes**
1.1	Lisa Baggaley	30 October 2026	New Policy

Name of Policy	Prevention of Sexual Harassment at Work Policy
Person/posts responsible	Head of HR and OD
Date adopted	November 26
Endorsed by	Employment Committee
Review Date	November 2028

Prevention of Sexual Harassment at Work Policy

1. Policy Statement

1.1 Huntingdonshire District Council (the Council) is committed to providing a working environment where everyone is treated with dignity, courtesy and respect.

1.2 The Council is committed to taking all reasonable steps to prevent sexual harassment in the workplace. This includes harassment by employees, workers, agency workers, contractors, consultants, elected members, volunteers, service users, customers, suppliers, residents, partner organisations and members of the public.

1.3 The Council recognises its legal duty under the Equality Act 2010 and the Worker Protection (Amendment of Equality Act 2010) Act 2023, which came into force in October 2024, to take all reasonable and proactive steps to prevent sexual harassment before it occurs.

1.4 Sexual harassment will not be tolerated under any circumstances. Allegations will be treated seriously and investigated promptly, fairly and sensitively. Any employee found to have committed sexual harassment may be subject to disciplinary action up to and including dismissal for gross misconduct.

2. Purpose

2.1 The purpose of this policy is to:

- Promote a safe, inclusive and respectful working environment for all employees and workers.
- Prevent sexual harassment and foster a culture in which inappropriate behaviour is challenged and addressed.
- Explain what sexual harassment is and provide examples of unacceptable conduct.
- Clarify the responsibilities of employees, managers and the Council.
- Provide clear routes for reporting concerns and complaints. The support available to **employees affected by sexual harassment**.
- Demonstrate the Council's commitment to meeting its statutory obligations to prevent sexual harassment.

The policy applies to conduct occurring:

- In Council workplaces.
- During work-related travel.
- At training courses, conferences and meetings.
- During work-related social events.
- Whilst working remotely.
- Through email, telephone, messaging applications, social media platforms and video conferencing systems.

3. Definition of Sexual Harassment

3.1 Sexual harassment is defined under the Equality Act 2010 as:

Unwanted conduct of a sexual nature that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.

3.2 Sexual harassment can occur regardless of a person's sex, gender identity, sexual orientation, age, disability, race, religion or belief.

3.3 A single incident may constitute sexual harassment. Whether conduct amounts to harassment depends on the circumstances and the impact on the individual concerned. The behaviour does not need to be intended to cause offence for it to amount to harassment.

3.4 Examples of sexual harassment include, but are not limited to:

- Physical conduct of a sexual nature, unwelcome physical contact such as touching or hugging or intimidation
- Requests or pressure for sexual favours.
- Persistent suggestions to meet up socially after a person has made it clear that they do not want to.
- Telling/sharing sexual comments, jokes or innuendo.
- Offensive comments about a person's body, appearance or clothing.
- Leering, staring or sexually suggestive gestures.
- Sexual assault.
- Displaying, sharing or circulating sexually explicit material by any means.
- Sending inappropriate emails, texts, messages, photographs or videos.
- Sexual posts or contact through social media.
- Intrusive questions about a person's private life.
- Spreading sexual rumours.
- Offensive comments relating to sex, sexual orientation or gender reassignment.

3.5 The person engaging in unwelcome behaviour does not have to intend to be sexually harassing the other person for the behaviour to be considered sexual harassment. Regardless of what was intended, sexual harassment is defined by the nature and the impact of the behaviour, not the intention behind it.

4. Third-Party Sexual Harassment

4.1 The Council recognises that sexual harassment may be perpetrated by individuals who are not directly employed by the Council. This includes residents, service users, customers, contractors, suppliers, consultants, agency personnel, elected members, visitors, partner organisations and members of the public.

3.6 The Council will not expect employees to tolerate inappropriate behaviour from any individual, regardless of their status or relationship with the Council.

4.3 Examples of third-party sexual harassment may include:

- A resident making sexual comments towards a Housing Officer during a home visit.
- A customer making inappropriate remarks to a Customer Services Adviser.
- A contractor sending sexually suggestive messages to an employee.
- A supplier making unwanted advances during a meeting.
- A member of the public making sexually offensive comments to an employee undertaking enforcement duties.
- Inappropriate conduct at Council meetings, consultations, events or training sessions.

4.4 The Council will take proactive measures to prevent third-party harassment and reduce risks through:

Risk Assessments of Behaviour – The Council may communicate expected standards through:

- Customer charters.
- Signage and public notices.
- Website information.
- Service agreements.
- Procurement and contractor requirements.

