

The Nation's Commitment

Cross-Government Support to our
Armed Forces, their Families and Veterans



External Reference Group

Annual Report 2009

**The Nation's Commitment:
Cross-Government Support to our
Armed Forces, their Families and Veterans**

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Annual Report 2009

Presented in November 2009 to

The Prime Minister

The Secretary of State for Defence

The First Minister of Scotland

The First Minister for Wales

The First and Deputy First Ministers of Northern Ireland

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Foreword by the Secretary of State for Defence

In Britain we have a deep and abiding respect for our Armed Forces. We are sincerely grateful for the sacrifices that have been made by Service personnel over the years. Supreme physical courage, the best training, leadership, judgement, selfless duty. These are the qualities of the best Armed Forces; these are the qualities of our Armed Forces.

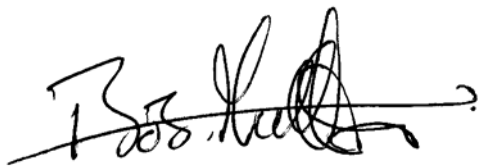
Our forces personnel are prepared to put their lives on the line in service of the country. They willingly accept restrictions to their lifestyle and the unique conditions of service that are required to do the job. But on becoming Service personnel, they have not ceased to be citizens. Government has a moral obligation to ensure they are not disadvantaged as citizens by Service life. This is what the Command Paper published last year - *"The Nation's Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans"* - was all about.

We are determined to ensure that the commitment set out in that paper does not fade. One of the steps we took was to ask our External Reference Group (ERG) to monitor delivery, and to report annually.

I am pleased to publish the first annual report which the ERG has submitted to the Prime Minister, to me, to the First Ministers of Scotland and for Wales, and to the First Minister and Deputy First Minister of Northern Ireland. The report shows what has already been delivered, how far we have progressed in other areas, and the impact so far. Much has been achieved. Much remains to be done. Our commitment continues undiminished.

The ERG brings together representatives from a wide range of Government Departments and the Devolved Administrations, with leading charities and the Service Families Federations. It offers a unique perspective on how well we are doing. This report shows how the dialogue between Government and the Third Sector on how best to support the Armed Forces community has grown and developed over the past year. That relationship, and its continued improvement, is very important to us.

The Prime Minister and I would like to take this opportunity to thank all members of the ERG for the commitment they have shown and the advice they have offered during the past year. We look forward to future reports as further progress is made in this vital work.

A handwritten signature in black ink, appearing to read 'Bob Ainsworth', with a long horizontal stroke extending to the right.

BOB AINSWORTH

Chapter 1: Introduction and Summary

1.1 In July 2008, the Government published "The Nation's Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans", often referred to as the Service Personnel Command Paper. In the foreword to that paper, the Prime Minister pointed out that the demands we impose on our Armed Forces in the course of their duty are unique, setting them apart from all others who serve and protect society. The Government has recognised that the hardships they suffer are also felt by their families, and by many veterans too; and that the nation has a commitment to ensure that they are fairly treated. The Command Paper was designed to end the disadvantage that military service imposes on Service personnel and their families. It also sought to improve the support and recognition given to veterans and those who have been wounded in the service of their country, their families, and to the bereaved.

1.2 A particular feature of Service life is the mobility requirement – the Armed Forces must go where they are sent, moving around the country and the world as and when necessary. This mobility requirement makes it harder for Service personnel and their families to live their lives in the way other citizens can expect to do. The Command Paper aimed to counter these difficulties, to uphold the Government's moral obligation and, on behalf of the nation, to honour its responsibility towards the Armed Forces. It set out the essential starting point that those who serve must not be disadvantaged by virtue of what they do – and this will sometimes call for degrees of special treatment.

1.3 This is the first Annual Report from the External Reference Group (ERG) to the Prime Minister and the Secretary of State for Defence, the First Ministers of Scotland and for Wales, and the First Minister and Deputy First Minister of Northern Ireland. Well received at the time by the Armed Forces, families and veterans groups and by the public, the Command Paper set out a number of practical measures to support the Armed Forces community¹. Our report charts the progress made against those commitments in the period 17 July 2008 to 31 July 2009, although where appropriate it makes reference to subsequent developments before the end of October. Our aim is to capture what has been delivered, but also the impact this has had on the ground. Ultimately, it is the experience of individual members of the Armed Forces community by which success must be judged.

1.4 Our main focus is necessarily on the commitments themselves. However such a report would not be complete without including our broader impressions. When we look around there is much to applaud. The number of Government Departments involved in the process of supporting the Armed Forces community, and the range of issues which they are addressing, has not been seen for a generation. The efforts being made by a range of public servants, whether in taking forward the first-class Birmingham hospital project, or in working with the Third Sector on individual cases, are remarkable. There has been a step change in the engagement across Government and the Devolved Administrations in supporting the Armed Forces community.

1.5 We are equally clear that it will take time for this to be felt by those whom the Command Paper was designed to support. The programme outlined by the Government in the Command Paper envisaged that some of the commitments could be implemented straight away, but others would not take effect until later years. Examples of the latter are measures that involve changes to legislation, or long term research. What we see today is, as expected, a spectrum of activity, with some commitments delivered, others in the process of delivery, and some still in the future. To say that more needs to be done, to provide members of the Armed Forces community with what they deserve from the nation, is not to detract from what has been

¹ The Armed Forces community can be defined in a variety of ways, but for the purpose of this paper it includes; Service Personnel – individuals currently serving as members of HM Armed Forces, including the UK Reserve Forces; Families – the immediate family of members, veterans and bereaved families; and Veterans – former members of HM Armed Forces.

achieved. The Government's publication of the consultation paper "The Nation's Commitment to the Armed Forces Community: Consistent and Enduring Support", earlier this year, underlines the long-term nature of the goal.

1.6 Of the 47 specific commitments that were made last year, 15 have been fully completed during the period up to 31 July 2009, with a further 6 completed in some areas of the UK (see table at the end of this chapter). Over the next twelve month period to 31 July 2010, the number of fully complete commitments across the UK is expected to rise to 28. As noted above, this progressive implementation was expected. It should also be remembered that "completion", in the sense of implementing a commitment to change policy or regulations, is only the starting point or framework for making a difference on the ground. There are also a couple of areas where progress has been slower than expected due, for example, to market conditions affecting the affordable homes pilot, or where further examination of the problem has pointed in a different direction, such as dentistry.

1.7 The ERG is itself a product of the Command Paper. We exist to oversee the work stemming from the Command Paper, and to ensure that issues relating to the Armed Forces remain at the forefront of the Government and the Devolved Administrations' minds. The group brings together senior officials from across Whitehall Departments, the Scottish Government and the Welsh Assembly Government, with representatives from major Service charities, the Service Families Federations, as well as a representative from academia. It is that mix of perspectives which we hope gives this report its value.

1.8 The span of the Command Paper is wide, with many different initiatives involving different agencies. Across this broad canvas, our views can be summarised as follows:

- the publication of the Command Paper has helped to raise the profile of the needs of the Armed Forces community, and to foster support across Government. This has been a positive exercise, which has kept these issues high on the political agenda. It is evident that Government Departments have a much stronger Armed Forces focus and accountability than hitherto. It is important that this increased recognition continues.
- the Command Paper focuses on specific, and in some cases, quite narrow deliverables. Some of the initiatives that have an immediate impact, such as couples not having to move during IVF cycles, will have already started to make a difference, though this is difficult to measure. In other areas, such as veterans' health, where the focus has been on assessing needs rather than quick measures, improvements have been less noticeable.
- Overall, it is too early to assess the effect of the new commitments contained within the Command Paper in terms of improvements to service provision. Most initiatives have either only been introduced in the last few months or have not yet been delivered. More time is needed for policy changes to filter down to individuals. In some areas there is also a lack of empirical evidence to demonstrate progress. Nevertheless, we welcome the fact that, in general, the momentum of implementation has been maintained.
- Communication is key to the Command Paper and remains a huge challenge. More work needs to be done in this area. For staff at all levels in Government Departments and Devolved Administrations, an understanding of the commitments is paramount in ensuring success at the point of service delivery. And despite efforts to publicise the Command Paper, awareness levels amongst the Armed Forces community remain low. Amongst those who are aware, there is a level of scepticism as to whether it will make a difference for the ordinary family. At this early stage, it is hard to counter that scepticism with firm evidence. It will be important that we do so in the future.

1.9 This report shows both the good progress made and the amount of work that remains to be done. Over the next year, we see a need to:

- Maintain the momentum achieved since 2008;
- Sustain and increase the communications efforts so that the gains made can be fully exploited by the Armed Forces community;
- Further develop mechanisms to measure what is happening on the ground;
- Complete the current consultation exercise on how to make the principles of no disadvantage and special treatment where appropriate enduring and consistent;
- Roll out more of the Command Paper commitments to those based in Northern Ireland;
- Consider the scope for further specific measures.

1.10 The table on the following pages summarises the position on each of the 47 commitments made last year.

Table 1: Summary of Progress Against Commitments

Key to Colours

Not applicable	
Fully Complete by 31 July 2009	
Fully Complete by 31 July 2010	

Armed Forces Compensation Scheme

No.	Serial ²	Commitment Title	England	Wales	Scotland	N Ireland
1	2.5	Armed Forces Compensation Scheme Uplift	Delivered compensation payment uplift in December 2008 All backdated uplifts processed by April 2009			

Health

No.	Serial	Commitment Title	England	Wales	Scotland	N Ireland
2	2.6	Continuation of the Military Ward in Birmingham	On track for delivery 2010			
3	2.7	Prosthetic Limb Provision	Delivered February 2009	Delivered July 2009	Consultation due for completion 2009	
4	2.8	Access to NHS Dentistry	Long term monitoring			
5	2.9	NHS Waiting List - Retention of Place	Delivered December 2008	On track for delivery during 2010	Delivered January 2009	Already in place
6	2.10	IVF Stability	Delivered May 2009			
7	2.11	Improving Information on Veterans Health Needs	On track for delivery 2010			
8	2.12	Roll-out of Community Mental Health following Pilots	All six pilots in place by March 2009 Assessment and evaluation to take place 2011			

² Serial numbers refer to paragraph numbers in the Service Personnel Command Paper.

Housing

No.	Serial	Commitment Title	England	Wales	Scotland	N Ireland	
9	2.13a	Priority in Affordable Homes - Wales and Scotland		Delivered May 2009	Delivered July 2008		
10	2.18	Affordable Homes - Extending Access	Delivered July 2008	Delivered May 2009	Delivered July 2008		
11	2.13b	Affordable homes - £20M pilot scheme	Due for delivery by end 2009				
12	2.14	Defence Accommodation Management Strategy	Published August 2009 (after the period covered by this report)				
13	2.15	"High Priority" for Adapted Social Housing	Delivered April 2009	On track for delivery December 2009	Delivered June 2009		
14	2.16	Adapted Affordable Homes - Easier Access for Injured Personnel	Delivered July 2008	Delivered May 2009	Delivered March 2009		
15	2.17	Disabled Facilities Grant Means Test - Disregard of Armed Forces Compensation Scheme and War Pensions Scheme Payments	Delivered July 2008	Delivered May 2009	Delivered April 2009		
16	2.19	Social Housing - Establishing Local Connection	Delivered December 2008	Delivered March 2009	On track for delivery late 2009		
17	2.20	Acceptance of Certification of Cessation	Already in place	Revised Code of Guidance on track for December 2009	Guidance issued February 2009		
			Long term monitoring				
18	2.21	Using MOD Void Property	On track for delivery late 2009		Guidance issued February 2009		
19	2.22	Homelessness - New Supported Housing	On track for delivery 2011	On track for delivery early 2010	Consultation due to complete end 2009		

Education and Skills

No.	Serial	Commitment Title	England	Wales	Scotland	N Ireland
20	2.23	Improved School Place Allocation	Delivered February 2009	Delivered July 2009		
21	2.24	Assessment of Educational Attainment	Initial Census completed in January 2008 Annual thereafter			
			Long term monitoring			
22	2.25	Ensure uninterrupted Special Educational Needs (SEN) provision	Guidance issued in January and February 2009		Statutory duty already in place	
			Revision of Code of Practice following 2010 Ofsted reviews	Revision of Code of Practice on track for 2012		
23	2.26	State Boarding Schools in England - Priority Access and Increased Provision	Priority access delivered February 2009			
			Additional places on track for delivery in 2010			
			Academies on track for delivery in 2011			
24	2.27	Education and Training for Service Leavers	Delivered April 2009			
25	2.28	New opportunities for Basic Skills training for Families	Delivered 2009			

Transport

No.	Serial	Commitment Title	England	Wales	Scotland	N Ireland
26	2.29	Concessionary Bus Travel - Extending access	On track for delivery April 2011	On track for delivery April 2011	Review complete May 2009	Delivered
					On track for delivery April 2011	
27	2.30	Blue Badge - Continuous Automatic Entitlement	On track for delivery April 2011	On track for delivery April 2011	On track for delivery 2011	

Support for Families

No.	Serial	Commitment Title	England	Wales	Scotland	N Ireland
28	2.31	Improving Childcare Provision	Report complete March 2009	Report complete May 2009		
			Ongoing monitoring			
29	2.32	Sure Start Children's Centres and Extended Services	On track for delivery 2010	Already in place		
30	2.33	Inquests - Independent Support to Families	Consultation ongoing			
31	2.34	Support to Bereaved Families	Improvements on track for delivery 2009			

Benefits

No.	Serial	Commitment Title	UK-Wide Position
32	2.35	State Benefits - Improved access for Service Families	NI Credits on track for delivery 2010/2011 Eligibility for benefits on track for delivery in 2012
33	2.36	New Deal Employment Programmes - Improved Service Family Access	Delivered January 2009
34	2.37	Seamless Transfer on to Benefits on leaving the Armed Forces	On track for delivery by November 2009

Building Careers

No.	Serial	Commitment Title	UK-Wide Position
35	2.38	Flexible Careers in the Armed Forces	Continuous drive for improvement
36	2.39	Support to the Volunteer Reserve Forces	Delivered October 2008
37	2.40	Support to Employment of Service Families	Priority access policy for spouses in MOD civilian jobs published July 2009 Continuous drive for improvement
38	2.41	Improved Employment of Service Leavers in the Public Sector	Public sector employment website launched May 2009 Continuous drive for improvement

Foreign and Commonwealth Service Personnel

No.	Serial	Commitment Title	UK-Wide Position
39	2.43a	Settlement for dependants of F&C Service personnel	Delivered March 2009
40	2.43b	Unmarried/same-sex partners entitlement	Delivered March 2009
41	2.43c	Entitlement for time outside the UK	On track for delivery April 2010
42	2.43d	Life in the UK Test - no disadvantage	On track for delivery April 2010
43	2.43e	Entitlement of children born overseas	On track for delivery April 2010
44	2.44	Eligibility for Home Fee Status	Delivered March 2009
45	2.45	F&C Service Personnel should not be disadvantaged	Continuous commitment
46	2.46	Earned Citizenship Project	On track for delivery April 2011

Pay

No.	Serial	Commitment Title	UK-Wide Position
47	2.47	Armed Forces Pay Review Body - Commitment to Process	Delivered March 2009 Ongoing commitment

Chapter 2: Progress Against Commitments

Section 1: Measuring Progress

2.1.1 This chapter sets out the progress and achievements which have been made against the specific commitments set out in the Service Personnel Command Paper since its launch in July 2008. The table at the end of the previous chapter has given a simplified overview of progress, but some commitments involve multiple actions which will be delivered in stages and are not fully reflected in the table. Commitments are restated at the start of each section of this chapter for ease of reference.

