



Armed Forces Community Covenant

Report by the Chief Executive

1.0 Summary

- 1.1 This report sets out the background and local action taken in respect of the Armed Forces Community Covenant
- 1.2 It invites Members to determine whether the Councils wish to enter into a Community Covenant

2.0 Background

- 2.1 The Community Covenant Scheme was launched by the Government in 2011 following a high profile campaign by the British Legion on Armed Forces Covenant issues. The Community Covenant is designed to reinforce, at local level, the national Armed Forces Covenant.
- 2.2 Rather than set out at length the thinking behind the scheme, each Member has been issued with a copy of the Best Practice Guide to Community Covenants, which gives the full picture and detail of how they work.
- 2.3 The West Sussex County Council has been the key driving force behind promoting local Armed Forces Covenants and indeed signed its own covenant on the 26 July 2012.
- 2.4 Key aims set out in that covenant were:
 - 2.4.1 "The covenant says – We will continue to work closely with 2 (SE) Brigade, the Health Service and statutory providers, and the Charitable and Voluntary Sector, to develop and support this programme of work.

- 2.4.2 The County Council is also working with Brighton & Hove City Council and East Sussex County Council to assess the health needs of military veterans in Sussex. It is also carrying out a needs assessment of families and children of serving military personnel at Thorney Island on the West Sussex-Hampshire border.
- 2.4.3 The County Council says it will work with the Armed Forces community to form a Civilian and Military Partnership Board to help achieve the aims of the Covenant”.
- 2.5 It also stated that “The County Council is already part of the Sussex Armed Forces Network, established by NHS Sussex in order to better facilitate the provision of support to the Armed Forces Community across Sussex”.
- 2.6 West Sussex County Council is also keen to encourage the idea of each Borough and District appointing a Champion to promote the aims contained in the Covenant.
- 2.7 The Ministry of Defence has established a Community Covenant Grant Scheme. In considering this recently, Louise Goldsmith, Leader of West Sussex County Council said:

“The Grant Scheme has been established by the MoD to fund local projects which strengthen ties or mutual understanding between members of the Armed Forces Community and the wider community in which they live. Over £30 million over four financial years (2011 – 2015) has been set aside to help communities across the country to undertake projects that promote greater understanding between the military and civilian populations.

The County Council will administer the scheme in West Sussex as the MoD requires that applications are submitted to and considered by the local Community Covenant representatives before being sent to them for approval.

However, I also feel it is important that the Co-operative is involved in the Grant Scheme in West Sussex and would like to suggest that applications (prior to consideration by the local Community Covenant representatives) are sent to appropriate Co-operative members for consultation. For applications that are endorsed by the local Community Covenant representatives and approved by the MoD, the County Council is asked to provide monitoring information to the MoD. Appropriate Co-operative members could assist in this process by providing feedback on the application or project.

Further information on the proposed process is provided in the attached Appendix A”.

- 2.8 It is the intention of West Sussex County Council to involve the West Sussex Co-Operative as part of the administration and it is suggested that applications will be considered there first.

- 2.9 At the last meeting of the West Sussex Co-Operative on 14 January 2013, it was agreed that a member of the Forces would be invited to sit on the Co-Operative to represent military interests.
- 2.10 Progress will be monitored by the Sussex Armed Forces Network and there will be annual reports to West Sussex County Council's Cabinet and the Ministry of Defence.

3.0 Proposals

- 3.1 It is assumed from previous actions both Councils have taken, that there is much goodwill towards the Armed Forces. However, Members will want to know what are the actual effects of the more important components of a covenant.
- 3.2 The most obvious area is in housing and there are two main points to cover.

3.2.1 General access to the Housing Register

The new Code of Guidance on Allocation of Accommodation for English local authorities, effective from 29th June 2012, includes the following paragraphs in relation to members of the Armed Forces who may not meet the usual residence criteria as a result of the peripatetic nature of their work:

Members of the Armed Forces and the Reserve Forces

3.27 *Subject to Parliamentary scrutiny, we will regulate to provide that authorities must not disqualify the following applicants on the grounds that they do not have a local connection⁹ with the authority's district:*

(a) members of the Armed Forces and former Service personnel, where the application is made within five¹⁰ years of discharge

(b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner

(c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

3.28 *These provisions recognise the special position of members of the Armed Forces (and their families) whose employment requires them to be mobile and who are likely therefore to be particularly disadvantaged by local connection requirements; as well as those injured reservists who may need to move to another local authority district to access treatment, care or support.*

¹⁰5 years reflects guidelines issued by the local authorities associations which propose a working definition of normal residence for the purposes of establishing a local connection (see paragraph 4.1(i) to Annex 18 of the Homelessness Code of Guidance 2006).

