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**SECTION 1 – PURPOSE OF CONSULTATION**

The Minister for Home Affairs decided on 8 August 2013 that Jersey Reservists in the Armed Forces (‘Reservists’), should have equivalent protection to their UK counterparts when they are mobilised on active service and he asked the Minister for Social Security (the ‘Minister’) to bring forward draft legislation.

Given the mandate of the Ministry of Defence to increase the percentage of Reservists compared with regular Armed Forces, the Minister agrees that the efforts of Reservists should be supported as there will potentially be a greater call on their services in the future. The Minister directed the Employment Forum (the ‘Forum’) to consult with stakeholders and to make a recommendation to him by the end of February 2014 as to what, if any, protection could appropriately be introduced via the Employment (Jersey) Law 2003 (the ‘Employment Law’) [[1]](#footnote-1).

**SECTION 2 - BACKGROUND**

A decision of the Minister for Home Affairs on 8 August 2013[[2]](#footnote-2) requested that legislation be introduced in Jersey equivalent to the UK’s Reserve Forces (Safeguard of Employment) Act 1985 (the ‘Reserve Forces (Safeguard of Employment) Act’). Reservists in Jersey who deploy on active service currently have no specific statutory employment protection.  The Minister for Home Affairs considers that Reservists should be afforded protection of employment and should have the right to return to work after demobilisation from a period of active service.

The term Reservist is used in this consultation to mean an employee who has made a commitment to the British Armed Forces to be a member of the Reserve Forces. An explanation of some of the different categories of Reservist is provided in Appendix 1.The Volunteer Reserve Forces consist of civilians from large and small businesses from a wide range of industries. Their collective skills are used to reinforce the Regular Armed Forces through the Royal Naval Reserve, the Royal Marines Reserve, the Territorial Army and the Reserve Air Forces.

Sections 2 to 4 of this consultation include details of the current position in Jersey and the UK as well as changes that could be made to the Employment Law to introduce some protection for Reservists who are resident in Jersey.

**SECTION 3 – UK POSITION[[3]](#footnote-3)**

**Mobilisation**

When Reservists are needed, they are ‘mobilised’ or ‘called out’. Mobilisation is the process of calling Reservists into a period of permanent service within the Regular Forces in support of military operations, serving alongside the Regular Armed Forces. All Reservists are committed to the possibility of being mobilised if necessary. They are normally required to serve abroad but it is possible they would be needed to serve in the UK, for example in the event of a national emergency.

When mobilised, a Reservist reports to their mobilisation centre where they undertake pre-mobilisation training, including a medical examination, before being accepted into full-time service. This process can take up to four weeks. They then join a regular unit for the duration of their mobilised service. Towards the end of their mobilised service, they return to the mobilisation centre to be demobilised.

The Reserve Forces Act 1996[[4]](#footnote-4) (the ‘Reserve Forces Act’) sets out the call-out powers under which Reservists can be mobilised for full-time service. There are four main powers under which mobilisation can take place:

* If it appears that national danger is imminent, a great emergency has arisen or if there has been an attack on the United Kingdom.
* If it appears that warlike operations are in preparation or progress e.g. Afghanistan.
* If it appears necessary or desirable to use Armed Forces on operations outside the UK for the protection of life or property; or on operations elsewhere in the world for the alleviation of distress or the preservation of life or property in time of disaster or apprehended disaster, e.g. the Balkans.
* If it appears necessary or desirable to use Armed Forces for urgent work of national importance.

The Ministry of Defence (MOD) uses ‘Intelligent Selection’, which identifies willing and available individuals for specific appointments. This allows Reservists to be selected according to their skills as well as taking into account their personal and employment circumstances, which includes consulting with the Reservist's employer. Legally, all mobilisations are compulsory. Sometimes the MOD cannot meet its requirements by identifying willing and available individuals, (e.g. when operational deadlines are short), in which case a Reservist may be mobilised without taking account of personal, welfare and employment issues.

The length of mobilisation currently ranges from three months or less, up to a legal maximum of 12 months in total, accumulated over a three year period.