Training and Awareness – Employees and Managers will receive training to help them:

- Recognise sexual harassment.
- Respond appropriately to incidents.
- Understand reporting procedures.
- Identify high-risk situations requiring additional controls.

4.5 Employees who experience or witness third-party sexual harassment are encouraged to report concerns as soon as possible through the reporting routes outlined within this policy.

Concerns should be reported even where:

- The incident occurred only once.
- The behaviour appears minor.
- The employee is unsure whether the behaviour constitutes harassment.
- The employee does not wish to pursue a formal complaint.

Following a report of sexual harassment The Council may take action which could include:

- Speaking to the individual responsible.
- Issuing warnings.
- Restricting access to premises or services.
- Making alternative communication arrangements.
- Reviewing working practices.
- Excluding individuals from Council facilities.
- Terminating contracts where appropriate.
- Reporting matters to the police.
- Making safeguarding referrals.

5. Responsibilities

5.1 The Council is committed to providing a safe and respectful environment for all employees through the iCare values as such HDC will:

- Take all reasonable and proactive steps to prevent sexual harassment.
- Create and maintain a culture of dignity, inclusion and respect.
- Provide regular training and awareness activities.
- Implement suitable reporting mechanisms and support arrangements.
- Investigate reported concerns promptly and fairly.
- Monitor trends and implement lessons learned.

Managers will:

- Lead by example and model respectful behaviour.
- Foster a workplace culture where inappropriate behaviour is challenged.
- Take all concerns seriously and act promptly.
- Ensure employees know how to access support.
- Protect individuals from victimisation and retaliation when raising or being involved in a complaint of sexual harassment.

Employees will:

- Treat others with dignity and respect.
- Raise concerns about sexual harassment they experience or witness with their line manager of HR.
- Challenge inappropriate behaviour, if it can be done safely.
- Respect confidentiality requirements.

6. Preventative Measures

6.1 The Council recognises that preventing sexual harassment is more effective than responding to incidents after they occur. In line with its legal obligations, the Council will take all reasonable and proportionate steps to create and maintain a working environment in which sexual harassment is unlikely to occur.

It is important therefore that the Council puts in place preventative measures such as:

Training and Awareness

- Mandatory sexual harassment awareness training for employees, managers and elected members.
- Manager training on responding to concerns and complaints.
- Inclusion of behavioural expectations within induction programmes.
- Regular communications and awareness campaigns.

Risk Assessment and Workplace Design

- Assessing sexual harassment risks as part of health and safety processes.
- Reviewing risks associated with lone working, home visits and customer-facing services.
- Implementing safe systems of work where risks are identified.

- Considering workplace design and security arrangements to support employee safety.

Managing Third-Party Risks

- Displaying notices stating that abusive or sexually inappropriate behaviour towards employees will not be tolerated.
- Establishing behavioural expectations within supplier and contractor arrangements.
- Supporting employees in responding to challenging interactions.
- Taking action where inappropriate conduct occurs.

Leadership and Culture

- Promoting dignity, inclusion and respect through leadership behaviours.
- Encouraging employees to speak up about concerns.
- Challenging inappropriate behaviour promptly

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Reporting and Monitoring

- Maintaining clear reporting arrangements.
- Monitoring trends and themes arising from complaints.
- Learning from investigations and implementing improvements.
- Reviewing policies and procedures periodically.

Compliance with the Preventative Duty

The Council will keep the effectiveness of its prevention measures under review and take all additional reasonable steps where risks are identified. Preventing sexual harassment is an ongoing responsibility and will be supported through leadership, workplace culture, risk management, employee feedback and continuous improvement.

7. Reporting Concerns

7.1 Concerns and complaints regarding sexual harassment can be reported by:

- Individuals who have experienced sexual harassment.
- Individuals who have witnessed sexual harassment.
- Managers who become aware of inappropriate behaviour.

Reports may be made directly to one or more of the following:

- A Line Manager.
- Another Manager.
- Human Resources.
- A member of the Employee Representative Group or Trade Union Representative.
- The Council's Whistleblowing arrangements where appropriate.

No employee will suffer any detriment for raising a genuine concern in good faith.

8. Resolution

8.1 There are both informal and formal ways to manage a complaint of sexual harassment. The appropriate way depends on the circumstances, but the choice lies with the employee who experienced the harassment.

8.2 Informal

If a manager receives a complaint regarding sexual harassment they must document the details of the complaint.