2.1.2 As well as looking at progress from a central Government and Devolved Administrations perspective, this chapter aims to capture the impact felt by the Armed Forces community itself and the views, perceptions and opinions of those who represent them. Many of the commitments made last year were not expected to have an immediate effect; some are due to be implemented over a period of time, others can only make a difference slowly. Ultimately, however, their success is measured not by changes in policy or regulation but by the effect they have on the lives of Servicemen and women, their families and veterans.

2.1.3 A number of commitments have required the support of more than one Government Department and/or Devolved Administration, whilst some are wholly the responsibility of the Ministry of Defence (MOD). Many of the initiatives contained in the Command Paper relate to devolved matters in Scotland, Wales and Northern Ireland, and decisions on their implementation fall to the relevant Devolved Administration.

2.1.4 This report considers where matters stand in the summer of 2009, a year from publication of the Command Paper. The evidence to support the analysis has come from a variety of sources: results from surveys conducted by the three Services, the Armed Forces Continuous Attitude Survey (AFCAS); the Families Continuous Attitude Survey (FAMCAS); a series of focus groups held with families of Armed Forces personnel; views and evidence garnered from Service charities and Families Federations; and comments directly obtained from the Royal Navy, Army and Royal Air Force. In this way first hand views have been sought from the Armed Forces community on the impact of the commitments.

2.1.5 The aim of the Command Paper was to remove any disadvantage imposed by Armed Forces life on serving personnel, their families and veterans, as well as addressing circumstances where service in the Armed Forces justifies special treatment. However, disadvantage is a difficult concept to measure. Sometimes it is clear and demonstrable, unwittingly built into regulations or procedures. At other times it is built on impressions. Those who report disadvantage in their daily lives or in their experience of public service may be overrating the quality of service enjoyed by others, and conversely they may be underestimating what they have a right to expect. This assessment includes much anecdotal evidence which cannot reliably be adjusted for such factors. Nevertheless it contains valuable indications of how the Armed Forces community perceives the way it is treated.

2.1.6 The MOD and members of the ERG will continue to work to amass hard data, in their various spheres, on the impact of these measures as they bed down. This includes adapting existing surveys, and incorporating Service markers on existing databases, as well as commissioning new research into some of these issues. The current consultation process, discussed in the next chapter, will also help to provide information on the challenges faced.

Section 2: Armed Forces Compensation Scheme

Armed Forces Compensation Scheme Uplift (Commitment 1)

“Under the Armed Forces Compensation Scheme (AFCS), payments are made to members of the Armed Forces who are injured or fall ill due to service. It was introduced in 2005 replacing the War Pension Scheme (WPS). An AFCS award to Service or ex-Service personnel can be made up of two parts – a lump sum payment from a tariff graduated according to the seriousness of the condition and, for more serious injuries or illnesses, a Guaranteed Income Payment.

The upfront lump sum payment for injury under the AFCS will be doubled for the most serious injuries, including, for example, loss of a limb or the most severe burns. All recipients, according to severity of injury, will have an uplift of between 10 and 100% in their upfront lump sum payments. MOD also intends to confer additional benefits to extend this effect to those who have already made claims under the Scheme. We will conduct a short consultation as we did with the changes we made to the rules governing multiple injuries, and then lay amending legislation before Parliament.

The Guaranteed Income Payment element will remain unchanged. It will continue to provide the most seriously injured with a substantial tax-free income following discharge for the rest of their lives to compensate for their potential loss of earnings and pension. This aspect of the current arrangements has not always been well understood in the media when AFCS payments have been falsely contrasted with other kinds of compensation payments designed to cover lifetime costs. To give an example, under the current arrangements, a 25 year old seriously injured soldier receives the maximum lump sum of £285,000, plus a guaranteed income payment of £19,000 a year tax free and index-linked for life. If he lives to average life expectancy, this is a further million pounds, tax free, on top of the lump sum payment. This will continue, but the lump sum payment will be doubled from £285,000 to £570,000, meaning that the maximum total compensation under the new arrangements is now likely to be over £1.5M.”

2.2.1 The commitment to change the scheme has been delivered, and the necessary amending legislation approved. In December 2008, the MOD doubled the lump sum awarded for the most serious injuries, raising the maximum lump sum payment to £570,000. For less serious injuries, increases followed a graduating scale from 10% up to 85%. All those who have received awards under the Scheme are receiving these increases and all uplift payments have been processed. This involved reviewing 3550 awards paid to 3250 Service and ex-Service personnel and resulted in additional payments totalling over £12M. A detailed breakdown of these awards is given in the Table 2 opposite, which also includes awards made since the change in legislation.

2.2.2 The changes are regarded positively by the majority. The scheme itself is relatively new, having started in 2005, and is recognised as delivering improvements over its predecessor. In some cases, however, there are unresolved issues or appeals against the level of award. These clearly have an impact on how the scheme is reported and perceived by the Armed Forces community. Appeal proceedings launched by MOD earlier this year in order to provide greater clarity on the interpretation of the Scheme have contributed to those concerns.

2.2.3 On 29 July 2009 the Secretary of State for Defence ordered a planned review of the Armed Force Compensation Scheme to be brought forward from next year, to begin immediately, in consultation with stakeholders including Service charities and families. The review will be chaired by former Chief of the Defence Staff, Admiral The Lord Boyce, and he will also chair an independent scrutiny group which will support the review. The group will comprise representatives of ex-Service organisations, a Service families' representative, a beneficiary of the AFCS, and medical and legal experts. It will look at whether current awards adequately provide for the injuries sustained by our Servicemen and women as a result of their service.

Table 2: Armed Forces Compensation Scheme Uplift

The table below records the payments for awards made since the beginning of the AFCS scheme in 2005 up until 30 June 2009, and outlines the uplift amount for each tariff. These figures are based on those produced by Defence Analytical Services and Advice (DASA).

Tariff Level	Pre-Uplift Amount	Post-Uplift Amount	Total Uplift	Percentage Uplift	Number of Awards
1	285000	570000	285000	100%	<5
2	201250	402500	201250	100%	10
3	115000	230000	115000	100%	10
4	86250	172500	86250	100%	20
5	57500	115000	57500	100%	35
6	46000	92000	46000	100%	50
7	34500	63825	29325	85%	20
8	28750	48875	20125	70%	15
9	22000	34100	12100	55%	5
10	16500	23100	6600	40%	30
11	11000	13750	2750	25%	155
12	8250	9075	825	10%	1200
13	5250	5775	525	10%	1290
14	2625	2888	263	10%	1265
15	1050	1155	105	10%	515
Total					4615

Notes:

- The table above only reflects the highest tariff that has been awarded for those with multiple injuries ie for those who have been provided with multiple awards, only the top payment is recorded.
- In line with DASA's Rounding Policy, all figures presented above have been rounded to the nearest 5 and figures below 5 have been recorded as "<5". Totals may not add due to rounding.
- The maximum tariff amount is capped at £570,000 and therefore individuals with multiple injuries at the top end tariffs may have been capped at this amount.

Section 3: Health

2.3.1 The Command Paper made seven specific commitments relating to health, focusing on areas where prior consultation had identified issues for the Armed Forces community. The mobile nature of life in the Armed Forces had led to families having many frustrations in this area, in particular in relation to dentistry and NHS waiting lists. In addition the healthcare support provided to those who have served, including those injured, remains an important issue. Whilst progress has been made in delivering what was promised last summer, a number of health issues still present challenges to this community.

2.3.2 The Department of Health (DH), through the MOD/UK Departments of Health Partnership Board, has been working on a number of Armed Forces, families and veterans issues, including the commitments set out in the Command Paper. They have for example incorporated, within the NHS Operating Framework (2008/09 and subsequently 2009/10) a requirement for commissioners of health services to take account of the special circumstances that apply to the Armed Forces community. In June 2008 DH wrote to all Chief Executives of Strategic Health Authorities (SHA) in England outlining the arrangements for health services for the Armed Forces, highlighting guidance on waiting lists, priority treatment for veterans and the provision of prostheses for veterans.

2.3.3 DH continues to look for opportunities to ensure that delivery of the commitments happens at a local level. One example is the Newsletter that was sent to key Primary Care Trusts (PCTs) by the Chief Executive of Hull Teaching PCT, who is also a member of the MOD/UK Departments of Health Partnership Board. Another newsletter will be issued in parallel with this annual report. DH has, with the Office of Strategic Health Authorities, identified individuals within each SHA to act as points of contact for MOD issues. The MOD/UK Departments of Health Partnership Board and its supporting Working Groups are being restructured in order to focus better on both strategic and local delivery of the commitments. In December 2008 DH published "Meeting the healthcare needs of Armed Forces personnel, their families and veterans", aimed at helping the Armed Forces community understand how to access the health services they need, and what to do if things go wrong.

2.3.4 In Scotland, Chairs and Chief Executives of NHS Boards have discussed the contribution of NHS Scotland to the support of those serving in the Armed Forces, families and veterans, with representatives of these groups, and guidance has been given to NHS Scotland to ensure that the commitments are delivered.

2.3.5 In addition to the actions outlined below, MOD has been working with the Department of Health, Social Services and Public Safety in Northern Ireland on the delivery of the health related commitments in the Command Paper. In August 2009 the Northern Ireland Health Minister launched a new protocol for liaison between his Department and the Armed Forces in the Province, aimed at ensuring that members of the Armed Forces, their families and veterans are not disadvantaged when seeking access to health and social care services and get the same services as the rest of the population in Northern Ireland. Specifically the protocol covers waiting lists, dentistry, IVF, prosthetics and availability of mental health facilities, and matches the commitments made in respect of England, Wales and Scotland in these areas. Next year's annual report will be able to comment on progress against these commitments.

Continuation of the Military Ward in Birmingham (Commitment 2)

“ We will establish a military ward within the Birmingham New Hospital, building upon the military-managed ward at Selly Oak established in 2007. The new military ward will offer the best possible care to Service casualties and support to their families, recognising that their needs are often distinct from those of civilian patients. We will continue to invest in Headley Court, building on the recent announcement of £24M to expand its facilities.”

2.3.6 The new Queen Elizabeth Hospital Birmingham project has been taken forward by a Private Finance Initiative scheme with the contractor Consort Healthcare, made up of Balfour Beatty, the Royal Bank of Scotland and HSBC. The new hospital will include a state-of-the-art military ward, building upon the experience and lessons learned from the military managed ward currently established at Selly Oak hospital. The MOD is working directly with the University Hospitals Birmingham NHS Trust to deliver this. The project remains on track to be delivered in 2010.

2.3.7 Investment has also continued at the MOD’s Defence Medical Rehabilitation Centre, Headley Court. Recent additions include a new staff and patient 58-bed accommodation block and a new Centre for Mental and Cognitive Health (both opened in 2009) and a rolling series of developments to create a more modern space for the delivery of in-patient rehabilitation. A new swimming pool, gym and rehabilitation complex will be completed by spring 2010, with the bulk of the capital funding provided by the charity Help for Heroes. The pool will improve the ability to provide water-based therapy and adapt individual treatment programmes, while patients will have the privacy of a military environment. A utilities upgrade project and assessment work on re-developing the clinical area are also now on contract.³

2.3.8 Beyond the clinical facilities that are required to treat military patients, other infrastructure investment, by both the Public and Third Sectors, can play a vital role in helping patients and families to recover. Recent developments include the provision by the Soldiers, Sailors, Airmen and Families Association (SSAFA) of Norton House near Headley Court and a second facility in Birmingham, offering a “home from home” for family members visiting seriously injured relatives. A state-of-the-art Army recovery centre has also been opened in Edinburgh, as a partnership between the Army, the veterans’ charity Erskine and Help for Heroes – the first purpose-built Army recovery centre in the UK.

Prosthetic Limb Provision (Commitment 3)

“The standard of prosthetic limb provision to injured personnel by the Defence Medical Services will as a minimum be matched post-Service by the NHS in Great Britain.”

2.3.9 Armed Forces personnel who are injured and require prosthetic limbs are supplied with tailor made prostheses with state-of-the-art componentry which is matched to their clinical needs by the Defence Medical Service (DMS). Upon leaving the Armed Forces, veterans can now expect that the standard of prosthetic limbs provided by the NHS will as a minimum match that provided by DMS. In England the Department of Health has advised SHA Chief Executives of the need to ensure continuity of provision of prostheses subject to the clinical needs of individuals. The MOD has discussed transitional arrangements with key NHS providers for those leaving the Armed Forces and put in place a protocol to help ensure ease of transfer. This commitment has accordingly been delivered in England.

³ Over the period 1 January 2009 to 31 August 2009, 835 patients who had served in Afghanistan or Iraq were treated at the Royal Centre for Defence Medicine in Birmingham or Headley Court. Of these, 192 were new patients who had suffered Battle injuries.

2.3.10 Health Commission Wales (HCW) has agreed to manage discharges into Wales and a budget has been allocated to cover this. HCW will continue to work with MOD to ensure this commitment is delivered and to quantify the longer term requirement.