**Employer Notification**

Reservists are encouraged to discuss their status and commitments at job interviews or to tell their employer if they intend to become a Reservist. Anyone who becomes a Reservist, or seeks to renew their commitment (re-engage), must give permission for the MOD to write to their employer direct. This ‘Employer Notification’ system ensures that employers are aware if they employ a Reservist or if an existing employee joins the Reserve Forces. The Employer Notification system extends to employers in Jersey.

The Reserve Forces Act does not require that a minimum period of notice is given prior to a Reservist being mobilised, however the MOD aims to give at least 28 days’ notice and a Reservist will often have six months’ notice that they will be mobilised. Where a Reservist is employed on a fixed term contract for six months or less, the employer is not notified in advance that they employ a Reservist, but is notified that the employee is to be mobilised.

When an employee is to be mobilised into full-time service, the MOD sends a mobilisation information pack to the employer to provide information including the date and possible duration of mobilisation, statutory rights and responsibilities, how to apply for an exemption and how to apply for financial compensation. Mobilisation information packs are also sent to employers in Jersey.

If a Reservist is mobilised and the employer believes that their absence would cause serious harm to the business, both the employer and the Reservist have the right to seek an exemption, deferral or revocation of the mobilisation. There is flexibility and the reasons will be taken into account; the success of such a request will often depend upon the specific skill set of the individual.

**Financial compensation**

If a Reservist is mobilised, the employer does not have to pay them any salary or associated benefits for the duration of their operational duty.  The MOD provides financial assistance to Reservists and their employers[[5]](#footnote-5), including those in Jersey. A Reservist can claim financial support to cover loss of employment earnings and benefits, up to £548 per day. Employers may also claim for any financial loss that they incur as a result of an employee being mobilised, up to a maximum of £110 per day in relation to any replacement costs incurred that exceed the relevant earnings of the Reservist.  The employer can also claim costs for advertising, paying agency fees for replacement staff, pension contributions and essential re-training costs when the employee returns to work.

There is no facility to extend the Reserve Forces (Safeguard of Employment) Act[[6]](#footnote-6) to Jersey by Order in Council. However, the Reserve Forces Act is in the process of being revised under the Defence Reform Bill and it has provisionally been agreed to extend to Jersey the protections relating to Reservists’ pay and compensation for employers’ financial losses. Whilst the law has not yet been extended, the MOD already makes equivalent payments to Reservists and their employers in Jersey. The Forum is therefore not required to consult or make a recommendation on these matters.

The Forum understands that the MOD provisions for employers to claim financial compensation are straightforward and easy to use and these will continue to be available to Jersey employers.

**Demobilisation**

Demobilisation occurs when a Reservist returns from active duty to the mobilisation centre. Procedures are in place to help Reservists readjust to civilian life after returning from the front line.

1. **Adaption -** Before returning home, a Reservist may undergo a process of ‘winding down’ with their unit in a controlled environment for up to four days.
2. **Assessment -** On arrival in the UK, Reservists are taken to a demobilisation centre, where the process of reintegration continues, including medical assessments, briefings on stress, their return to work, welfare guidance and advice.
3. **Post-operational leave -** The Reservist is then formally demobilised and starts a period of post-operational leave. During mobilisation, Reservists accrue (with the MOD rather than the employer) the right to a period of leave which is paid by the MOD. The length of leave depends on the length of mobilisation and is an average of around 30 days. Employers are encouraged to make regular contact with their Reservist employee during this period to help ease their return to work.
4. **Last day of full-time service -** A Reservist’s final day of post operational leave is their last day of full-time service and their final day of pay from the MOD. A Reservist must write to their employer to formally state their readiness to return to work no later than the third Monday following their last day of whole-time service and their start date should be within six weeks of their last day of full-time service (see the section on ‘the right to return to work’ on page 6).

**Employment Protection**

The 1996 Employment Rights Act provides that mobilisation does not break a Reservists’ continuity of employment for the purpose of calculating their length of service, as long as the Reservist returns to work within six months of the end of their full-time service. The period of mobilisation does not break service, but does not count as service. Terms and conditions of employment effectively continue during the period of mobilisation; the employer continues to provide employment related pay and benefits and the MOD compensates the employer financially. Reservists accrue the right to paid leave with the MOD, rather than their employer, during the period of mobilisation.