The details should include what happened, when it happened, where and who was involved. The manager would then pass this information onto the HR team who will support the manager through the process.

Where an informal complaint has been raised this may be addressed by:

- Having a discussion with the person the complaint is relating to.
- Management intervention.
- Facilitated conversations between the people involved.
- Agreed expectations about future behaviour.

Informal action may not be appropriate where allegations are serious.

8.3 Formal

Where informal action is not appropriate or has been unsuccessful, concerns may be addressed through the Council's Raising Concerns Policy where the complaint will be investigated. If the complaint is upheld, it may then lead to disciplinary action in line with the Disciplinary Policy.

An employee may not choose to file a formal complaint, due to potential distress involved. However, in such cases the manager, in consultation with HR, may still initiate disciplinary action against the alleged individual, in line with the legal duty for employers to prevent sexual harassment and failure to act appropriately may put others at risk.

9. Confidentiality

9.1 Reports and investigations will be handled sensitively and confidentially.

Information will only be shared with those who need to know for legitimate business, legal, safeguarding or investigatory reasons. Confidentiality does not guarantee anonymity, but the Council will seek to protect privacy wherever reasonably possible.

10. Victimisation

10.1 The Council will not tolerate victimisation of any individual because they have:

- Raised a concern.
- Made a complaint.
- Supported another individual.
- Participated in an investigation.

Any employee found to have victimised another person may be subject to disciplinary action.

11. Consequences of Policy Breaches

11.1 The Council takes all allegations of sexual harassment seriously. Any employee who is found, following an appropriate investigation, to have breached this policy may be subject to formal action under the Council's Disciplinary Policy. Proven acts of sexual harassment may constitute gross misconduct and may result in dismissal. The level of action taken will depend upon the circumstances of the case, including:

The nature and seriousness of the behaviour.

- Whether the behaviour was deliberate, repeated or persistent.
- The impact on the individual(s) affected.
- Whether there has been any previous misconduct.
- Any mitigating factors identified during the investigation process.

3.7 Possible Outcomes – Where a complaint is upheld, the Council may take on or more of the following actions:

- Informal management action.
- A requirement to undertake training, coaching or awareness sessions.
- Formal management guidance.
- A written warning.
- A final written warning.
- Redeployment or reassignment where appropriate and lawful.
- Dismissal for misconduct or gross misconduct.

The Council may also implement workplace measures designed to protect employees and prevent further incidents from occurring. These may include adjustments to working arrangements, reporting lines or workplace locations where appropriate.

3.8 Third-Party Harassment

Where sexual harassment is committed by a third party, the Council will take all reasonable and proportionate action to protect employees and reduce the risk of recurrence. Depending on the circumstances, this may include:

- Issuing verbal or written warnings.
- Restricting contact with employees.
- Requiring communications to take place through specified channels.
- Restricting or withdrawing access to Council premises or services where lawful and proportionate.
- Ending contracts or agreements with contractors, suppliers or consultants.
- Reporting matters to relevant professional bodies, regulatory organisations or partner agencies.
- Reporting alleged criminal offences to the police.

3.9 Victimisation and Retaliation

Any employee who victimises, intimidates, retaliates against or treats another person unfavourably because they have:

- Raised a concern.
- Made a complaint.
- Supported a colleague.
- Acted as a witness.
- Participated in an investigation or hearing.

may be subject to disciplinary action up to and including dismissal. Victimisation is a serious breach of this policy and will not be tolerated.

3.10 Failure to Report or Address Concerns

All employees have a responsibility to contribute to a workplace culture where inappropriate behaviour is challenged and concerns are taken seriously.

Managers in particular have a responsibility to take appropriate action where concerns are raised or where they become aware of behaviour that may constitute sexual harassment. A manager who fails to address concerns appropriately, seek advice or escalate matters where required may themselves be subject to management action or disciplinary proceedings.

This reflects the Council's legal duty to take all reasonable steps to prevent sexual harassment and to maintain a safe and respectful working environment.

11.6 Malicious Allegations

The Council encourages employees to raise concerns in good faith and recognises that a complaint may not always be upheld following an investigation. No action will be taken against an individual solely because a complaint is not substantiated, provided it was made honestly and based on a genuine belief that inappropriate behaviour had occurred.

However, where an investigation establishes that an allegation was knowingly false, malicious or made in bad faith, this may be treated as misconduct and managed under the Council's Disciplinary Policy.