2.3.11 In Scotland a £300,000 prosthetic limb project has begun at NHS Lothian Rehabilitation Centre. Training on fitting and maintenance of state-of-the-art prosthetics is being rolled out in Scotland with the co-operation of the five rehabilitation centres in Edinburgh, Glasgow, Dundee, Aberdeen and Inverness. A literature review is also underway and £140,000 of the funding will be used to undertake a full research project to provide robust evidence for the NHS as to the effectiveness of using this technology. More generally, Scottish Government officials are examining how the cost of travelling to Edinburgh for treatment can best be accommodated.

2.3.12 It is thus fair to say that considerable progress has been made on the commitment to provide state-of-the-art prosthetic limbs across Great Britain. However it is too early to assess its success, in terms of the impact on injured Service personnel.

Access to NHS Dentistry (Commitment 4)

“Service mobility and the frequent need to find an NHS dentist in the new location can make access to dentistry difficult for Service families. We will address the needs of families in a variety of ways, including making use of facilities on military bases or providing mobile services in those areas, or making use of spare capacity elsewhere. Trials will begin in England by December 2008 and complete by December 2009; results will be rolled-out as soon as possible. In addition to their wider programmes to improve access to dentistry, the health Departments have highlighted the need to ensure that Service families can obtain the NHS dental services they require. They will work with the NHS to ensure that health areas with significant Service populations plan with their military communities in mind to achieve this.”

2.3.13 Access to dentists was one of the most common frustrations expressed by Service families before the Command Paper was published. The 2008 Army Families survey suggested that only 49% of Officers’ spouses, 50% of Soldiers’ spouses and 63% of children were accessing NHS dental treatment, whilst the Army Families Federation reported that 66% of all the health enquiries they received between April and June 2008 related to dentistry.

2.3.14 In England the DH are working closely with MOD colleagues to ensure that Armed Forces families are able to access NHS dentistry in the same way as the rest of the population, and are not disadvantaged by the fact that they move more frequently than others. Whilst efforts have focussed on those areas of the country where there is the highest number of military personnel and therefore assumed to be the highest number of dependants, all SHAs and PCTs have been informed and reminded of the requirement to be aware of the specific needs of Service dependants and to ensure that they are addressed within their commissioning plans. Some PCTs with large military populations have been working with local bases to raise awareness of the availability of NHS dentists in their areas. The Primary Care Commissioning website now contains a page dedicated to the provision of NHS dental care to families of Armed Forces personnel. In addition, the DH Guide to NHS dental services includes a specific reference to the needs of Armed Forces families.

2.3.15 The Welsh Assembly Government’s Chief Dental Officer is in discussions with the Local Health Boards and the MOD to identify methods of improving the provision of dental care for the Armed Forces community in Wales.

2.3.16 In Scotland measures have been taken to improve NHS dentist services, and access to them, and to introduce new public health programmes from which Armed Forces personnel and their families will benefit. This has resulted in a 19% increase to 2739 in the number of NHS dentists in Scotland. Furthermore, the percentage of the Scottish population registered with an NHS dentist now stands at 81% for children and 61% for adults. A new dental school has opened in Aberdeen and there is an extensive capital build programme in many areas of Scotland to supply new surgeries. Extra provision has been made in the Fife area to accommodate children from RAF Leuchars.

2.3.17 Whilst it had been planned to “trial” mobile services, it became clear when considering a suitable location that there was a lack of empirical information about the numbers of Service families that had difficulty in accessing NHS dentists. Most evidence of problems was anecdotal and, in many cases, not current. Although individual families were still experiencing some challenges, most cases could be resolved through advice and advocacy from local Service and charitable organisations – welfare services and HIVEs etc. On this basis MOD and DH concluded that there was no requirement for a trial at this time. However work continues to gather evidence of systemic geographical problems both through the chain of command and Families Federations, and should the need for mobile services become apparent this solution will be reconsidered.

2.3.18 Contributions to this report confirmed that there has been progress. Army Commanders reported significant improvements for those stationed at their bases in the first half of 2009 in Southern, Central and Western England and Wales and the Army Families Federation reported very positively on the new “text” facility run by the NHS to locate local dentists. The RAF Families Federation also commented that significant efforts to improve the information available regarding access to NHS dentists had been made. Improvements were particularly apparent where the liaison was good at local level between the MOD and PCT. For example North East Essex PCT in partnership with Defence Medical Services are planning to carry out an oral health needs analysis of Army families at Colchester garrison. We are hopeful therefore that the next FAMCAS results will show an improvement for families.

2.3.19 On the other hand issues with registration are still being recorded in some locations including Portsmouth, Tidworth, Amesbury, Abingdon, Brawdy, Anglesey and Lossiemouth. Further monitoring should take place in these areas to judge if additional services are required. In addition to problems in certain localised areas, aspects of dentistry arrangements which impact on Service families continue to be raised. One is the difficulty encountered by families where both parents are serving (and therefore in no need of NHS dental care themselves) in ensuring that their children can still get access to an NHS dentist. Another is the practical difficulty of travelling up to 20 miles – the guideline for acceptable levels of access – in circumstances where the serving spouse is deployed on operations and the remaining spouse cannot use a car. Dental care can also vary between practices, such that if spouses or children are undergoing Orthodontic treatment, it is advisable to complete that treatment before moving to a new Orthodontist. These issues should be followed up.

Case Study: The Navy Families Federation (NFF) received a very cross email from a serving officer who was struggling to find a dentist for his wife and children and was quoting the Command Paper commitment. The NFF looked at the area the family were moving to and established through phone calls that there were indeed four dentists taking patients. They fed the information back to the family giving details of each of the four dentists and asked them to come back if they had any further problems. They heard no more. This case was easily solved, but it illustrates that perceptions do not always reflect the current reality.

NHS Waiting Lists – Retention of Place (Commitment 5)

“Service mobility can cause repeated loss of place on waiting lists. We will address this. When patients move across the UK, previous waiting time will be taken into account with the expectation that treatment will be within national waiting time standards. As with any person moving between hospitals in the UK, Service members and their families will be treated as quickly as possible in order of clinical priority. This could mean in practice that an individual sometimes has a different time to wait.”

2.3.20 Armed Forces families, who are awaiting treatment from the NHS and are obliged to move around the country, now have their waiting time taken into account by their new health area. The DH wrote to SHA Chief Executives asking that processes be put in place to ascertain how long patients in this situation have waited already, and to treat them without unnecessary delay according to their clinical need. The NHS in England has reinforced this guidance through its Operating Framework. In Wales, a similar provision has been agreed in principle, and the Welsh Assembly Government is planning implementation during 2010.

2.3.21 The Scottish Government issued a circular in January 2009 to NHS Boards explaining that Service personnel and their families who move between areas will retain their relative position on the pathway of care within national waiting time targets. Similarly, when patients move from elsewhere in the UK, previous waiting time will be taken into account with the expectation that treatment will be within national waiting time standards. Each NHS Board in Scotland has designated a senior member of staff to have overall responsibility for implementation of the guidance and to address any difficulties that may arise. A named contact in each Board has been provided to the MOD to support timely and effective communications. Future updates of waiting time guidance will include an explanation of the actions required. These will be reinforced at regular waiting time review meetings. A formal review of the effectiveness of arrangements will take place and a summary report will be produced covering the first year of implementation.

2.3.22 At this early stage, the signs are positive. As a baseline, the 2008 Army Families survey reported that only some 30% of families retained their place on an NHS waiting list when they moved around the country. Recent evidence gathered by Army Commanders from their staff indicated that moving within England now creates fewer problems, once the PCT is made aware that the incoming patient is a member of a Service family. Those who press their case with the PCT generally have it resolved, although it is still felt that understanding of the policy within the PCTs is variable. There remains a concern when families move between the countries of the UK that waiting time may increase in some cases. We do recognise, though, that policies on waiting times differ for various reasons and that the targets of the individual administrations are not directly comparable.

NHS-delivered IVF – Stability (Commitment 6)

“Mobility undermines IVF treatment. MOD will ensure that those undergoing IVF do not move until the cycle of treatment is complete.”

2.3.23 A particular concern raised during the consultations which led to the Command Paper was the effect of moving location during a cycle of IVF. Clinical advice is that moving house can be stressful and family stability should ideally be maintained in order to give assisted conception the best chance of success. Furthermore as the availability of assisted conception services through the NHS is not consistent across the UK, enforced mobility could further disadvantage couples trying to conceive. The MOD has issued guidance to Service manning

branches to ensure that wherever possible those undergoing a course of IVF treatment are not moved before it is completed.

2.3.24 The change in MOD policy has been welcomed and there have, so far, been no reported failings or complaints. Due to the personal nature of the issue, no statistics are currently held on how many personnel have taken advantage of this commitment. It has been suggested that in cases where a member of the Armed Forces is undergoing treatment such as IVF through the NHS, steps should be taken to make their Service GP aware of the treatment. This would ensure that a complete medical picture of the individual is available.

Veterans' Health Needs (Commitment 7)

“We need to improve our information about how veterans’ health needs differ from those of the population generally. Most healthcare professionals do not have direct knowledge of the Armed Forces and may not be sensitive to their particular needs. We will look at whether more needs to be done to assess the healthcare needs of veterans. We will raise awareness among healthcare professionals about the needs of veterans so that these needs are met.”

2.3.25 The Departments of Health in England, Wales and Scotland have conducted initial investigation of the health needs of the veteran population and associated services. This will be followed by identification of gaps and action plans to address these.

2.3.26 In England the NHS Operating Framework, newsletters, guidance and other formal communications with health providers have reiterated the needs of the Armed Forces community, including priority treatment for veterans. A Welsh Health Circular issued in June 2008 has extended priority treatment to all veterans whose health problems result from their Service. In addition the Welsh Minister for Health and Social Services has recently agreed to fund a Veterans Needs Assessment research project. This will complement the Cardiff mental health pilot mentioned below in helping to inform development of future mental health services for veterans in Wales.

2.3.27 In Scotland an information leaflet called “Have You Served Your Country? Taking Care of Veterans” was produced by the Scottish Government in partnership with Veterans Scotland and launched at their conference in 2008. All Citizens Advice Bureaux, GP surgeries, veterans organisations and NHS Board staff in Scotland received a copy, with a version also available on the Scottish Government website. Each NHS Board is required to nominate an individual to monitor policy on the treatment of veterans and a meeting to measure the effect of the new arrangements is planned for later in 2009.

2.3.28 It is thus clear that efforts have been made to improve communication on veterans’ health needs. The Royal British Legion (RBL) recognise the extent of DH’s commitment to engagement with the voluntary sector on this issue, particularly in the ongoing work with the mental health pilots (see below) and raising awareness of priority treatment for veterans. They continue to work in partnership with DH to help address this in England. Nevertheless the RBL consider that little effective progress has been made in the past year. They feel that the delivery of priority treatment remains inadequate, as awareness of the scheme among healthcare professionals and veterans is low. For example, evidence collected by Ipsos-MORI⁴ polls earlier this year showed that in England and Wales:

⁴ Online questionnaire completed by 500 GPs across England and Wales, conducted between 13-23 March 2009. Data weighted according to age, gender, region (Strategic Health Authorities in England, plus Wales), practice size and practice list size to reflect the profile of GPs in England and Wales.

- 33% of GPs questioned knew nothing at all about priority treatment for War Pensioners;
- of those GPs who have heard of priority treatment, most (58%) heard about it from the media, 7% from the Service Personnel and Veterans Agency or elsewhere in MOD, and 16% via the NHS; and
- 10% of GPs who have heard of priority treatment had informed secondary care providers of a veteran's entitlement to priority treatment in the previous 12 months.

More needs to be done to improve levels of awareness, particularly among GPs, if the policy on priority treatment is to deliver the benefits it should.

Roll-out of Community Mental Health following Pilots (Commitment 8)

“Mental health services do not always fully address the needs of veterans. We are establishing pilot schemes to provide community mental health services for veterans in 6 locations across Great Britain. These pilots concentrate on improving veterans’ access to mental health services. Community Mental Health Services will be provided across Great Britain, taking into account the lessons learned from these pilots. In addition, meeting the needs of veterans will be an important element in the selection of the next round of psychological therapies sites in England for 2009/10. In Northern Ireland, this commitment is met by the Royal Irish Aftercare service.”

2.3.29 The MOD working with UK Departments of Health and others have delivered the first part of this commitment by establishing six Community Mental Health Pilots – in Camden & Islington, Bishop Auckland, Stafford, Cardiff, Cornwall and Edinburgh. All pilots are now in place and the first assessment of what has been learnt will take place in late 2009. In general these pilots will run for two years, and their evaluation will help establish the level and range of needs. The Cardiff pilot began in 2008 and will run for three years. In some areas there has been concern about continued funding of the pilots by local NHS commissioners, after the initial pilot period concludes.

2.3.30 Evaluation of the pilots will be carried out by the Universities of Sheffield and Edinburgh over the next two years. All the pilots are set up in different ways, and this will be taken into account when measuring their impact. The commitment is then to roll out the lessons learned from the pilots into mental health services nationally. In the meantime DH has produced a guide, “Improving Access to Psychological Therapies – Veterans Positive Practice Guide”⁵ that is aimed at professionals commissioning and providing mental health services.

2.3.31 In Scotland the “Veterans First Point” pilot in Edinburgh opened in March 2009. It offers a one-stop-shop for help and assistance in a veteran’s life, no matter what their need may be, in a locality that is wholly supportive and non-stigmatising. It goes beyond services for veterans with mental health needs, to include support and advice across a wider range of health, social, employment and educational requirements. Understanding the problems within the wider context of a person’s life is a key aspect of this pilot. More generally the arrangements for access to specialist mental health services for veterans resident in Scotland have been extended and simplified. Combat Stress in Ayr has been provided with £1.2M through NHS Ayrshire and Arran to improve significantly access to specialist assessment, treatment, education, advice and welfare support. Combat Stress has also received Scottish funding to support the delivery of improved community outreach and welfare service across the country.

⁵ <http://www.iapt.nhs.uk/special-interests/veterans/>

Section 4: Housing

2.4.1 The MOD has been working closely with a number of Government Departments, especially the Department for Communities and Local Government (CLG) to facilitate access for the Armed Forces community to the housing which they require to meet their needs.

Affordable Homes (Commitments 9, 10 and 11)

“Welsh and Scottish Ministers are making Service people a priority group within their shared equity schemes. This will be equivalent to the provisions for Armed Forces personnel in the existing Key Worker Living scheme in England.”

“Although Servicemen and women in England have Key Worker status, many do not have the opportunity to purchase a home. We are therefore extending Key Worker status to enable Service leavers to access the Key Worker Living scheme 12 months after discharge. Scottish Ministers have agreed to extend access to their affordable housing schemes to Service leavers for a similar 12 months after discharge. The Welsh Assembly Government will reflect this commitment in its ongoing review of its scheme.”

