

# TONBRIDGE & MALLING BOROUGH COUNCIL

## CABINET

14 October 2009

### Report of the Chief Executive

#### Part 1- Public

#### Executive Non Key Decisions

#### **1 THE NATION'S COMMITMENT TO THE ARMED FORCES COMMUNITY: CONSISTENT AND ENDURING SUPPORT**

**To formulate a response to the above consultation.**

#### **1.1 The Consultation Paper**

- 1.1.1 The Secretary of State for Defence has issued a consultation paper setting out a number of proposals to support the armed forces community and to seek to remove any disadvantage that community may face in their day to day lives whilst in service to the nation and as veterans. The intended outcome of this initiative is to achieve the following vision:

*'Our 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 the need to make that happen.'*

- 1.1.2 The consultation paper is a wide ranging document and poses a number of specific questions about options to achieve the above vision. In addition, the consultation paper suggests a number of recommendations for the role of local authorities in supporting those in the Armed Forces community on which it is relevant for us to comment.

#### **1.2 Suggested Response to the Consultation**

- 1.2.1 In principle, the Borough Council should strongly support this initiative. It is clear from the consultation paper that, in a number of areas, the particular circumstances of Armed Forces families, who are naturally more transient due to posting to different bases in a number of countries, can cause difficulties and some disadvantage. One example given is Armed Forces couples who are seeking IVF treatment. Some health authorities apply a minimum two year residency requirement before couples can be eligible. Whilst this policy has not

overtly set out to discriminate against Armed Forces personnel and their families, the lack of awareness of their specific circumstances amongst service providers has resulted in disadvantage for them. It is these sorts of issues which the proposals in the consultation seek to address and resolve.

- 1.2.2 A key proposal which is intended to address such disadvantage is the proposal to introduce either a new legal duty on named bodies, including local authorities, to consider the needs of the Armed Forces community or, alternatively to promote a Charter that could be adopted by a range of organisations to signal support and to commit those organisations to act in accordance with its provisions. Of the two approaches suggested, I recommend that the charter option is supported. It would enable a greater range of organisations to be engaged and would signal intrinsic support for the higher-level objectives lying behind such a charter. It could easily be update and amended. A legal duty 'imposed' on a more limited number of organisations would immediately raise issues of compliance and how this is then enforced. It could do little to engender widespread support for the key issues it seeks to address.
- 1.2.3 Complying with a more informal Charter could most appropriately be achieved in a similar fashion to the process of accreditation under the Investors In People initiative whereby those signed up to the charter then accept a requirement to demonstrate how they are fulfilling its requirements. This could then be assessed via a light-touch review.
- 1.2.4 The consultation also suggests that 'advocacy networks' should be developed to identify and resolve any policy issues that may affect service personnel and their families. At the local level, it is suggested that a council's scrutiny function might be an appropriate means to carry out such investigations. Alternatively, or in addition, it is suggested that councils might wish to nominate an 'Armed Forces Champion' to provide a link between the Armed Forces and local service providers. I can see that both of these options have a positive role to play in such matters and would suggest that both be supported.
- 1.2.5 The key Borough Council service that may be affected by these proposals would be housing. With a new duty in place, or a locally adopted charter, there would be a requirement to ensure our housing allocations policies did not discriminate against armed forces personnel through, for example, any unfair local residency/local connection requirements. In many respects, our housing service already positively addresses armed forces issues. For example, regular advice is given to members of the Gurkha community in Tonbridge and there are a number of Gurkha households already registered for affordable housing on the Council's housing register. On this basis, whilst some review of the services we provide might be required when this initiative is implemented, I am confident that only minor changes will be needed in some areas to ensure compliance.

### **1.3 Legal Implications**

- 1.3.1 None, should a charter approach be favoured. The imposition of a formal legal duty would require the Council to ensure its services were delivered in accordance with that duty.

### **1.4 Financial and Value for Money Considerations**

- 1.4.1 There would be no direct financial or value for money issues arising from these proposals.

### **1.5 Risk Assessment**

- 1.5.1 Not relevant at this consultation stage.

### **1.6 Recommendations**

- 1.6.1 That the Borough Council's response to the consultation on The Nation's Commitment to the Armed Forces **BE SUBMITTED** based on the comments set out in this report.

Background papers:

contact: Mark Raymond

The Nation's Commitment to the Armed Forces  
Community: Consistent and Enduring Support  
July 2009 Cm7674

David Hughes  
Chief Executive