This has since been backed up by a statutory instrument giving it the force of law.

The Council is in the process of revising its allocations policy and related matters in the light of the Code of Guidance and the “freedoms and flexibilities” contained in the Localism Act. The new policy will reflect this (and will need to be agreed by JSC) but in the meantime our practices reflect the new requirement.

3.2.2 Additional priority for forces or ex-forces personnel

By law local authorities **must** give 'reasonable preference' (priority) for social housing to certain people, including people who are homeless, living in overcrowded accommodation, or who have a medical or welfare need to move. Those leaving the Armed Forces will have priority, for example, if they were discharged on medical grounds, or are homeless.

Local authorities **may** also give 'additional preference' (high priority) to people in the reasonable preference categories who have more urgent housing needs. In practical terms if an ex-Forces applicant requires additional priority as a result of vulnerability, whether or not it is a direct result of being in the forces, then they will have that priority by virtue of the vulnerability in any event, and therefore will not be disadvantaged against other similar applicants.

In other words, there should be no problem in terms of signing the Armed Forces Covenant as far as Adur's housing policies are concerned, as they should be compliant with the spirit of the Covenant. (Obviously the properties have to be available in the first place).

There are a number of other measures around housing, such as access to national schemes such as First Buy (to assist people into owner-occupation through equity loans etc) but which are not directly affected by the Council's policies and vice versa.

4.0 Legal

- 4.1 Allocation to social housing is governed by Part VI of the Housing Act 1996
- 4.2 The Homelessness (Priority Needs for Accommodation) Order 2002 placed the priority for former members of the armed services on a statutory basis.
- 4.3 Section 111 of the Local Government Act, 1972 allows the Councils to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions, which includes the signing of the Armed Forces Covenant and the appointment of a Champion for the Armed Forces

5.0 Financial implications

- 5.1 At the moment there are no substantial financial implications but these would be subject to the extent to which the Council wishes to expand roles and activities.

6.0 Recommendation

6.1 Members are asked to consider, in respect of each Council, entering into an Armed Forces Community Covenant.

6.2 Members are asked to consider appointing a Champion for the Armed Forces from each Council.

Local Government Act 1972

Background Papers:

Best Practice Guide to Community Covenants

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Schedule of Other Matters

1.0 Council Priority

1.1 Working in partnership to promote health and wellbeing in our communities

2.0 Specific Action Plans

2.1 None at the present time

3.0 Sustainability Issues

3.1 Matter considered and no issues identified

4.0 Equality Issues

4.1 Matter considered and no issues identified

5.0 Community Safety Issues (Section 17)

5.1 Matter considered and no issues identified

6.0 Human Rights Issues

6.1 Matter considered and no issues identified

7.0 Reputation

7.1 The signing of the Armed Forces Covenant is likely to have a positive effect upon the reputation of the Councils.

8.0 Consultations

8.1 Matter considered and no issues identified

9.0 Risk Assessment

9.1 Matter considered and no issues identified

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified

11.0 Procurement Strategy

11.1 Matter considered and no issues identified

12.0 Partnership Working

12.1 The proposals in this report encourage partnership working with West Sussex County Council, the other District and Borough Councils in West Sussex and the Armed Forces.

Proposed process for the Grant Scheme in West Sussex

The national Ministry of Defence Community Covenant Grant Panel meets quarterly to consider applications to the Grant Scheme. Before applications reach the MoD they must be considered and endorsed by the local Community Covenant representatives.

The County Council will therefore organise a quarterly meeting, fitting in with MoD deadlines for receiving applications, of the local Community Covenant representatives – the WSCC Armed Forces Champion and Brigadier Wolsey OBE (or his representative).

The proposed process for applications is then:

1. Applications to the Community Covenant Grant Scheme are received by WSCC and then sent by e-mail to the relevant Co-operative members for consultation. In most cases it is expected that the consultees will be the Armed Forces Member Champion from the appropriate District or Borough Council and any other appropriate Co-operative member depending on the nature of the application.
2. The consultees are invited to provide their comments on the application by e-mail, and are also advised of the date of the local Community Covenant Grant Scheme meeting should they wish to attend to discuss their comments in more detail.
3. Comments from the consultees are gathered by WSCC.
4. The local Community Covenant Grant Scheme meeting takes place, and endorsed applications are signed and sent to the MoD.
5. For applications that are approved by the MoD, the appropriate Co-operative organisation is requested to monitor how the funding was used. This information is collated by WSCC, considered at the next local Grant Scheme meeting and reported to the MoD.

** Note that all applications from the NHS in Sussex will be administered, endorsed and monitored by the Sussex Armed Forces Network as Sussex NHS has its own Community Covenant with the Armed Forces.