“The Prime Minister announced that a £20M pilot scheme to promote home ownership for Service personnel would be launched in 2009 by the MOD. This will be based on shared equity or rent-to-buy principles. We will announce its details this year. Discussions are taking place with commercial providers, housing associations and other stakeholders to establish how we will provide a practical vehicle to deliver increased home ownership. Our aim will be to maximise the number of servicemen and women who can get onto the housing ladder.”

2.4.2 The first commitment in this area related to established schemes in Wales and Scotland. The Welsh Assembly Government’s May 2009 guidelines make clear that Homebuy should be targeted at Armed Forces personnel as a priority group, provided they meet the scheme’s other eligibility criteria. In Scotland members of the Armed Forces were already able to access the shared equity schemes, but since 2008 eligible Service personnel have been given priority access to two schemes that form part of LIFT (the Low-cost Initiative for First Time Buyers). Take up of LIFT by Armed Forces personnel is being monitored. In addition, the Open Market Shared Equity pilot operated by the Scottish Government has been expanded, and again, uptake by Armed Forces personnel will be monitored. In Scotland, since October 2008, ten Armed Forces or veterans’ families have bought homes through these schemes.

2.4.3 Armed Forces personnel have been designated Key Workers in specific areas of England since 2006. This was broadened to all regions of England in 2007. Their status has now been further extended, so that personnel with over six years service are entitled to keep their Key Worker priority status for 12 months after leaving the Armed Forces, to help them buy a property through the affordable home schemes. In Wales, the Homebuy scheme is open to Service leavers, who are otherwise eligible, at any point after discharge. In Scotland all eligible veterans were already able to access the Scottish Government’s shared equity schemes, but priority access has again been given to Service leavers up to 12 months after discharge.

2.4.4 The value of these schemes to the Armed Forces community has been enhanced in other ways. In England, the Homes and Communities Agency (HCA) amended their Capital Funding Guidance in December 2008, to enable Armed Forces personnel to sub-let properties obtained through affordable housing schemes, when posted to another location. Scotland and Wales have also enabled sub-letting by Armed Forces personnel within their housing schemes.

2.4.5 Surveys and forums have identified that most of the Armed Forces community are aware of the housing schemes, with the HIVE information service the major location for personnel and families to seek advice and information. There are indications that there is little interest in the schemes until personnel are due to leave Service.

2.4.6 There has been some delay to the timescales for announcing the £20M affordable home ownership pilot scheme. This was due to the impact that changing market conditions at the end of 2008 had on the initial strategy adopted, which was to seek a commercial partner to design and deliver the scheme. When no viable bids were received, alternatives were investigated and a bespoke open market shared equity scheme for Service personnel, developed in partnership with CLG and HCA, was identified as most effectively meeting MOD's requirement. MOD is now working with CLG and HCA on delivering this scheme, which is expected to be launched by the end of 2009.

2.4.7 It is accordingly too early to assess the impact of the pilot scheme. Close attention should be paid to the appeal of such a scheme to the majority of Service families. More generally, the view has been expressed that assistance should involve not only shared equity arrangements, but also improved funding to aid conventional house purchase.

Defence Estates (Commitment 12)

"MOD owns, leases, manages and maintains substantial land and housing assets. By the end of the year Defence Estates will publish a strategy of how these will be managed over the next 10 years."

2.4.8 The Defence Accommodation Management Strategy describes how Defence Estates will manage and sustain their housing and land assets, including their strategy for affordable homes. The strategy was published in August 2009 (just outside the period covered by this report), later than envisaged due to the need for clarification of issues such as funding. It sets out plans for improving both Service Families Accommodation (SFA) and Single Living Accommodation (SLA) over the next decade. The strategy states that Defence Estates will target its major upgrade programme on 4,000 houses in the worst condition, every year for the next three years. By March 2013 very few, if any, families should be living in houses that do not meet the top two condition standards. By the same date, 50% of SLA should also be at the top grade, rising to 70% by 2020 with the remainder at Grade 2. Key features of the strategy include better communication of upgrade plans to military personnel and their families, and tough action to reduce the proportion of accommodation that is lying empty. The External Reference Group will have the opportunity to review the impact of this strategy for next year's annual report.

Adapted Social Housing (Commitment 13)

“Seriously injured Service personnel can face delays in obtaining suitable adapted social housing where they are not given sufficient priority. Seriously injured personnel in England and Wales should be given “additional preference” (ie high priority for social housing) and we will issue statutory guidance to reinforce this message. Scottish Ministers will remind landlords of the existing high priority that seriously injured personnel in Scotland receive for adapted social housing and will repeat this in future allocations guidance.”

2.4.9 This commitment has now been delivered in England. In April 2009 CLG issued supplementary statutory allocations guidance for English housing authorities setting out the Government’s view that Armed Forces personnel who have been seriously injured whilst on active duty should be given “additional preference” (high priority) for suitably adapted social housing. This will help ensure that injured personnel are matched to appropriate adapted housing with facilities such as walk-in baths, wider door frames, lowered light switches, and entry slopes. In Wales guidance on the additional preference to be accorded to seriously injured personnel will be included in a revision of the Welsh Assembly Government’s Code of Guidance on Allocations and Homelessness, which is expected to be issued in December 2009.

2.4.10 In Scotland all social landlords have been issued with a revised Housing Circular on housing for people who leave the Armed Forces. As well as reminding landlords of the existing high priority that seriously injured personnel should receive, the circular aims to raise awareness of the housing needs of veterans and their families, and offers advice and guidance on meeting those needs. Those needs are also being considered as part of the Scottish Government’s review of social housing allocations policy. As part of this process, officials held a meeting with Veterans Scotland in April 2009. The Scottish authorities will continue to engage with the veterans community in the development of guidance on social housing allocations to ensure veterans housing needs are fully taken into account and to prevent disadvantage. The Scottish Government anticipates publishing new allocations guidance in late 2009.

Adapted Affordable Homes (Commitment 14)

“Service people in England have Key Worker status and are therefore entitled to the Key Worker Living scheme. For injured personnel, the cost of adapting homes to cater for specific needs is not always covered (by the Key Worker scheme). However, injured Service personnel who buy a home through this scheme may be eligible for the Disabled Facilities Grant (DFG) which covers the cost of adaptations. The Welsh Assembly Government will also support this initiative. Injured Service personnel buying a home through the Low-cost Initiative for First Time buyers in Scotland may also be eligible for a grant from the local authority to cover the cost of any necessary adaptations.”

2.4.11 This commitment concerns making it easier for injured personnel to acquire affordable homes which meet their requirements. Armed Forces personnel injured in Service now have their lump sum compensation payments disregarded for purposes of the capital means test for the affordable homes schemes in England, Wales and can have them disregarded in Scotland. This will help ensure that the most seriously injured can benefit from these schemes to get on to the housing ladder.

2.4.12 In Scotland injured personnel can access improvement and repair grants from Scottish local authorities, and those buying a New Supply Shared Equity home may have their house tailored to meet their particular needs. Both LIFT shared equity schemes allow people with disabilities the flexibility to buy a bigger, more expensive property than others and to take a smaller stake, if this helps them to buy a property suited to their needs. Registered Social Landlords are encouraged to employ specialist consultancy support to ensure that shared equity properties meet the needs of disabled purchasers.

Disabled Facilities Grant Means Test – Disregard of AFCS/WPS Payments (Commitment 15)

“AFCS and WPS payments for the most seriously disabled will be disregarded in the means test for DFG in England and Wales. In Scotland this means test is being considered for discontinuation. This means that grants for housing adaptation, up to £30,000, will not be reduced by AFCS/WPS compensation payments.”

2.4.13 Disabled Facilities Grants (DFG) are issued by local authorities to help the disabled with the cost of adapting their home. Since December 2008, Armed Forces Compensation Scheme and War Pensions Scheme payments for the most seriously disabled have been disregarded for purposes of the means test for DFG in England. The exemption came into effect in May 2009 in Wales. In Scotland regulations to abolish means testing for disabled adaptations came into force on 1 April 2009, so the exemption is not required.

2.4.14 The disregard of AFCS and War Pension Scheme payments to the most seriously injured when assessing eligibility for DFG has been judged effective in ensuring compensation payments are protected. This disregard relates to those in the AFCS tariffs 1-6 (around 125 people) and War Pensioners with an 80% whole body disablement (some 10,000). RBL believe that, in addition, no contribution should be expected from anyone in receipt of DFG when a home adaptation is required as a result of a Service related injury.

Social Housing – Local Connection (Commitment 16)

“Local connection can be a factor in the allocation of social housing. Current legislation prevents Service personnel from establishing a local connection with the area in which they are serving. We are changing the legislation in England and Wales, enabling Service personnel to establish a local connection, so improving access to social housing. Scottish Ministers are consulting on changing legislation so that employment/residence connected to the Armed Forces constitutes a local connection for the purposes of homelessness legislation in the same way as civilian employment/residence.”

2.4.15 The Government has taken the opportunity provided by the Housing and Regeneration Act 2008 to remove the clause which could put Armed Forces personnel at a disadvantage when applying for social housing or homelessness assistance. Changes to the local connection provisions in housing legislation were brought into force in December 2008. As a result Armed Forces personnel are now able to establish a local connection with the district in which they are or have just been serving for the purposes of applying for social housing and homelessness assistance. The changes will improve the position of Armed Forces personnel by ensuring that their priority is not undermined, and they are treated on the same basis as civilians in the same situation. These changes apply in England and Wales.

2.4.16 The Scottish Government has consulted with the Convention of Scottish Local Authorities (CoSLA), and veterans' organisations and plans to legislate, via the forthcoming Housing Bill, to amend homelessness legislation to enable employment or residence connected to the Armed Forces to establish a local connection. The Housing Bill is expected to become law by the end of 2009.

2.4.17 The change in legislation to allow Service personnel to establish a local connection has been well received. There is little evidence of the Armed Forces community having difficulty with the implementation of this commitment. It has been noted that those who join the Armed Forces, and thus leave their home area, can lose their place on a local authority waiting list, and be considered a "new applicant" on their return. In addition the RBL are concerned at some potential knock-on effects to interpretations of the homelessness legislation and guidance, for example that Armed Forces personnel leaving Service are regarded as making themselves "intentionally homeless". We will continue to monitor such potential effects so that action can be taken on a case by case basis as necessary.

Certificate of Cessation (Commitment 17)

"Service people occupying Service family accommodation and approaching their discharge date can request a Certificate of Cessation up to six months before their last day of service. Some local authorities may not accept that this certificate demonstrates impending homelessness, and may insist on MOD obtaining a possession order before providing housing assistance. We have issued statutory guidance, advising authorities not to insist on a possession order. We will establish the extent of the problem and take further steps as necessary to ensure that local authorities do not insist on a possession order where a Certificate of Cessation has been issued. Scottish Ministers and the Welsh Assembly Government have endorsed this approach."

2.4.18 The Certificate of Cessation of Entitlement to Occupy Armed Forces accommodation is a document issued by the MOD to Armed Forces leavers to show when their entitlement to occupy Armed Forces accommodation will end. In England statutory guidance makes clear that production of this document to a local authority should remove the need for MOD to raise a Possession Order to evict Service personnel. The Welsh Assembly Government's revised Code of Guidance on Allocations and Homelessness, expected to issue in December 2009, will cover acceptance of the Certificate of Cessation in Wales. The Scottish Government guidance to local authorities issued in February 2009 states explicitly that social landlords should not insist on a court order for possession to establish that entitlement to occupy Armed Forces accommodation has ended. This position was restated in new Scottish Government and CoSLA guidance to local authorities on preventing homelessness, published in June 2009.

2.4.19 Investigations to date have shown no evidence of a systemic problem. However MOD will continue to work with local authorities on a case by case basis when issues do arise and the situation will continue to be monitored.

Using MOD Void Property (Commitment 18)

“Service leavers can occupy void MOD property as an interim measure after leaving. Where this is the case we will work with Local Authorities to ensure that the use of surplus stock in this way does not inadvertently disadvantage Service leavers who are seeking social housing. MOD is also looking at whether it could make some of its existing empty properties available long-term to injured personnel who prefer to remain within a familiar military environment.”

2.4.20 MOD is working with CLG and the Devolved Administrations to agree arrangements whereby empty MOD houses can be used by veterans for an interim period after they leave the Service without jeopardising their place on social housing waiting lists. This will be achieved through locally agreed arrangements with local authorities. All Government Departments are content with the principle, but the detail continues to be worked through. The aim is to facilitate dialogue between the MOD and relevant local authorities to support the use of vacant MOD property as temporary accommodation for homeless veterans, and ensure this does not disadvantage those housed in this way in accessing social housing. This commitment is due for completion by late 2009.

2.4.21 The outcome of this work will be covered in the Welsh Assembly Government’s revised Code of Guidance on Allocations and Homelessness. In Scotland guidance issued to social landlords in February 2009 states that local authorities should work with Service establishments in their areas to help veterans in finding suitable accommodation. It also highlights the opportunities for using MOD void property as temporary accommodation.

Homelessness (Commitment 19)

“To help prevent homelessness, the CLG will contribute £400,000 to provide new supported housing for Service leavers in England to enable them to make a successful transition to civilian life. We will work with the Housing Corporation to deliver this initiative which will also be supported by MOD gifting land. We will explore opportunities with Welsh and Scottish Ministers and ex-Service charities on housing ventures that would do more to meet the accommodation needs of veterans in Wales and Scotland.”

2.4.22 A 25-unit supported housing facility named Mike Jackson House was opened in Aldershot in 2008 on land gifted by the MOD, and with CLG and charitable capital and revenue funding. The charity English Churches Housing Group (ECHG) runs it to house single Armed Forces leavers and veterans at risk of homelessness on a short term basis (for up to 18 months). It helps them develop independent living skills and find suitable “move on”/permanent accommodation and employment.

2.4.23 Building on this success the Command Paper committed to providing new supported housing for Service leavers in England. A model similar to Mike Jackson House is being taken forward at Catterick, with land gifted by MOD and with similar partnership funding involving the Places of Change Programme (managed by HCA since December 2008). The capital for this project is due to be funded by a 2.9M grant from HCA, and the £400,000 promised by CLG in the Command Paper, as well as from the Veterans Challenge Fund. At the time of publication options for revenue funding were still being discussed. On current plans building work on this project will commence early next year.