In addition, the Reserve Forces (Safeguard of Employment) Act provides Reservists who have a liability to be mobilised with two types of protection:

1. **Protection from unfair dismissal**

It is a criminal offence, with liability to a fine, for an employer to terminate a Reservist’s employment, without their consent, solely or mainly because the Reservist has a liability to be mobilised. In addition, compensation is payable to the Reservist of up to 5 weeks’ pay.

As set out in the Secretary of State for Defence’s white paper, ‘Reserves in the Future Force 2020: valuable and valued’[[7]](#footnote-7) (3 July 2013), there are plans to remove the qualifying period of employment for protection against unfair dismissal if a dismissal relates to a Reservists’ service.

The Defence Reform Bill seeks to introduce this new ‘automatically unfair dismissal’ where the reason (or the main reason) for dismissal is, or is connected with, the employee’s membership of a Reserve Force (as defined in section 374 of the Armed Forces Act). This means that dismissal will be regarded as unfair, regardless of any consideration of reasonableness and the employee can make a complaint of unfair dismissal to an Employment Tribunal from day one of employment.

1. **The right to return to work**

When a Reservist employee returns from mobilisation, their employer must employ them in the same role and on equally favourable terms and conditions as soon as they are reasonably able to do so. If this is not reasonable and practical, a Reservist must be re-employed in the most favourable job and on the most favourable terms and conditions that are available.

Whilst Reservists may be included in a redundancy pool, all employees should be treated consistently, and redundancy criteria should not discriminate against Reservists on the grounds of their Reserve service or call-up liability. A Reservist must not be made redundant on the grounds of their Reserve service duties or their liability to be mobilised.

In order to retain the right to return to work, after demobilisation, a Reservist must write to their employer within the period between the end of their full-time service and the third Monday after that date asking to return to their former job. Either at that time, or within a further 3 week period, the Reservist must advise their employer of the date on which they will be available to return to work, which must be no later than six weeks after their last day of full-time service. If the Reservist and the employer agree a return date and terms, then no further action needs to be taken.

If the employer offers alternative employment and the Reservist is dissatisfied with the offer, they must inform the employer immediately in writing, stating why there is reasonable cause for them not to accept it. If a Reservist believes that an employer’s response to their application to return to work denies their rights, an application can be made to a Reinstatement Committee for assessment.

Employers are obliged to employ Reservists who return to work after mobilisation for a minimum of 13, 26, or 52 weeks, depending on their length of employment service prior to mobilisation:

* Up to 13 weeks’ service: employ for no less than 13 weeks
* At least 13 weeks’, but less than 52 weeks’ service: employ for no less than 26 weeks
* 52 weeks’ service or more: employ for at least 52 weeks.

These minimum periods of employment are intended to act as a safeguard and they apply unless circumstances genuinely prevent it, such as in an insolvency situation. After the minimum period of employment, the normal rules relating to dismissal and redundancy apply.

**SECTION 4 – RESERVISTS IN JERSEY**

**Current position**

The States of Jersey provides and maintains a Territorial Army centre as Jersey’s contribution to defence and as part of an inter-governmental agreement.  One of the core tasks of the Jersey Field Squadron (the ‘Squadron’) is to continue to support the regular army.  More than 40 members of the Squadron have deployed on operations in support of the regular army.  The majority of Reservists in Jersey are members of the Jersey Field Squadron, although there are a number of other Reservists in Jersey, including Regular Reserves (see Appendix 1).

In November 2012, the MOD published a Green Paper on the “Future Reserves 2020: “Delivering the Nation’s Security Together”[[8]](#footnote-8) with a mandate to increase the percentage of Reservists compared with regular Armed Forces. That paper set out the increased role that the Reserve Forces will have in the future and acknowledged the impact that this will have on employers.  With 45 members currently, the Squadron is manned at around half of its capacity, so it has capacity to expand and is recruiting in line with the “Future Reserves 2020” strategy. With the Armed Forces deployed in several conflict zones at the current time, the likelihood of a Squadron member being requested to mobilise is high.