11.7 Criminal Conduct

Some forms of sexual harassment may constitute criminal offences. Where appropriate, the Council may refer matters to the police, safeguarding authorities or relevant regulatory or professional bodies. Internal procedures may continue independently of any external investigation where appropriate.

12. Employee Support

12.1 Commitment to Supporting Employees

The Council recognises that experiencing, witnessing, reporting or being involved in a sexual harassment complaint can be distressing and may significantly impact an individual's wellbeing, health and work.

The Council is committed to ensuring employees are treated with dignity, compassion and respect and are provided with appropriate support throughout any informal resolution process, investigation or formal procedure.

The Council also recognises that employees who witness sexual harassment, receive disclosures from colleagues or participate in investigations may themselves experience stress, anxiety, fear of repercussions or concerns about working relationships.

Witnesses play an important role in helping the Council prevent and address inappropriate behaviour and will be treated with dignity, respect and sensitivity throughout any process.

For employees requiring support they should contact the Employee Assistance Provider, which offers free confidential counselling services. The Employees Representative Group or the Trade Union can also play an important role in supporting employees (details available on the Intranet page or HR team).

12.2 Workplace Adjustments

In some circumstances and where it is appropriate, it may be necessary to make some temporary adjustments whilst a complaint is being looked into and these adjustments may include:

- Changes to working arrangements.
- Home or hybrid working.
- Changes to reporting lines.
- Relocation of workstations.
- Temporary separation of individuals.
- Flexible working arrangements.
- Time off to attend support appointments, meetings or investigations.

Any adjustments will be considered on a case-by-case basis and will not imply any presumption regarding the outcome of an investigation. If any adjustments need to be considered please consult with HR before making any changes.

13. Monitoring and Review

13.1 The Council will monitor:

- Complaints and outcomes.
- Training completion rates.
- Emerging risks.
- Employee feedback.
- Trends relating to third-party harassment.

This policy will be reviewed at least every two years, or sooner where legislation, guidance or organisational requirements change.

This policy aims to support a workplace culture in which everyone is treated with dignity, feels safe at work and is empowered to speak up about inappropriate behaviour.

Reserve Forces Training and Mobilisation Policy

Version 1.1

Version Control			
Version	**Author**	**Date**	**Changes**
1.1	Kiran Hans	August 2026	New Policy

Name of Policy:	Reservists Policy
Person/posts responsible:	Head of HR
Date Endorsed/adopted:	November 2026
Endorsed by:	Employment Committee
Review Date:	November 2028

1. Policy statement

1.1 The Council recognises the valuable contribution that members of the Reserve Forces make to the UK Armed Forces, their communities, and the civilian workplace. The Council further acknowledges that the training undertaken by Reservists enables them to develop skills and abilities that are of benefit to both the individual and their employer, as many of the skills that Reservists gain during their training are transferable to the workplace.

1.2 This document provides a policy framework for the support of Council employees who are members of the Reserve Forces and sets out the obligations that the Council has towards Reservists and vice versa in relation to training and mobilisation commitments.

2. Types of Reservists

2 There are two main types of Reservists:

- Volunteer Reservist – civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Army Reserve and Royal Auxiliary Air Force
- Regular Reservist – ex-regular service personnel who may retain a liability to be mobilised depending on how long they have served in the Armed Forces.

3. Legal Considerations

3.1 The Reserve Forces Safeguard of Employment Act 1985 provides Reservists who have a liability to be mobilised with two types of protection:

- Protection of Employment – the Act provides protection from unfair dismissal and makes it a criminal offence for an employer to terminate a Reservist's job without their consent solely or mainly because they have a liability to be mobilised; and
- Rights to Reinstatement – the Act provides Reservists with a legal right to reinstatement to their former job, subject to certain conditions.

3.2 The Reserve Forces Act 1996 sets out the call-out powers under which reservists can be mobilised for full-time service.

4. Reserve Status Notification

4.1 For the Council to provide the appropriate level of support, Reservists are required to inform the Council that they are a member of the Reserve Forces and the specific force to which they belong. It is the responsibility of Reservists to ensure their personal details are kept up to date e.g. if they leave their respective Reserve Force.

4.2 In any circumstances, Reservists will not be disadvantaged as a result of notifying the Council of their reserve status.

4.3 Reservists are also required to grant permission for the Ministry of Defence (MOD) to write directly to the Council by way of an Employer Notification which confirms their reservist status to the Council and the benefits, rights and obligations that apply to both parties. The notification also includes details of the financial assistance available if an

employee is mobilised and where possible, it will provide details of any annual training commitments.