2.4.24 Defence Estates (DE) is a major contributor to the Surplus Public Sector Land Programme (SPSL). An HCA/MOD bilateral agreement setting out MOD's contribution to the programme has been signed. This includes a target for DE to dispose of land providing for 37,153 homes between now and 2016, but delivery will be subject to market conditions. Separately, HCA continues to discuss a number of areas for potential joint working with Defence Estates

2.4.25 The Welsh Assembly Government is helping to tackle homelessness by funding a new guide to veterans' services. This is being developed in partnership with the Third Sector, and with MOD including the Service Personnel and Veterans Agency. It will strengthen connections between services working to help veterans who may be at risk of becoming homeless. The guide will be available in early 2010.

2.4.26 The Scottish Government is consulting on changes to existing homelessness legislation. This consultation will involve the veterans' community and conclude towards the end of 2009. More generally, there will be an examination of what more can be done in preparing for the housing needs of Armed Forces personnel about to be discharged, using methodologies implemented for other groups.

Section 5: Education And Skills

2.5.1 The MOD has been working closely with the Department for Children, Schools and Families (DCSF), and the Devolved Administrations, to ensure that children of Armed Forces personnel are not disadvantaged as a result of their parents' occupation. In particular MOD's Children's Education Advisory Service (CEAS) has been working with education authorities at all levels to ensure Service children's needs are taken into account. This is in line with CEAS's role which is to provide information and support to Service families and eligible MOD civilians on all aspects of the education of their children in the UK and overseas.

2.5.2 The commitments made in the Command Paper were well received. However there have been concerns voiced, particularly by the Families Federations, that they have raised the level of expectation of many parents further than is realistic. The advances achieved have therefore sometimes not lived up to these expectations.

School Place Allocation (Commitment 20)

“Access to schools is more difficult for Service children due to the frequency and short notice postings of their parents. In the Devolved Administrations the Service community broadly is content with school place allocation. In England, the Department for Children, Schools and Families is seeking Service families' views on improving admissions. As part of his review of school admissions for 2009, the Schools Adjudicator will identify whether there is any disadvantage for Service families so that it can be removed.”

2.5.3 DCSF have revised the Statutory Admissions Code for England, with changes coming into effect from February 2009. As part of the Fair Access Protocol process, admission authorities are now allowed to exceed admissions numbers for Armed Forces children; schools with selective entrance criteria are required to make arrangements for those who are due to move to the area but currently live more than a reasonable distance away; and Armed Forces families must now be given greater flexibility in terms of which address will be considered for applications in advance of a family move. These changes were made following public consultation on school admissions and some have gone beyond the commitments made in the Command Paper. In November 2009 the independent Schools Adjudicator will make his first annual report, based on local authority reports, on fair access in England. In this report, which is submitted to the Secretary of State for Children, Schools and Families, he is expected to comment on fair access for Service children.

2.5.4 A revised Code on School Admissions for Wales came into force in July 2009. This admissions code states that for children of UK Armed Forces personnel, admission authorities in Wales must treat a family moving to their area as meeting the residency criteria for the relevant school catchment area, and that school places should be allocated to children and their families in advance of the approaching school year if accompanied by a letter declaring a return date. In areas of Wales where there is a significant concentration of Armed Forces personnel, the Admissions Forum (which monitors fair access to schools) will invite a Service representative to become a member.

2.5.5 The Service Families Federations find that a considerably higher percentage of Armed Forces families when compared to non-Forces families continue to experience difficulty, in accessing their preferred school, due to the time of their move, and in terms of continuity of studying the same subjects. Results from the Army families survey in November 2008 showed that changing schools due to Service reasons affected approximately 45% of families. Of these families, 19% experienced difficulties with finding information about new schools in the area, 37% of officers' and 25% of soldiers' families experienced difficulty with obtaining school places

at the preferred school, and overall 30% experienced difficulty with continuing to study the same subjects.

2.5.6 CEAS believes that there are approximately 200 appeals per year relating to Service children. Of the cases where they are aware of the outcome, around 57% were successful in 2008, building on a 47% success rate in 2007. This is significantly higher than the civilian appeals success rate. 53% of respondents to a Navy survey were unaware of an appeals process, but this should be seen against the background that only 6% of those attending the Navy's focus groups reported a problem with school place allocation.

2.5.7 Areas which have seen positive results include Norfolk. Here the new policy under which schools will accept a posting notice as sufficient evidence that children would be joining a particular catchment area had already been implemented in advance of the change in the Schools Admissions Code. Other areas still report difficulties in attaining the school of choice, for example in Edinburgh, London boroughs and South Gloucestershire. Significant progress has been made in organising representation from Service communities at Admissions Forums in authorities with significant Service populations.

2.5.8 School place allocation remains one of the major worries for Service families, especially those who move at short notice or outside the normal admissions cycle. As noted above, the new Admission Code that came into force in February 2009 addresses "in-year admissions", with Fair Access Protocols ensuring that children of Armed Forces personnel secure access to suitable education quickly if they need an immediate place. From the 2010/11 school year, local authorities will be required to co-ordinate applications made during the academic year, which will simplify the admissions process for parents whilst reducing the likelihood of any child being left without a school place. However, there still remains an issue with "late applications" – ie from families requiring places for the following school year, but who have missed the general application round – which has not been addressed by the new code. Although the local authority will ensure a place is found, there is no guarantee that this is at the school of choice. MOD recognises there would be benefits of issuing early posting notices when this is practical to alleviate the need for "late applications".

2.5.9 This year, and the normal admissions round for places in 2010, will see the revised Admissions Code in full operation, and we are hopeful that next year we will be able to report significant progress.

Case Study: A family moved on posting to a new area in the south west of England and the child was given a place in a school 5 miles away, because it was the only one with places. This year, the authority did not allocate a place at the same school to the younger sibling because she is not a "local" sibling. This shows that the spirit of the new approach still needs to work through in some areas.

Educational Attainment (Commitment 21)

“We will review the educational performance of Service children in England and identify where there is underachievement. Any disadvantage identified will be addressed, if appropriate including through the review of the Dedicated Schools Grant for 2011. Additional funding is already provided to schools in Northern Ireland with Service children. We will share any evidence of underachievement with the Devolved Administrations so that they can act accordingly.”

2.5.10 The MOD is committed to monitoring and reviewing educational performance, identifying underachievement and addressing any disadvantage that Armed Forces children may experience. The School Census count in England is now able to identify separately the children of parents in the Armed Forces, and it is therefore possible to compare the educational attainment of these children with their peers. Comparative analyses of the attainment of Armed Forces children in England with that of non-Armed Forces children at Key Stages 1, 2 and 4 in 2008 was undertaken and shared with the MOD. This showed little evidence that Armed Services children were disadvantaged or had lower educational attainment compared to non-Service children (except for the effect of mobility at Key Stage 4). It is the case that pupils with a high level of mobility, particularly at Key Stage 4, generally do less well than those who are not mobile, although for Service children the gap is much narrower than for non-Service children. This is because the attainment of mobile service children is significantly higher than for mobile children generally.

2.5.11 The MOD will continue to monitor the progress of Armed Forces children and will consider what, if any, action needs to be taken. The MOD has contributed to the current review of the formula used to distribute Dedicated Schools Grant, which provides the main funding for schools, to ensure that any issues relating to Service children are considered. DCSF are intending to consult more widely on this review in early 2010. The Welsh Assembly Government will review any findings from the DCSF analysis and consider if further action is necessary.

2.5.12 The Scottish Government is exploring the possibility of including the Armed Forces child variable in the annual Scottish Pupil Census. In April 2009 it hosted an Armed Forces Families, Children and Education seminar for education authority representatives and staff from schools with high numbers of Armed Forces children. Presented jointly with the MOD's CEAS, this seminar shared examples of best practice, identified mutual challenges and explored options for ensuring that children of Armed Forces personnel could receive the best education.

2.5.13 Following this seminar, the Scottish Government and CEAS have discussed the establishment of a coherent and comprehensive stakeholder network, comprising representation from CoSLA, the voluntary sector, Learning and Teaching Scotland, the MOD and the independent education sector. An initial meeting of that group is planned, when its scope, remit and objectives will be decided. Early tasks for the group are likely to include the development of a guide for parents and schools, on the differences in curricular structures and educational frameworks between Scotland, England, Wales and Northern Ireland. The Group will also be encouraged to consider existing resources which might have relevance for Armed Forces children, such as the Rapid Integration Assessment Tool (originally introduced for children of Gypsy/Traveller families experiencing interrupted learning).

2.5.14 We believe that the educational attainment of Service children will remain an important indicator of whether disadvantage is suffered. The Service marker which now forms part of the annual Schools Census in England and Wales should allow performance tracking. The Ofsted review and subsequent DCSF review to be conducted in 2010 should also bring greater clarity.

Special Education Needs (SEN) (Commitment 22)

“Children with SEN receive learning support, continuity of which can be undermined by mobility. In England, we will ensure SEN support for Service children will be uninterrupted even when moving. This will be achieved by sending guidance to schools and local authorities and reflecting this guidance in the next revision of the statutory SEN Code of Practice. Following its review of the statutory assessment and statementing framework for SEN, the Welsh Assembly Government has agreed to do likewise. Northern Ireland will be consulting all relevant stakeholders, including the Service community, on the delivery of SEN support. Scotland operates a different system, focussed around Additional Support Needs (ASN) rather than SEN. Scottish Education Authorities are under a statutory duty to manage transitional arrangements for children with ASN as they move within, or out of the Scottish education system, and to respond quickly and appropriately when such children arrive into the system from outside Scotland.”

2.5.15 Armed Forces children with an SEN statement are recognised as particularly affected by the mobility obligations of their parents, as SEN statements are a matter for local authorities. This has historically led to delays in transferring statements between local authorities and delays in making suitable provision, such as the provision of learning support assistants.

2.5.16 The MOD is working with DCSF and the Devolved Administrations to develop protocols to ensure that SEN provision for children of mobile Armed Forces families is transferred with the minimum of disruption. DCSF issued guidance to local authorities and schools in January and February 2009 to ensure continuity of support in England. DCSF will include guidance on meeting the special educational needs of children from Service families when the SEN Code of Practice is next revised, following the 2010 Ofsted review of SEN (one of its series of thematic reviews).

2.5.17 The Welsh Assembly Government is establishing pilot projects to develop further a statutory system for ensuring all pupils with additional learning needs have their needs met appropriately and in a timely manner. The pilots will run from September 2009 to August 2011 and a research project has been commissioned to evaluate the outcomes. Further development work, which will include a review of the SEN Code of Practice for Wales and the establishment of a comprehensive Inclusion Quality Mark for Wales, will continue alongside the pilot schemes. Following a review of the pilot schemes, formal consultations on proposals for new legislation will be conducted, taking account of the need to ensure continuity of support for Service children.

2.5.18 In Scotland local authorities have a statutory duty to manage transitional arrangements for children with additional support needs when they move between local authority areas.

2.5.19 Last year's Army families survey found that 14% of officers' children and 11% of soldiers' children had special educational needs. Of these 16% said that following their last move they experienced difficulty finding a school with adequate provision for their children's additional/special educational needs. One year on, no substantive evidence has been presented that this remains a significant issue. However, SEN arrangements continue to cause frustrations, relating to the different arrangements in England and in the Devolved Administrations, which some of the above work will hopefully address.

State Boarding School Priority Access and Increased Provision (Commitment 23)

“Boarding school education can reduce the impact of Service mobility on children’s education. Boarding schools are expensive but MOD supports parents through the Continuity of Education Allowance (worth up to £15,333 tax free per child per year). We will prioritise Service children’s access to state boarding schools, second only to children in care. We will also increase the number of places at state boarding schools by well over 100 over the next 3 years. Additionally, through the academies programme, 3 new state boarding schools are planned. Two of these (Wellington and Lincoln Priory) are well situated for the Services and will provide an additional 160 places by 2011.”

2.5.20 To minimise disruption to Service children, the MOD has worked closely with DCSF to ensure that they have higher priority at state boarding schools. The new arrangements came into effect in February 2009, and include provision for the children of Armed Forces personnel who have been killed or seriously injured. Furthermore DCSF have allocated funding of almost £20M to provide more than 350 additional boarding places, and to improve the quality of provision for existing places, at state boarding schools across the country. The extra places will come on stream during 2010 and 2011. In addition, work is proceeding with three Academies to open new boarding units in 2011.

2.5.21 Further to the commitments in the Command Paper, Ministers have announced that they will consider proposals for the Duke of York’s Royal Military boarding school in Kent to become a state-maintained Academy in September 2010. This proposed Academy will increase the number of boarding places available at the Duke of York’s Royal Military School from 500 to 720.

2.5.22 Continuity of education when both parents are mobile remains a problem that parents have tried to resolve in different ways. Some Service families send their children to boarding school and the provision of Continuity of Education Allowance, which gives them financial support of up to £16,863⁶ tax free per year for this purpose, remains welcome. However the use of boarding schools is not the solution for every family. The latest Armed Forces Continuous Attitude Survey, published in June 2009, found that Continuity of Education Allowance “had stronger retention-positive influences for Officers than for Other Ranks” and that “approximately 40% (of respondents) were dissatisfied with the impact of Armed Forces life on their children’s education”.

⁶ 2009 figure

Education and Training for Armed Forces Leavers (Commitment 24)

“Those joining the Armed Forces often commit to this career path before they can take advantage of opportunities in further and higher education. All Service leavers with over 6 years’ service will have the opportunity to achieve their first Level 3 qualification (A-level or vocational equivalent) free from tuition fees. Alternatively, for those who want to progress to higher levels, we will fund all tuition fees for a first Foundation or full degree. This means that a sailor, soldier or airman can join the Armed Forces from school, secure in the knowledge that six or more years’ service will be rewarded with the opportunity of a college or university education without tuition fees. Although they have differing national qualification frameworks and fee arrangements, Scottish Ministers and the Welsh Assembly Government have agreed to put in place similar measures.”

2.5.23 The MOD promotes lifelong learning among members of the Armed Forces, and this is encouraged through the Learning Credits schemes. The Standard Learning Credit (SLC) scheme provides financial support, throughout the Service person’s career, for multiple, small-scale learning activities. The Enhanced Learning Credit (ELC) scheme is designed to complement the SLC scheme by providing larger-scale help to personnel who qualify, with a single payment in each of a maximum of three separate financial years, to assist with the cost of higher level learning.