The Forum understands that members of the Squadron generally have supportive employers and issues rarely arise, however questions about employment protection have been raised, particularly by new recruits, and employers and employees alike can be concerned about employment protection. This is seen as a potential barrier to the recruitment of Reservists which can impact, not only on the number of Reserves, but on the breadth, professions and skill types of those who are able to commit to the Squadron.

**Active service and training**

Operational tours currently range from short tours of three months or less, up to a maximum of 12 months. The period of active service depends on operational need and the powers used for call-out under the Reserve Forces Act. Reservists are expected to commit to up to six months’ active service, plus pre-mobilisation training and demobilisation in a five year period.  The Forum is advised that this may mean that a Reservist is unable to work in their usual employment for up to 11 months in total during a five year period.

Members of the Squadron must currently commit to 27 days’ training each year and this is expected to increase to 40 days per year. Most of the training is undertaken in the evenings and at weekends, however Squadron members must attend a 13 day annual camp. Some Squadron members are entitled to paid time off work (for example, States employees can claim 13 days’ special leave), but others meet the requirements through a combination of paid leave, unpaid leave and annual leave.

Local Reservists whose employment is not protected may be reluctant to mobilise for fear of losing their job whilst on active service, particularly in the current financial climate.  However, the loss of a staff member for up to 11 months may be disruptive, particularly in a small business, and some employers may be reluctant to hold jobs open.  This may be less onerous for larger employers.

The States of Jersey has a policy on special leave for Reservists which applies to all States of Jersey employees, other than teachers, which includes the following provisions:

* The employee’s post will be held open for him or her to return to after completion of active service
* The individual will be paid, so that the total received from the Armed Forces and the States of Jersey will match normal pensionable pay (i.e. basic or consolidated pay plus any pensionable allowances) but with no compensation for any loss of overtime earnings
* Contributions to the pension fund from the employee and employer will continue, so that the full period of active service is included for pension purposes.

Private sector employees who are mobilised do not have the right to return to work.  If a Reservist returns from mobilisation to find that their job is no longer open for them, they may bring an unfair dismissal complaint to the Jersey Employment Tribunal (the ‘Tribunal’). If the complaint is well-founded, the Tribunal may direct that the complainant be re-employed, rather than awarding financial compensation, however, this is unlikely to be conducive to a good working relationship between the employer and the Reservist in the future.

Since 2001, JACS has received two queries relating to employment rights for Reservists. There are no known instances of a Reservist in Jersey presenting an unfair dismissal complaint to the Tribunal.

**Amending the Employment Law**

The Minister has asked the Forum to consider what employment protection for Reservists who are resident in Jersey could appropriately be introduced via the Employment Law. The Forum is aware that the Minister’s current political priorities relate to family friendly and sex discrimination legislation. If complex provisions are required to address employment protection for Reservists, the introduction of any protection for Reservists could be deferred.

The Forum has considered three types of employment protection:

1. Protection from unfair dismissal, from day one of employment, where dismissal is on the grounds of Reserve service or call-up liability,
2. The right of a Reservist to return to work upon return from active service, and
3. Provision for the fair dismissal of employees who have been employed to replace Reservists during a period of active service.
4. **Protection from unfair dismissal, from day one of employment, on grounds of Reserve service or call-up liability**

The Employment Law currently provides that dismissal is automatically unfair in a number of specified circumstances. If an employee is dismissed and the reason, or the main reason, is one of the specified circumstances, it will be regarded as automatically unfair, regardless of any consideration of reasonableness. In addition, the usual age limits and qualifying period of service do not apply, which means that an employee can claim unfair dismissal from day one of employment (despite not having 26 weeks’ service with the employer) and despite being over retirement age.

The ‘automatically’ unfair reasons for dismissal currently include dismissal or selection for redundancy on grounds relating to trade union membership or activities, and for asserting or bringing proceedings against an employer to enforce a statutory right. Further automatically unfair grounds for dismissal are expected to be added when family friendly and discrimination legislation are introduced.

Given that a criminal offence (equivalent to the UK) could not be enforced by the Employment Tribunal, it is not considered appropriate to attempt to introduce a criminal offence via Jersey’s Employment Law and so the Forum’s consultation does not include this as an employment protection option.

