

THE ARMED FORCES COVENANT

- To remind one, the Armed Forces Covenant is a promise by the Nation that those who serve or who have served in the Armed Forces and their families, will be treated fairly and will not be disadvantaged in accessing public services as a result of their military service. It also allows for special provision for those who have sacrificed the most, such as the bereaved and injured.
- MoD is the lead Department in central Government. As many of the levers for supporting the Armed Forces Community sit with other Government Departments, the Devolved Administrations and Local Authorities, MoD works closely with them and others in the public, charitable and private sectors to deliver the Covenant.
- **The Armed Forces Act 2006 sets out the requirement for the Secretary of State for Defence to lay a report before Parliament annually** to cover the effects of membership, or former membership, of the Armed Forces on Service People especially in the fields of **healthcare, education and housing provision**.
- The Armed Forces Covenant applies throughout the UK. It is delivered across all sectors of society, including the **core areas of healthcare, education and housing**, which are **devolved**. As such, its implementation is shaped by local and regional factors and jurisdictions, to optimise local support in our case across the SE (**11 Security Assistance Brigade and HQ SE**).
- The Covenant, in its current form, has been in operation for **ten** years, during which time much progress has been made **to improve the lives of Armed Forces personnel, veterans and their families**. Since 2011, over **8,250** businesses and every local authority in Great Britain including **Surrey** and all **D's and B's** have made pledges to support the Armed Forces Community.
- Covenant delivery is supported by the **£10M** per year Armed Forces Covenant Fund administered by the Armed Forces Covenant Fund Trust, an independent grant-making body with charitable status. One such grant funded the **Forces Connect App** which assists all Service Personnel in need.

NEW COVENANT LEGISLATION

- The Armed Forces Covenant is being further incorporated into law, as part of the **Armed Forces Act 2021**, to help prevent disadvantage faced by the Armed Forces Community due to the unique nature of service in the Armed Forces. The Bill received Royal Assent unopposed in December 21.
- While good procedures and initiatives have been put in place by service providers over the last ten years, the Government is concerned that some members of the Armed Forces Community still face **disadvantage** when accessing public services. This is often caused by a **lack of awareness of the Covenant and the unique nature of service in the Armed Forces**.
- This legislation is designed to increase awareness of and improve the delivery of the Covenant in those key areas that are fundamental to a good life for the Military family, while retaining the ability of local service providers to **honour the Covenant** in the best way to suit local needs.
- The Armed Forces Act 2021 is now law and will come back to Parliament to be enacted via Statutory Instrument in autumn 2022.

AIMS OF THE LEGISLATION

- The aim of new legislation is to **increase awareness** among service providers and policymakers of the unique obligations and circumstances facing the Armed Forces Community and to build understanding of how these can affect their requirements of, and ability to access, key public services particularly from Local Authorities.
- By embedding this understanding in public-sector decision-making via a new **statutory duty** to have **'due regard'** to the principles of the Covenant, the legislation is expected to help improve

the overall delivery of public services for the Armed Forces Community. It will help raise the floor – not set the ceiling – for consistent delivery of the Covenant across the UK.

HOW THE LEGISLATION WILL WORK

- The focus of the legislation is on local and regional service provision, covering those aspects of public housing, education and healthcare that are most likely to affect serving and former members of the Armed Forces and their families.
- The legislation will introduce a new duty on relevant public bodies, when exercising certain aspects of their public functions, to have '**due regard**' to the three principles of the Armed Forces Covenant. These are:
 1. Recognising the **unique obligations** of, and sacrifices made by, the Armed Forces.
 2. That it is desirable to **remove disadvantages** arising for service people from membership, or former membership, of the Armed Forces.
 3. That special provision for Service People may be justified by the effect on such people of membership, or former membership, of the Armed Forces.
- The new Duty will require those who are subject to it to consciously consider the Armed Forces Community when developing policy and making decisions in the specified policy areas, taking the three principles set out above into consideration.
- The legislation will also give the Secretary of State for Defence powers to broaden the scope of the Duty to include other bodies and functions in the future, following consultation with stakeholders. This will be kept under review as the new Duty is implemented.

Who

- The new Duty of **Due Regard** will apply to relevant public bodies exercising specified public functions in the education, healthcare and housing sectors.
- The public body must therefore give weight to the new duties as outlined in the Armed Forces Covenant, thereby helping them better understand the needs of Armed Forces Community.
- The Armed Forces Community includes serving members, reservists, veterans and families.

Summary

Surrey is committed to our Armed Forces community and is recognised as a national exemplar in the way we support the Armed Forces community and is therefore well placed to implement the new duty of 'due regard' when considering policy decisions and applications from service/ex-service personnel in terms of Education, Housing and Healthcare. Following a successful grant from the Armed Forces Covenant Fund Trust, Surrey is leading a partnership of authorities across the south east to provide free training on the Covenant to colleagues across local authorities, health, police, Town and Parish Councils and the Voluntary, Community and Faith Sector. This training, which is aimed at volunteers, frontline staff, managers and elected councillors, explains the Covenant and the new duty of due regard under the Armed Forces Act 2021, the specific needs of the Armed Forces community and sources of help and support. It also recommends the use of the Forces Connect App (led by Surrey County Council) which provides easy up to date signposting to sources of help and support. To access the training for your organisation or to receive further information on the Forces Connect App (free to download) please email FCSE@surreycc.gov.uk or visit www.surreycc.gov.uk/armedforces.

Canon Peter BRUINVELS CC is Civilian-Military Adviser to Surrey CC and an MoD Accredited Trainer on the Armed Forces Community and the Armed Forces Act in particular. He gave oral and then written evidence to the Select Committee on the Armed Forces Bill and is now Armed Forces Champion and Parliamentary Lead to the All-Party Armed Forces Covenant Group (APPG).