2.5.24 The Command Paper commitment was aimed at extending the support offered when leaving the Service. This commitment has been delivered. Armed Forces leavers with 6 years service, who have been members of the ELC scheme, can now access free of charge a first further or higher education qualification at the level for which they are academically qualified on leaving the Service. In April 2009 the applications process opened for courses starting in August 2009, for those Armed Forces leavers who left service or entered their qualifying resettlement phase on or after 17 July 2008. Parallel arrangements have been implemented in Wales. Most Scottish-based Armed Forces leavers will be eligible for existing fee waiver support under separate arrangements made by the Scottish Parliament to cover all its citizens.

2.5.25 The scheme has only been in place since April 2009, for courses commencing in the autumn of 2009. By the start of September, 27 Service leavers had registered with an additional 15 expressing an interest. However the potential for the future is very large: as at 31 July 2009, 267,108 personnel had registered for the Enhanced Learning Credit scheme since its inception⁷.

Basic Skills for Families (Commitment 25)

“The impact of Service mobility can make it difficult for families (partners and adult children living at home) to access further education. We will open up new opportunities to access Basic Skills training, improving literacy and numeracy, by funding delivery through Armed Forces education facilities spare capacity. Although they have differing national qualification frameworks and funding and fee arrangements, the Devolved Administrations will encourage or continue similar provision.”

2.5.26 Armed Forces family members can now access spare capacity in learning centres to improve their basic skills in line with the English qualification framework. Parallel arrangements are being implemented in Wales. The Scottish Government has supported staff development

⁷ Not all of these personnel will be eligible for the additional support under Commitment 24 due to other criteria such as length of time registered under the scheme before leaving the Service.

and the provision of education facilities. Trials are taking place in Germany to scope the additional provision that an outside contractor could provide.

2.5.27 The “Basic Skills” courses have had a good take-up within Army families, particularly where these are held within Army Education Centres. For example over the last four years over 2500 Army dependents have undertaken over 9400 Skills for Life courses. The RAF have also rolled this service out including at RAF Kinloss and RAF Aldergrove. This is seen as a very positive and prospect-enhancing service. There remains however some concern that a spouse’s post-secondary education is adversely affected by mobility.

Case Study: Tanya studied at the Army Education Centre in Larkhill and is a LearnDirect National Award winner. She said: “The best thing about LearnDirect is the flexibility. My husband is in Afghanistan and I have my daughter to look after, so knowing that I can study at my own pace really takes the pressure off”.

Section 6: Transport

Concessionary Bus Travel (Commitment 26)

“By 1 April 2011, the statutory bus concession in England will be extended to include Service personnel and veterans under the age of 60, who were seriously injured in service and who are resident in England. A similar scheme already exists in Northern Ireland. Scottish Ministers will consider by April 2009 how to take forward this proposal as part of the three year review currently being carried out on the Scotland-wide Free Bus Scheme for Older and Disabled People. The Welsh Assembly Government is also undertaking a review of its concessionary fares scheme and this will include plans to extend eligibility to concessionary bus travel for Service personnel and veterans who were seriously injured in service.”

2.6.1 In England, plans are on track to deliver concessionary bus travel, starting in April 2011, for Armed Forces personnel and veterans under the age of 60, who have been seriously injured in service and who are resident in England. The Welsh Assembly Government intends to implement a similar measure from April 2011.

2.6.2 A report on the Scotland-Wide Free Bus Travel Scheme for Older and Disabled People was published by the Scottish Government in May 2009. Among the nine recommendations was a commitment to change the eligibility criteria from 1 April 2011 to include Armed Forces personnel and veterans under the age of 60 who have been seriously injured in service and are resident in Scotland.

Blue Badges (Commitment 27)

“The Blue Badge Scheme provides a range of parking concessions across the UK for people with severe mobility problems. We will now introduce a scheme so that severely disabled veterans in England will receive automatic entitlement to a Blue Badge without further assessment. Scottish Ministers will also implement this change. The Welsh Assembly Government is consulting on plans for a Reform Strategy for the Blue Badge Scheme in Wales. An intention to implement this proposal will be considered as part of the review.”

2.6.3 Plans are on track to deliver in England, from April 2011, automatic entitlement to blue badges without further assessment for severely injured veterans who are resident in England. The Welsh Assembly Government is currently considering responses to its consultation on the review of its Blue Badge scheme with a view to implementation at the same time. In Scotland, officials are liaising with colleagues from MOD and the Department for Transport, to determine specific eligibility criteria.

2.6.4 The two transport commitments in the Command Paper are not due to be implemented until 2011 so their impact cannot be assessed. However, some other concerns over transport issues have been raised by the Armed Forces community. Given the nature of life in the Services, very few military establishments and associated living accommodation are situated in town centres, often leaving spouses who can not drive or who do not have access to a car reliant on public transport. This can have an impact on other areas such as access to leisure, GPs, dentists, employment opportunities and local amenities.

Section 7: Support For Families

Childcare Provision (Commitment 28)

“Access to flexible and affordable childcare is made particularly difficult for many Service families because of dislocation from extended family, the remote location of many establishments and the absence of one parent at short notice and often for long periods. English and Welsh local authorities now have a duty to ensure there is sufficient childcare available for them, and we will ensure that Service families’ needs are fully addressed in both assessments of childcare sufficiency and in closing gaps in the supply of childcare. In Scotland, contacts will be established between MOD and childcare partnerships in local authorities where there is a significant concentration of Service personnel and their families in order to ensure that Service needs are taken into account in the childcare partnership review of supply and demand. Decisions on local service delivery matters will continue to rest with local authorities and their partners.”

2.7.1 Recognising that access to childcare can be difficult for many Armed Forces families, with mobility reducing their choice of places, and their atypical working hours, DCSF is surveying best practice in ensuring that the needs of Service families in England are taken into account within local authorities' childcare sufficiency assessments and action planning. Since the delivery of the first results in March 2009, local authorities with a large Armed Forces presence, Armed Forces community representatives, and DCSF and Government Office staff have begun to work together to review the findings and exchange and agree best practice.

2.7.2 In Wales, a review of local authority childcare sufficiency assessments undertaken for the Welsh Assembly Government reported in May 2009, and recognised efforts being made to consult with the Armed Forces. In Scotland, CoSLA has been invited to examine whether there is a problem with the level of supply and demand for childcare services, though the expectation is that this is not the case. The Scottish Government has produced an Early Years Framework and will develop a strategic view of childcare accessibility and how to start addressing gaps, in order to develop more integrated services. Discussions are underway with CoSLA on devising an implementation plan for the Framework. Regular meetings between Scottish local authorities and local MOD contacts are being set up.

2.7.3 Childcare has been highlighted as a key source of concern for Forces families. There is frustration that little progress appears to have been made on the ground; clearly, the completion of sufficiency reports in themselves does not automatically translate into enhanced provision. The RAF Families Federation for example finds that access to affordable, flexible childcare is raised with them at almost every opportunity. The latest Army FAMCAS in November 2008 reported that 33% of families experienced difficulty accessing childcare due to lack of places, hours available and cost. It has been noted that last year's commitment did not include any specific targets on cost, hours available or distance travelled to access childcare which would be welcomed by Service families.

2.7.4 We recognise that it is early days in terms of local authorities' sufficiency duties and it will be vital that local authorities have clear action plans in place to identify how, when, and by whom gaps will be filled and needs met. The 2008 assessment was the first time that English and Welsh local authorities had been asked to look at childcare sufficiency in their area, and map childcare supply and demand, and they will be in a stronger position when preparing for, and completing their 2011 assessments. The DCSF's updated Sufficiency Guidance for local authorities in England (to be published early in 2010) will underline the importance of their ensuring that the needs of Service families in their area are identified and met.

2.7.5 In some areas the problem has been relieved through charitable funding, but this in turn can have an impact on securing support from or involvement with publicly funded

programmes. In one particular case, because the RAF Benevolent Fund had paid for the build of a children's centre, Sure Start regarded it as well founded and did not provide further assistance. In this case RAF welfare staff were concerned that Third Sector funding had meant that other agencies were reluctant to assist.

2.7.6 Provision of childcare is also of particular concern when families are deployed overseas, where childcare is not covered by the new duty on local authorities to ensure there is sufficient childcare in their area. In Germany, a recent survey by the Army Families Federation reported that childcare is a concern for 75% of Armed Forces families with children. Particular problems overseas include lack of access to Governmental funding streams to support UK childcare provision such as, in England, the Sure Start, Early Years and Childcare Grant provided to local authorities.

Sure Start Children's Centres and Extended Services (Commitment 29)

"Local authorities will also ensure that the provision of new integrated family services being delivered in England through Sure Start Children's Centres and Extended Services are fully accessible to Service families and their children. This will involve taking into account the location and particular needs of Service families, including using outreach services to improve access on military establishments. The Welsh Assembly Government will make equivalent arrangements."

2.7.7 Sure Start Children's Centres were originally an initiative benefiting only a minority of disadvantaged communities, but are now a permanent, universal programme for all children under five and their families. There are already over 3,000 centres across England providing access to integrated early years support services for over 2.4 million families, including those from Armed Forces communities. By 2010, there will be 3,500 centres – one for every community. Many are co-located with schools to aid the transition when children start formal education, and ensure there are links with extended services and the wider community. Every school in England will provide, or provide access to, a full core offer of extended services by 2010. Those services include before- and after-school activities such as study support, homework clubs, sport and music; childcare between 8 am and 6 pm, 48 weeks a year (for primary schools); parenting and family support; access to specialist health and social care; and community use of facilities. Schools are expected to consult widely to determine local needs. DCSF is identifying best practice to ensure that Children's Centres and extended services can benefit Armed Forces families more widely.

2.7.8 In Wales, there are currently 43 Integrated Children's Centres, and more are planned. They are open to all members of the local community, including Armed Forces families.

Inquests – Independent Support to Families (Commitment 30)

"MOD remains committed to the full, independent investigation of Service deaths by coroners' inquests. Over the last two years we have provided additional funds and support to coroners - we will continue to work with them to improve the process. We recognise how important, but also how difficult, an inquest can be for a bereaved family. We will explore, with partners such as the Royal British Legion and the War Widows Association, how we can make the inquest process as rapid and supportive to families as possible."

2.7.9 The Coroners and Justice Bill, which is expected to receive Royal Assent in the autumn, introduces major changes to the way in which the coronial system is run, including the creation of a national coroner service, and the appointment of a Chief Coroner. A Charter for

Bereaved People, which will be statutory guidance under the Act, brings together many of the services bereaved people will receive from coroners in a reformed system. The Act will enable, for the first time, the conduct of fatal accident inquiries in Scotland for Service personnel killed on operations overseas, closer to bereaved families who live in Scotland. The War Widows Association of Great Britain (WWA) and the RBL have been actively involved in proposing amendments to the legislation, and the WWA continues to see advantage in the appointment of a Deputy Chief Coroner with responsibility for Military Inquests, and specialist training for coroners.

2.7.10 Valuable inputs were obtained from bereaved families on the support they received, at an event for them led by the RBL and WWA in July 2008. In their report on that event in November 2008, the two charities requested that bereaved families be provided with independent legal advice during the inquest process. MOD continues to work with them on proposals for such an independent advice service.

Support to Bereaved Families (Commitment 31)

“We recognise that the loss of a Service person affects the whole of the bereaved family, not just the next of kin or nominated emergency contacts, on whom we traditionally tend to focus our contact and support. We will review our procedures to ensure that in future sufficient account is taken of the needs of the wider family.”

2.7.11 A tri-service review of Visiting Officer arrangements was conducted during 2008. Among those consulted, the Chairman of the WWA presented the views of the single service bereavement support groups. The review was also able to take account of views expressed at the bereaved families event in July 2008 mentioned in previous paragraphs. The MOD are due to share the findings of the review with the WWA and RBL in autumn 2009, but dialogue also continues more generally and support to bereaved families has been increased. For example the need to support the wider family is now incorporated into all recently-revised Army training packages. In addition, three new support groups run by SSAFA have been set up for wider bereaved families, families of seriously ill personnel, and siblings respectively. MOD and DH have been working with the national bereavement charity CRUSE to provide bespoke counselling for Armed Forces families, and a new training DVD is being produced to help counsellors to understand better the particular circumstances of Service families.

2.7.12 The WWA and RBL remain keen to be engaged in the progression of issues relating to bereavement such as those concerning Service wills, the process of informing the Next of Kin, and exploring methods by which “significant others” can be included in official ceremonies. The RBL have also been monitoring the pilot scheme for handing responsibility from Visiting Officers to SPVA Welfare Officers, and believe that the results are positive.

2.7.13 On 1 July 2009 it was announced that Her Majesty The Queen had approved the institution of a new form of recognition, called the Elizabeth Cross, and a Memorial Scroll for the families of Service personnel who die on operations or as a result of terrorist action. These will be presented to the deceased's next of kin. This step has been widely welcomed.

Section 8: Benefits

2.8.1 The Department of Work and Pensions (DWP), HM Revenue and Customs (HMRC) and MOD have been working together to ensure that Service personnel, their families and veterans are not disadvantaged by virtue of their service when seeking access to state benefits.

Access to State Benefits (Commitment 32)

“Service life overseas can impact on accompanying families in two ways. First, it may reduce the ability of spouses and civil partners to obtain paid employment and maintain a National Insurance contribution record – this may adversely affect their contribution record for basic State Pension as well as their access to contribution-based working-age benefits. Second, families may not always be treated as if they were in the UK when assessing eligibility to certain entitlements. We will tackle both these areas of disadvantage.”

2.8.2 There are approximately 15,000 married and civil partnered Armed Forces personnel based overseas. Many are away for several years and accompanied by their families. In most of these locations (including Cyprus, the Falkland Islands and Germany) employment prospects for family members are limited, and this also affects their ability to maintain National Insurance Contributions. That in turn can impact on their ability to claim benefits such as Jobseeker’s Allowance and Employment and Support Allowance after returning to the UK.

2.8.3 MOD and DWP have agreed that access to working age benefits and state pension will be improved for spouses/civil partners who accompany Armed Forces personnel on overseas assignments, through the award of National Insurance credits. MOD, DWP and HMRC are working together to develop the processes to administer these credits which will be available from tax year 2010/2011. The enabling regulations are expected to go to the Social Security Advisory Committee by December 2009, prior to being laid before Parliament early in 2010.