4.4 If an employee, who is currently a Reservist, is considering renewing their Reservist commitment or is an employee who is interested in joining the Reserve Forces, it is expected that they should discuss the matter with their line manager for planning and support to join/renew reserve service. The purpose of this discussion is to:

- Understand the expected training, deployment and mobilisation commitments associated with Reserve service.
- Consider any potential impact on service delivery, team resources and business continuity.
- Discuss the organisation's support available to Reservists, including leave arrangements and policies.
- Ensure the employee understands their responsibilities for notifying the organisation of training and mobilisation requirements.
- Explore any reasonable adjustments or workforce planning arrangements that may be required.
- Promote an open and supportive dialogue whilst enabling the organisation to plan effectively for any future absences.

5. Training Commitments and Time Off

5.1 The average training commitment for reservists varies according to the reservist force to which they are attached.

5.2 Training will normally take place in evenings and at weekends but there is an expectation that reservists attend an Annual Training Camp in respect of which the Council will grant reservists up to a maximum of 10 days paid special leave each year to attend.

5.3 Reservists should provide their line manager with details from the Armed Forces of their annual training plan as soon as they receive notification, where possible, at least three months before the start of the training year in April. This is intended to support workforce planning and service delivery.

5.4 Evidence of any annual training camp and any associated request for special leave should then be submitted as soon as reasonably practicable and, wherever possible, at least four weeks before the period of leave.

5.5 Any other Reservist training commitments should be discussed with the employee’s manager at the earliest opportunity. Requests will be considered on a case-by-case basis, taking account of service requirements and the employee’s role. Support may include a combination of annual leave, unpaid leave and/or temporary flexible working arrangements, as appropriate.

5.6 Permission to attend training, once granted, will not normally be withdrawn. Approval will only be rescinded in exceptional circumstances, such as a major incident, an unforeseen business continuity issue, a significant risk to the delivery of critical services/seriously harm the business, or where the Council's statutory obligations could not otherwise be met. Wherever possible, alternative arrangements will be explored before any approval is withdrawn and the Council will consider whether reasonable alternative arrangements can be made to maintain both service delivery and the employee's access to the training.

Where the Council considers that mobilisation would cause serious harm to the delivery of its services, the relevant Head of Service should consult HR immediately to determine whether an application for exemption, deferral or revocation is appropriate.

6. Mobilisation

6.1 Mobilisation is the process of calling reservists into full-time service with the Regular Forces to make them available for military operations.

Notice

- While there is no statutory requirement for a minimum period of notice of mobilisation, the MOD aims to give at least 28 days' notice of mobilisation for contingency (short notice), although the period of notice can vary depending on operational circumstances and may be shorter where there is an urgent requirement.

Call-Out Notification

- Call-out papers will be issued as formal notification of a reservist's mobilisation. Both the reservist and the Council should receive a call-out pack from the MOD. The documentation will include the call-out date (when the reservist must report for duty at a specified mobilisation centre) and the anticipated timeline.
- On receiving notice of mobilisation, if it is believed that the absence of a reservist will cause serious harm to the business of an employer, the employer has a right to seek exemption, deferral, or revocation of the mobilisation for one of the following reasons:

  a) Loss of sales, markets, reputation, goodwill or other financial harm.
  b) Impairment of the ability to produce goods or provide services; or
  c) Harm to the research and development of new products, services, or processes (which could not be prevented by the granting of financial assistance under sections 83 and 84 of the Reserve Forces Act 1996)

- Where the Council wishes to seek exemption, deferral or revocation of mobilisation, application must be made to the adjudication officer within 7 days of receipt of the call out notice. Where the application is not granted, the Council can appeal to the Reserve Forces Appeals Tribunal within 5 days of receipt of the adjudicator's decision. If the tribunal reject the application, the Council will be required to release the reservist for mobilisation.
- Where the Council considers that the mobilisation of a reservist would cause serious harm to service delivery, the relevant Head of Service, in consultation with HR, will prepare a business case for exemption, deferral or revocation of mobilisation. Any application to the Adjudication Officer will be authorised by the Chief Executive, or an officer delegated by the Chief Executive, and submitted within the statutory timescales.

Duration

- The maximum period of mobilisation will depend on the scale and nature of the operation and is typically no longer than 12 months. It will include medical and pre deployment training, the operational tour and post-operational tour leave.