1. **The right of a Reservist to return to work upon return from active service**

Article 77 of the Employment Law currently makes provision for an employee to be re-employed only where the employee has been dismissed, the Employment Tribunal makes a finding of unfair dismissal and it makes a direction for continued employment instead of awarding compensation for unfair dismissal. There are currently no other provisions that give employees the right to re-employment.

An amendment is being prepared to the Employment Law that will introduce the right to maternity, paternity and adoption leave. These new rights will include the right to return to the same job, or a comparable job, after a specified period of leave, with protection of terms and conditions and continuity of service being maintained during the period of leave.

1. **Provision for the fair dismissal of employees who have been employed to replace Reservists during a period of active service.**

Article 71 of the Employment Law currently provides that a dismissal is justified (and so is fair) if a person has been employed specifically to replace an employee who is absent because of pregnancy or childbirth, or who is suspended on medical or maternity grounds, and that employment is terminated in order to allow the other person to return to work. This provision could be widened to those who have been employed to temporarily replace Reservists.

**SECTION 5 - CONSULTATION QUESTIONS**

The Forum would like to hear your views. Please return your comments by Friday 6 December 2013 –

* *Online survey* [*www.gov.je/consult*](https://admin.gov.je/employmentforum)
* *By email to* [*E.Forum@gov.je*](mailto:E.Forum@gov.je)
* *By post to P.O. Box 55, La Motte St, St Helier, JE4 8PE.*

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**PART 1 – ABOUT YOU**

1. Please tick which of the following you are responding as:

Employer  Trade union/staff association

Employers’ association  Employee

Armed Forces Reservist

Other (please specify) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2. Do you give your permission for the Forum to quote your comments?

Yes, anonymously  Yes, attributed to me  No

3. If your comments are to be quoted, who should they be attributed to?

**PART 2 – EMPLOYMENT PROTECTION**

4. In general, do you think that specific employment protection should be introduced for Armed Forces Reservists (‘Reservists’)?

Yes  No

1. Please give any reasons for your response to question 4.

**If the Employment Law is amended to provide employment protection for Reservists, please indicate which of the following protections should be introduced.**

6. Should Reservists have the right to return to work after mobilisation?

1. To the same job  Yes  No
2. To the same job, or an equivalent job  Yes  No

1. To the most favourable job and the most favourable  Yes  No

terms and conditions that the employer can offer,

if the employer is not able to offer (a) or (b).

7. Please give any reasons for your responses to question 6.

8. Should Reservists have the right to return to work regardless of the length of time that is taken off work for mobilisation and demobilisation?

Yes  No

9. Please give any reasons for your response to question 8.

10. If you have answered ‘no’ to question 8, please explain in what way the right to return to work after mobilisation and demobilisation should be time limited.

11. If a Reservist intends to return to work after mobilisation, should they be obliged to advise their employer of that intention?

Yes  No

12. Please give any reasons for your response to question 11.

13. If you have answered ‘yes’ to question 11, within what time period, after a Reservist has returned from mobilisation, should they be obliged to advise their employer that they intend to return to work?

14. Please give any reasons for your response to question 13.

15. If a Reservist is obliged to advise their employer that they intend to return to work after mobilisation, at what stage should the Reservist be obliged to advise their employer of the specific date from which they will be available to return to work?

1. When initially advising the employer of his or her intention to return to work.

Yes  No

1. Within a specified period of time after advising the employer of his or her intention to return to work.

Yes  No

16. If you have answered yes to question 15(b), please specify what maximum period of time should apply.

17. Please give any reasons for your responses to questions 15 and 16.

18. Should Reservists have the right to return to work after mobilisation for at least a minimum period of time?

Yes  No

19. Please give any reasons for your response to question 18.

20. If you have answered yes to question 18, should that minimum period of employment be calculated based upon the Reservists length of previous service for the employer?

Yes  No

21. Please give any reasons for your response to question 20.

22. If a Reservist is dismissed and the reason (or the main reason) for dismissal is, or is connected with, the employee’s membership of a Reserve Force, should this be treated as an automatically unfair dismissal from day one of employment?

Yes  No

23. Please give any reasons for your response to question 22.

24. If an employer has engaged a replacement employee to cover a job during the period of a Reservist’s mobilisation, should the dismissal of that employee on the return of the Reservist be regarded as automatically fair in any of the following circumstances?