2.8.4 It has been recognised that the credits alone may not be enough to remove the disadvantage caused by accompanied overseas service. DWP Ministers have agreed to investigate ways of easing Contribution Conditions for Service spouses and civil partners who have accompanied a Service person overseas. The enabling legislation is included in the Welfare Reform Bill which is expected to receive Royal Assent in November 2009. The detail of regulation and implementation will then be worked out in order to ensure delivery by January 2012, which is the start of the benefits year in which the new arrangements will first impact on eligibility for working age benefits.

2.8.5 The principles of this commitment have been well received. However the Families Federations feel that these efforts would be further enhanced by a DWP information campaign covering all benefits that might be affected by an overseas tour. This information should be made available before departure, rather than on return to the UK, which is often when families realise that action should have been taken earlier to protect their entitlements. DWP will ensure that the relevant information is easily accessible on Directgov.

Service Family Access to Employment Programmes (Commitment 33)

“The impact of Service life reduces the ability of accompanying family members to obtain paid employment. Partners of Service personnel will be added to the groups who have most difficulty getting into the labour market and receive special access to the New Deal and successor programmes.”

2.8.6 The Command Paper commitment by DWP, to add partners of Armed Forces personnel to the list of people who may be considered for early access to New Deal and successor schemes such as Flexible New Deal, was implemented in January 2009. In practice this means that partners of Service personnel could be offered access to New Deal immediately, with no qualifying period. This will be dependent on their own personal circumstances. Partners of Service personnel can obtain access through their local JobCentre Plus.

2.8.7 Early access to employment programmes such as the New Deal scheme for Forces partners is seen as welcome. However the RAF Families Federation believed that the various schemes require more pro-active publicity, so that they can be promoted effectively to family members striving to find employment.

Seamless Transfer on to Benefits (Commitment 34)

“Incapacity Benefit (from October 2008 the new Employment and Support Allowance) is paid weekly to sick and disabled people under State Pension age who are unable to work. To claim Incapacity Benefit/Employment and Support Allowance, a person must be medically assessed. When a Service medical board decides a severely disabled person can no longer be employed in the Armed Forces, the person is discharged. The Department for Work and Pensions (DWP) will now use the Service medical board evidence, in place of a face-to-face medical assessment by DWP, up to 3 months in advance of eligibility.”

2.8.8 The arrangements implementing DWP's agreement to use Service medical board evidence, in place of a face-to-face medical assessment, should be in place by November 2009. In addition Armed Forces personnel who are due to be discharged on medical grounds do not need to wait until they are discharged before applying for Employment and Support Allowance. They can take advantage of the provision that a claim can be made up to three months in advance, even though they are still on the MOD payroll at the time.

Section 9: Building Careers

2.9.1 The MOD has been working with partners to ensure that the career the MOD offers to Armed Forces personnel is flexible and fulfilling, and that the transition to employment post-Service is as seamless as possible.

Flexible Careers in the Armed Forces (Commitment 35)

“Defence Career Partnering is an innovative project seeking flexible careers to allow individuals, employers and MOD to co-operate. We will continue to develop this project to optimise the two-way flow between Service and civilian employment. All Government Departments will support this as “partners” if asked to do so. Scottish Ministers and the Welsh Assembly Government have agreed their Administrations will do likewise.”

2.9.2 The MOD, via Defence Career Partnering, is exploring with selected industry partners the opportunities for creating appropriate Terms and Conditions of Service that will enable members of the Armed Forces to take a more flexible approach to their careers. Opportunities include selected placements with industry for Armed Forces personnel as well as opportunities for civilian employees to spend time on attachment with the Armed Forces. Possibilities being investigated for the longer term include the idea of Full Time Service followed by industry employment, with a return to Full Time Service having gained credit for the period in industry. The Welsh Assembly Government is establishing the practicalities of including secondment brokering in the People Exchange Wales Framework.

Support to Volunteer Reserve Forces (Commitment 36)

“Volunteer reserves are vital to defence. There has been an unprecedented increase in their deployment in the last decade. This continuing is contingent upon the support of their “main” employers. We will champion the reserve forces, addressing where possible the limitations of some public sector employers. UK Cabinet Ministers and First Ministers of Scotland and Wales endorse the following SaBRE (Supporting Britain’s Reservists and Employers) Statement of Employer Support:

Thousands of members of the Reserve Forces (Royal Naval Reserve, Royal Marines Reserve, Territorial Army and Royal Auxiliary Air Force) have been mobilised for full-time service overseas in recent years. When called upon, these men and women serve alongside their colleagues in the regular Forces with courage and dedication, and often at considerable personal sacrifice. We admire their commitment and are determined to support all current and future employees in the Reserve Forces.”

2.9.3 Working with the Cabinet Office, the MOD has encouraged other Government Departments to sign the Supporting Britain’s Reservists and Employers (SaBRE) statement. SaBRE helps to develop employers’ understanding of Reservists and their skills, with the aim that this will enhance the level of support which they give to Reservists. Most Government Departments have signed the SaBRE statement. The First Ministers of Scotland and Wales signed the SaBRE statement in October 2008. In 2009 a policy on the training and mobilisation

of reservists in NHS Scotland was developed and issued to all Scottish NHS Boards. The policy sets out the actions to be taken to ensure that reservists are supported during training and/or mobilisation. Similarly, the Scottish Government complies with Cabinet Office policy in respect of reservists. In addition, the Devolved Administrations are working with the MOD to deliver the recommendations contained in the 2009 Strategic Review of Reserves.

2.9.4 Employer links with SaBRE are seen as good, with the Tribunal Service reporting recently that they were only aware of two tribunals taking place over the last 12 months relating to these issues. It still remains disappointing that some public services do not allow members to join the Reserve Forces whilst others do. Approximately 12000 employers have signed to the SaBRE Statement of Employer Support and this is increasing at the rate of approximately 1200 per annum. The NHS is an example of an organisation that has been extremely supportive but several constabularies and Her Majesty's Prison Service do not currently allow employees to join the Reserve Forces. The National Employer Advisory Board that provides independent advice to Ministers and the MOD on employer issues will be forming a working group to review and make recommendations on the support provided by public sector employers.

2.9.5 The ERG believe the scope for widening the commitments in the Command Paper, in order to improve support to Volunteer Reserves and remove some disadvantages they experience, should be investigated further.

Support to Employment of Service Families (Commitment 37)

“When a Service person moves location, their family often moves too. This causes unemployment for partners and children beyond full-time education but still at home. We will help Service families to change their public sector jobs when Service life obliges them to move. Scottish Ministers and the Welsh Assembly Government have agreed their Administrations will do likewise.”

2.9.6 A cross-Government seminar to establish and share best practice took place in March 2009. This covered the areas of employer support to the Reserve Forces within the Public Sector, support to employment of Armed Forces families, and employment of Armed Forces leavers in the public sector. Work will continue to take this commitment forward. Specific examples include MOD giving priority to Service spouses in accessing MOD civilian jobs from July 2009, when moving location due to their serving spouse's next posting.

2.9.7 The launch in September 2009 of the Schools Recruitment Service, by the Department for Children, Schools and Families, should also improve opportunities for Service families. This service provides, for the first time, a single location for advertising all permanent teaching and support role vacancies in schools in England. Service partners looking for this type of vacancy will be able to register and then search via the internet for vacancies anywhere in England that suit their skills, preferences and locations. Similarly, schools and local authorities with vacancies will be able to search from a national talent pool which will include those returning from overseas. Nearly 100,000 teaching vacancies are currently advertised each year, as well as an estimated 50,000 non-teaching positions in schools.

2.9.8 A Welsh Assembly Government protocol has been drafted, demonstrating the commitment to support this initiative. This is currently being discussed with the MOD. The Scottish Government, after internal advertising and before advertising externally, publicises all vacant posts on the Cabinet Office-run jobs website and the Civil Service Jobs Online site, as opportunities for staff from other Government Departments. It would also consider sympathetically any request for a compassionate transfer from civil servants from other parts of

the UK, when their serving spouse/partner was moving to a location in Scotland. CoSLA has indicated that, in local authorities, it holds to the principle of “best person for the job” irrespective of their background. However, it will canvass the local authority movement in Scotland for views.

2.9.9 These developments in facilitating moves between public sector jobs must be seen in the context of the overall position on the employment of Service spouses, which is a recurrent issue. The Families Federations contributed to a House of Commons Defence Committee report on Recruitment and Retention in the Armed Forces in July 2008, and commented that serving personnel’s unpredictable hours of work, aggravated by the high operational tempo, made it difficult for spouses to work. With frequent moves it was increasingly difficult to make careers look credible, to maintain a desired position on pay scales, and to join company pension schemes. Over 30% of spouses believe they have suffered discrimination as a result of being a Forces spouse. The problem is exacerbated by postings to Northern Ireland or overseas. The Northern Ireland Families Survey in 2008 revealed that 33% of families were having difficulties finding employment, and many families in Germany felt aggrieved that well qualified spouses were unable to find employment.

2.9.10 One of the issues discussed at the recent families’ forums was a concern that little progress had been made on the pledge to make job transfer easier for partners or spouses working in the public sector when re-locating. The impact of the MOD move to give priority to Service spouses within its own internal job market was welcome, but had not had time to have an impact, and other factors in MOD’s staff management policy – for example an expectation of a two year tour length – could disadvantage Service spouses. It was suggested at the forums that considering positive action for Service spouses in other areas of the public sector might be worthwhile.

Employment of Armed Forces Leavers in the Public Sector (Commitment 38)

“We will develop with public sector employers tailored access routes for Service leavers. An example in England is “Transition to Teaching” which aims to address national shortfalls in STEM (Science, Technology, Engineering and Maths) teaching. Service leavers with high levels of technical and instructional expertise have much to offer this scheme. There are many other such opportunities. Scottish Ministers and the Welsh Assembly Government have agreed that their Administrations will support this commitment.”

2.9.11 Armed Forces personnel have many skills and attributes which could benefit the public sector after they leave Service. Right Management Ltd (MOD’s commercial partner in the Career Transition Partnership (CTP) with responsibility to deliver Resettlement services) is contracted to develop tailored access routes for Service leavers to employment with Public Sector Employers (PSE).

2.9.12 Pathways into some areas of public sector employment (the Police, Prison Service, and Fire Service) are already well established and the Training and Development Agency for Schools continues to examine opportunities for Service leavers to enter the teaching profession. In March 2009, the seminar referred to under commitment 37 resulted in new links with NHS Careers in England and NHS Employers, as well as specific support to increase awareness of NHS employment opportunities for Service leavers from all ranks and backgrounds. It is hoped to develop a mechanism for recording whether Service leavers achieve success in securing employment in the NHS.

2.9.13 In May 2009, CTP launched its new PSE website. This site is dedicated to enabling the Service leaver to understand and, crucially, access job opportunities within the public sector. To date, 38 PSEs nationwide have been included; their details include links to job vacancies, contact points of HR managers, and tips/advice for making a successful job application. There is a longer-term aspiration to establish a "PSE Community" to market vacancy opportunities collectively to the Service leaver, through a PSE news bulletin as well as regional PSE job fairs. The MOD's Defence Equipment and Support Agency has already moved in this direction: it plans to hold a job fair in November 2009 and is actively encouraging Service leavers to attend. Similarly, the Foreign and Commonwealth Office has started to recognise the Service leaver in their employment marketing.

2.9.14 In Scotland, CoSLA have confirmed that recruitment opportunities with local authorities will be posted in major Armed Forces publications.

Section 10: Foreign And Commonwealth Service Personnel

Foreign and Commonwealth Citizens (Commitments 39-46)

“Foreign and Commonwealth (F&C) citizens have a long and distinguished history of Service. Nearly 12,000 of today’s Service personnel, including Gurkhas, are from F&C countries. We recognise their unique circumstances. UK Borders Agency (UKBA), an agency of the Home Office, will continue to work closely with MOD to resolve immigration and nationality issues affecting F&C Service personnel

As soon as practicable, UKBA will:

- a) Create an avenue to settlement for dependants of F&C Service personnel who have been in continuous service for a minimum of five years, subject to conditions set out in Annex A;*
- b) Create an avenue to enable unmarried/same-sex partners of F&C Service personnel to apply for Leave To Enter/Leave To Remain;*
- c) Treat F&C Service personnel on operations or postings outside the UK at the start of the residential qualifying period for naturalisation as a British citizen as though they had been in the UK at that time;*
- d) Modify the content and delivery of the Life in the UK Test for F&C Service personnel on operations or postings outside the UK to facilitate their naturalisation as a British citizen;*
- e) Allow children born outside the UK to F&C Service personnel on operations or postings overseas to be able to acquire British citizenship where this has the consent of both parents.*

An important effect of the first of these changes will be that once the family members of F&C Service personnel gain settlement they will be eligible for Home Fees status and student support (providing normal criteria are met).

In addition to these specific changes to immigration and citizenship arrangements, the UKBA has agreed to a general principle that F&C Service personnel should not be disadvantaged in comparison with non-military individuals permitted to enter or remain in the UK and gain employment through the Points Based System (and, by extension, their families should similarly not be disadvantaged).

The Earned Citizenship project will both simplify and strengthen the UK’s immigration and citizenship system. In designing the Earned Citizenship architecture, UKBA will ensure no detrimental impact on the dependants of serving personnel on operations or postings overseas. UKBA will consider the circumstances of such dependants in developing the new journey to citizenship.”

2.10.1 Some changes relating to these commitments have already been delivered through alterations to the Immigration Rules which came into effect in March 2009, thus easing the entry and settlement in the UK of family members of Foreign and Commonwealth Service personnel. Firstly, spouses, civil partners, unmarried or same-sex partners of Forces personnel and children under the age of 18 will now be able to apply for settlement providing their serving spouse, civil partner, unmarried or same-sex partner or parent has completed at least five years continuous service. This change has also enabled those family members who gain settlement to be eligible for Home Fee Status. Secondly, unmarried and same-sex partners of Foreign and Commonwealth Armed Forces personnel (and Gurkhas) may now be granted limited leave to

enter or remain, in common with provisions for unmarried and same-sex partners elsewhere in the Immigration Rules.

2.10.2 The Borders, Citizenship and Immigration Bill (BCI) that gained Royal Assent in July 2009 reflects two further Command Paper commitments to Foreign and Commonwealth personnel and their families. The Bill contains a new discretion which allows the Secretary of State to waive some or all of the standard requirements for naturalisation as a British citizen, including the requirement for a serving member of the Armed Forces to be in the UK at the start of the qualifying period. The BCI also provides for children born outside the UK to Foreign and Commonwealth personnel to acquire British citizenship at birth by registration, and clarifies current law to enable those born in the UK to continue to acquire citizenship at birth automatically. The Act is due to come into force by April 2010.