Keeping in Touch

- Wherever possible, the Council is encouraged to keep in touch with reservists during mobilisation. The reservist's line manager should discuss the method

and frequency of contact prior to mobilisation. It is particularly important that contact is maintained during periods of organisational change where there may be implications for a reservist's post.

7. Terms and Conditions of Employment During Mobilisation

7.1 The contracts of employment of reservists mobilised for Reserve Service will continue during periods of mobilisation and there will be no loss of continuous service or service-related benefits as a consequence.

Pay

- Reservists will be granted special unpaid leave for the duration of their mobilisation during which time the MOD will assume responsibility for their military pay. The basic salary payment made by the MOD will be based on the reservist's military rank. If this payment is less than the salary that the reservist would otherwise receive from the Council, it is the reservist's responsibility to apply to the MOD for the difference to ensure that they suffer no loss of earnings. This is known as a 'Reservist Award'.

Pension Contributions

- During a period of mobilisation, the Council will calculate a notional pay figure for the reservist so that the reservist continues to build up a pension as if they were still at work. The Council however does not pay any employer contributions to the Pension Fund on the notional pensionable pay figure.

- The Council advises the reservist and the MOD of the notional pensionable pay and the appropriate employee and employer contribution due. The MOD deducts the employee contribution from the reservist and pays that contribution together with the employer contribution, directly over to the Pension Fund.

Accrual of Leave

- Reservists accrue leave with the MOD whilst they are in full-time service. When they demobilise, Reservists will be entitled to a period of post-operational leave during which they will continue to be paid by the MOD. It is the Reservist's responsibility to inform their line manager of the dates and duration of any post-operational leave as soon as this information is available, to ensure their anticipated return-to-work date can be appropriately planned and agreed.

- Reservist employees will not accrue annual leave with the Council whilst mobilised. Annual leave will be calculated pro-rata based on full calendar months from the time the employee returns from mobilisation.

Sick Pay

- Should a reservist become sick or injured during mobilisation they will be covered by the Defence Medical Services and any financial assistance will continue to be received (including pay) until demobilised. If the sickness or injury continues and results in early demobilisation, the reservist will remain covered by the Defence Medical Services until the last day of paid military leave. After this time, the reservist will be covered by the Council's sickness pay arrangements in line with relevant national terms and conditions and the Council's Management Sickness Absence Policy.

8. Return to Work

8.1 Both the reservist and the Council have obligations under the Reserve Forces Safeguarding of Employment Act 1985 regarding the return-to-work process.

Council

- The Council has an obligation under the Act to reinstate the reservist, where possible to their former role, and if not, to a mutually acceptable role on the same terms and conditions prior to mobilisation.
- Managers should review objectives following a return from mobilisation and ensure employees are not disadvantaged in performance assessment processes.

- The Council are also required to support reservists through:
- Updates on organisational changes.
- Refresher or retraining requirements.
- Skills updates where roles have changed.
- Reasonable time off for therapeutic treatment.
- Signposting to employee wellbeing support/EAP.

Reservists

- The reservist must write to the Council by the third Monday after their last day of military service making their request to return to work and suggesting a date which should fall within 6 weeks of their last day of full-time service. The Council cannot ask a reservist to return to work early, however the reservist may ask to do so.

- Where an offer of alternative employment is not considered to be suitable by the reservist, the reservist must write to the Council stating why it is not acceptable. If a reservist believes that the Council's response to their application denies their rights under the Safeguard of Employment Act, an application can be made to a Reinstatement Committee 3 for assessment. The Reinstatement Committee will consider the reservist's application and can make an order for reinstatement and/or compensation.

- A post-deployment report will be provided to the Council detailing the reservist's achievements during deployment and any qualifications or skills they have gained during training. Managers should take account of new and relevant skills that Reservists may have acquired during military operations and explore opportunities where these skills can be utilised.

- Line managers should provide returning reservists with appropriate support and training to allow the reservist to easily make the transition back into the workplace.

9. Financial Assistance

9.1 Financial assistance for employers in the event of an employee who is a reservist being mobilised is governed by the Reserve Forces Call Out and Recall Financial Assistance Regulations 2005. These cover additional costs above the normal earnings of the called-up reservists associated with replacing that employee.

10. Advice

10.1 Any questions about this policy should be raised with Line Managers. Where Managers require advice on applying the policy they can contact their HR Business Partner.

11. Review and Monitoring

11.1 This policy will be reviewed periodically to ensure it remains effective and appropriate. The organisation retains discretion to review the policy at any time and to consult as appropriate.