2.10.3 The UK Borders Agency are in discussion with the MOD on how to deliver the Life in the UK Test via MOD education centres, for personnel serving on operations or overseas postings, to facilitate their naturalisation as British citizens. It has been decided that there is no requirement for the content of the test to be modified.

2.10.4 Although the delivery of some of the Command Paper commitments is still in the pipeline, including the Earned Citizenship project which is due for delivery in 2011, it is felt that significant progress has been made. In addition, the RBL has asked the UK Borders Agency to provide for settlement for those discharged for medical reasons before completion of four years of service⁸. In 2008 the UK Borders Agency created some discretion to be able to grant Indefinite Leave to Remain where injuries have occurred during training for or whilst serving on operations and for those discharged as a result of initial training to be considered on a case by case basis. The RBL is concerned to see how this guidance works in practice and the UK Borders Agency will discuss these concerns with them as the new guidance is used.

⁸ This equates to approximately 30 personnel per year, based on DASA statistics for the years 2002-2007

Section 11: Pay

Armed Forces Pay Review Body (Commitment 47)

“The peculiarities of Service life are such that independent review is the appropriate way to establish pay. We have implemented in full every basic pay recommendation of the AFPRB in the last ten years, including in the last two years among the highest awards in the public sector, and we reiterate our commitment to this process.”

2.11.1 The Government has implemented in full every basic pay recommendation of the Armed Forces Pay Review Body in the last eleven years. In the last three years these awards have been among the highest in the public sector, including a 2.8% rise for financial year 2009/2010. The pay award has also introduced new targeted pay measures for Service personnel in specific ranks or trades, and from 1 April 2009, the qualifying period for each level of Longer Separation Allowance was reduced by 60 days. The Government maintains its commitment to the AFPRB process.

2.11.2 The main 2009 pay award was well received by Service personnel, given the wider economic climate and the fact that the settlement was near the top end of the public sector awards. This year’s evidence-gathering by the AFPRB, which has listened closely to Service personnel and their Families Federations, has identified a need to devote more resources to the package for those affected by operations and the tempo of Armed Forces activity. This may include further improvements to Longer Separation Allowance. Furthermore it is anticipated that Terms and Conditions of Service will be examined, alongside all aspects of Service personnel policy, under the forthcoming Strategic Defence Review. Overall, the MOD is confident the AFPRB will recommend to the Government a fair, reasonable and appropriate award in 2010 which reflects the demands being placed upon Service personnel and the general high esteem in which the Armed Forces are held by the public.

Chapter 3: Making the Command Paper Last

3.1 The Command Paper last year was the first cross-Government strategy aimed at supporting our Armed Forces personnel, their families and veterans. But the need to maintain momentum over the longer term was always recognised, and measures were put in place to ensure that this happened. In reviewing progress in this area, commitments are again restated at the start of each section for ease of reference.

Armed Forces Advocates

“Departmental Cooperation. Government Departments and Devolved Administrations should ensure that policy is not made nor legislation enacted without taking account of its impact on the Service community, whether UK or overseas based. Each Department of State will appoint a senior Director as an “Armed Forces Advocate”. The purpose of these advocates is to identify and resolve policy or legislative issues that may affect Service personnel, their families and veterans. The Devolved Administrations in Scotland and Wales will do likewise. Advocates will meet the Ministry of Defence (MOD) regularly.”

3.2 Since the launch of the Command Paper each relevant Department of State and Devolved Administration has appointed an Armed Forces Advocate. Those currently represented are: the Cabinet Office, Department of Work and Pensions, Department of Health, Department for Transport, Department for Children, Schools and Families, Department for Communities and Local Government, Department for Business Innovation and Skills, Her Majesty’s Treasury, Her Majesty’s Revenue and Customs, Home Office, and the Ministry of Justice. The Welsh Assembly Government and the Scottish Government have also appointed Advocates.

3.3 The Armed Forces Advocate’s key role is to identify and resolve policy or legislative issues that may affect Armed Forces personnel, their families and veterans. This network of Advocates has started to prove its value with detailed policy issues that inadvertently impact on the Service community being taken forward by individual Departments to resolve – for example, removing the two-year residency criteria set by some English local health authorities to assess eligibility for IVF treatment. The Advocates have had the opportunity to undertake familiarisation visits to the Royal Navy, the Army and the Royal Air Force. These visits gave them a taste of life in the Armed Forces and the individual characteristics of each Service, and allowed them to hear at first hand, from all ranks and from family members, of their experiences in everyday activities. Reciprocal visits are being arranged for those representing the Service charities to Government Departments, so that the nature of their business can be better understood.

External Reference Group (ERG)

“Progress will be assured by regular external and cross-Government audit. The External Reference Group established for this work will be extended. It will now include representation from MOD, other Departments, defence academia, the Service Families Federations and key Service charities. The Cabinet Office will provide the chair and secretariat. Departments will be required to demonstrate progress against agreements. The Devolved Administrations will be invited to participate in order to share their own assessments of progress. The Reference Group will report annually to the Prime Minister and the Defence Secretary and this report will be published.”

3.4 The extended External Reference Group (ERG) was set up in 2008 with the inaugural meeting held in November. Meetings are attended by the Armed Forces Advocates, SSAFA - Forces Help, the Royal British Legion, the Confederation of British Service & Ex-Service Organisations, the Naval Families Federation, Army Families Federation, RAF Families Federation, War Widows Association, and Defence academia (Professor Strachan of Oxford University), as well as representatives from the Ministry of Defence. Progress against the commitments within the Command Paper is overseen by the ERG, including through the production of this annual report.

3.5 The terms of reference for the ERG are to:

- i ensure that the essential starting point of the Service Personnel Command Paper - those who serve must not be disadvantaged by virtue of what they do - is met;
- ii ensure that the enduring principles of the Service Personnel Command Paper: as much lifestyle choice as any other citizen; continuity of public services; proper return for sacrifice; and the Armed Forces Constituency matters, are upheld;
- iii ensure that the impact on the Armed Forces constituency and the strategic effect upon the Armed Forces is considered when making policy or legislative proposals;
- iv ensure that: i) first and foremost the specific commitments contained within the Service Personnel Command Paper; and ii) subsequent others in the same policy areas, are delivered;
- v liaise with the Devolved Administrations on their Command Paper commitments;
- vi audit progress on i.-v. above and direct corrective action as necessary;
- vii produce and publish an annual evidence-based progress report to the Prime Minister and the Defence Secretary which will also reflect the position in the Devolved Administrations;
- viii participate in a full review of progress every five years that will report publicly to the Prime Minister and the Defence Secretary and be sent to the First Ministers of Scotland and Wales and the First and deputy First Ministers of Northern Ireland as appropriate; and
- ix meet regularly, convening at least three times per year.

Local Cooperation

“The Department for Communities and Local Government (CLG) has issued new statutory guidance to local authorities in England (Creating Strong, Safe and Prosperous Communities) encouraging them to consult their local Armed Forces. This ensures that Service needs are considered as part of local authority planning. In addition, MOD and CLG will establish a pilot and consult the Devolved Administrations to establish how local and MOD authorities can strengthen their cooperation throughout the UK. This will be conducted between local authorities, regional bodies and MOD. It will establish how similar cooperation would extend to permanent military bases overseas. It will identify how an appropriate MOD body can be added by CLG to the list of Statutory Bodies with whom local authorities must consult in the formulation of policy. It will be complete by the end of 2009 with best practice replicated across the UK and overseas bases by 2010.”

3.6 The MOD and CLG have been working with the Improvement and Development Agency (IDeA) over the last year to study four pilot areas where different ways of local cooperation have been established. These areas centre on RAF Marham, Army bases in Tidworth and Catterick, and at the former site of RAF Innsworth which is due to become the new home for a NATO military unit in 2010. Work on these case studies is complete and a best practice document is now being drawn up, for dissemination later this year.

3.7 One of the ways in which local cooperation has been fostered is the setting up of consultative forums in areas with a high military presence in England. These forums include public service deliverers from across the geographical area, ranging from the Fire and Rescue Service to Borough Councils. They meet regularly to share relevant key information in relation to their respective roles. They provide a route for MOD to table proposals that are likely to impact on more than one of the stakeholders, and to determine actions which will reinforce joint working to address common challenges.

3.8 In Scotland, Ministers met on May 2009 with the heads of the Armed Forces in Scotland to discuss ways in which there could be greater collaborative working designed to improve the delivery of public services and other forms of support to the Armed Forces community. This has led to improved dialogue between the Scottish Government and the Armed forces on devolved matters and ensures that the Armed Forces community can inform Scottish Government policy development and delivery.

3.9 Across Britain, there are real signs of improvement in this area. For example the majority of RAF stations surveyed stated that they had good relationships with the various councils with seven stations commenting that they had engagement at strategic levels; this engagement varied from sitting on working groups, to attending informal meetings.

Keeping Everyone Informed

“The consultation exercise showed that a number of Service personnel, their families and veterans do not know or understand what is available to them or how to get it. It is also clear that some Government Departments and agencies are not communicating with them or each other as well as they should. We have a duty to keep the Service community and those who provide for them fully informed.”

We therefore intend to issue widely to Service personnel, families and veterans easily-accessible advice on what the commitments in this cross-Government strategy will mean for them on the ground. We will publicise those organisations from which advice can be sought. And we will provide straightforward guidance on where individuals should turn to for assistance – and how to complain – when local agencies or Departments are not delivering any of the commitments in the strategy.”

3.10 The implementation of specific Command Paper commitments has been accompanied by a range of information leaflets and guidance produced by various organisations, as described in chapter two. In addition the MOD has issued information leaflets to the Service community outlining some of what they can now expect. Service charities and the Families Federations have disseminated information through their own websites and magazines.

3.11 It is important for members of the Armed Forces community to be aware of the Command Paper, not only so that they can take advantage of the specific commitments, where appropriate, but also to understand what the Government is trying to do. Increasingly, in order to get the best from public services, it may be necessary to make their connection to the military clear. There is still a requirement, which is not fully met at present, for all Armed Forces personnel, every Forces family member, and every veteran to understand how they may be affected. The level of awareness of the Command Paper and its commitments has improved in some areas since its launch. For example, within the Navy 58% of those sampled through a focus group were aware of it and its content against 34% completely unaware of its existence, a reversal of the percentages over a nine month period. However, the Families Federations still report limited awareness of both the Command Paper and many of its commitments amongst family members.

3.12 There is also a requirement to publicise developments as they occur. Internal communication, such as Families Federation magazines and MOD/Service publications, are good ways of getting details of progress disseminated. Some military establishments feel that there is a plethora of information, causing the detail to be lost, particularly for other ranks. There is general support for a more regular information flow, bulletins, family leaflets and bespoke briefing material for establishments to use.

3.13 There are plans to address this in a number of ways. Although internet services are not appropriate for all members of the Armed Forces community, they have an important and growing role to play, and need to be kept up to date and used coherently. Directgov, the Government’s one-stop-shop both for advice and transactions, is benefiting from a recent advertising campaign that has resulted in a significant increase in use of the site, and should be a valuable resource. It also provides advice and links about public services in the Devolved Administrations. The MOD is currently working with the editors to improve the Armed Forces community presence on the site.

3.14 We believe consideration should be given to production of an easy to understand, tri-Service, comprehensive, standalone booklet that sets out the commitments – placing them in the context of the overall service available – and shows how to access each particular service. This could also be placed on the internet. Details of “what to do when it goes wrong” would be required. More broadly, information and training should be offered to HIVE information officers to ensure that they are fully up to date with Command Paper developments.

Next Steps

3.15 Our assessment of the impact which the existing commitments have made has recognised that the full effects will take time to emerge. However we see this as only part of the story. The Command Paper process should be a dynamic one. New issues will emerge, or known issues may require further attention, and new measures should be taken to address them. Indeed, we regard an increased alertness to potential areas of disadvantage as a sign of success for the Command Paper.

3.16 A number of ideas for new or enhanced measures have been put forward by both members of the External Reference Group, and members of the Armed Forces community. In some cases they have arisen as a result of the work to prepare this annual report, and they range across all the sectors discussed in chapter two. All such ideas should be considered, in terms of both the evidence that disadvantage is occurring or special treatment is merited, and the practicalities of resolving the problem. We accordingly recommend that a structured process is developed to enable new "Command Paper measures" to be proposed, assessed and if appropriate endorsed as commitments by the Government and Devolved Administrations.

The Nation's Commitment to the Armed Forces Community: Consistent and Enduring Support (Consultation Paper)

3.17 Whilst much has been achieved in the year since the launch of the Command Paper, with many commitments met or in the process of being met, there is another dimension, which concerns not individual measures to prevent our Armed Forces community being disadvantaged, but a change in the culture. The MOD would like to see an enduring shift in the way in which public bodies (and beyond) think about the Armed Forces community, so that their special circumstances are taken into account at all stages, from policy formation to service delivery.

3.18 In July 2009 the Government published a consultation paper setting out a number of ideas for how this might be achieved, focussed on two strands: securing consistent and enduring support, and providing routes of recourse. Its vision for the future is a nation where, as a matter of routine, all services are provided to the Armed Forces community in a way which prevents that community being subjected to disadvantage, and provides special treatment where appropriate, including for those injured in Service; and where all those responsible for directing and delivering those services get the encouragement, guidance and recognition they need to make that happen. The Government stated that, where the options relate to devolved matters in Northern Ireland, Scotland or Wales it will continue to work with the Devolved Administrations who are responsible for a number of areas such as health, housing, education, skills and transport, in determining how best to take forward the principles of achieving equal or similar levels of support for the Armed Forces community.

3.19 The purpose of the consultation exercise is to allow the Government to make informed, collective decisions on how best to take this work forward and deliver real and lasting effect for the Armed Forces community. It remains open for public response until 31 October 2009 and the MOD plans to respond by the end of January 2010. As organisations, the members of the ERG are considering their own inputs to this consultation process, and as a group will take a close interest in how it is followed up.

3.20 The ERG regards this element of the Command Paper as one of the most important. Only by taking steps to make it last, to introduce structures and processes which will ensure that its principles are followed throughout public bodies, and to communicate effectively at all levels, can the great opportunity which it represents be fully exploited. We will continue to use our voice to that end.