1. The replacement employee’s terms of employment specify that employment will be terminated on the return to work of the Reservist employee.

Yes  No

1. The terms of employment specify a precise date that the contract will end.

Yes  No

1. The terms of employment specify an expected contract end date, but with the option for either party to give notice earlier.

Yes  No

1. In any other circumstances, please specify.

25. Please give any reasons for your responses to question 24.

26. Do you think that any other employment protections (other than those suggested in the questions above) should be considered for Reservists?

Yes  No

27. If yes, please specify what other employment protections should be considered.

28. Do you foresee any problems with introducing any of the above protections?

Yes  No

29. If yes, please explain what problems you foresee.

30. Should any employment protection for Reservists be dependent upon the Reservist having given permission for the MOD to contact their employer directly? *(I.e. to ensure that the employer is aware that they have a Reservist employee)*

Yes  No

31. Please give any reasons for your response to question 30.

**PART 3 – QUESTIONS FOR EMPLOYERS**

32. In what sector is your business?

Agriculture

Construction

Electricity, gas and water

Financial services

Manufacturing

Hotels, restaurants and bars

Public sector

Wholesale and retail

Transport, storage and communications

Other sector, please specify below

33. Do you currently, or have you ever, employed a Reservist who was mobilised?

Yes  No

34. If you have answered ‘yes’ to question 33, how many Reservists do you currently employ?

*(please specify in the box)*

35. Do you offer any specific employment protection for Reservist employees?

Yes, on a contractual basis

Yes, on a discretionary basis

No

36. If you offer any form of contractual or discretionary employment protection to Reservist employees, please explain what protection or rights you provide.

37. Have you experienced any difficulties in relation to Reservist employees?

Yes  No

38. If yes, please explain what particular difficulties you experienced and how these were resolved.

39. Have you experienced any benefits to employing a Reservist?

Yes  No

40. If yes, please explain what those benefits were.

**PART 4 – QUESTIONS FOR RESERVISTS**

41. As a Reservist, have you been mobilised in the past 5 years?

Yes  No

42. If yes, how long was your period of mobilisation? If you were mobilised more than once, please specify how long each of those periods of mobilisation were.

***The following questions assume that you are employed. If you are not currently employed, you may wish to consider answering the questions based on any previous experience that you have as a Reservist employee.***

43. In what sector do you work?

Agriculture

Construction

Electricity, gas and water

Financial services

Manufacturing

Hotels, restaurants and bars

Public sector

Wholesale and retail

Transport, storage and communications

Other sector, please specify below

44. Does your employer provide any specific employment protection for Reservists?

Yes, on a contractual basis

Yes, on a discretionary basis

No

45. If yes, please describe what contractual or discretionary employment protection and rights your employer provides.

46. Have you experienced any difficulties in relation to your employment and your status as a Reservist?

Yes  No

47. If yes, please explain what particular difficulties you experienced and how these were resolved.

**PART 5 – ANY OTHER COMMENTS**

48. Do you have any other comments relating to the proposal to introduce employment protection for Reservists?

***Thank you for responding.***

***APPENDIX 1 - Terminology***

The Army, Navy and Royal Air Force (RAF) each have their own Reserve Force:

* the Territorial Army (TA) is the Reserve Force for the Army.
* the Royal Naval Reserve and the Royal Marines Reserve (known as the Maritime Reserves) are the Reserve Forces for the Navy.
* Reserve Air Forces, including the RAF Reserves and Royal Auxiliary Air Force, is the Reserve Force for the RAF.

***Territorial Army Reservists*** **-** The TA is the largest Reserve Force and is the one that employers are most likely to encounter.The TA is divided into three types of unit; National, Regional and Sponsored.The Jersey Field Squadron Royal Engineers (Royal Militia of the Island of Jersey) is a TA Squadron of the British Army.

Reservists are grouped according both to their duties and their level of readiness for mobilisation, for example:

***Standard Volunteer Reservists* -** have an ongoing training commitment and can be mobilised. They train over many years for active duty, but they are only mobilised when absolutely necessary.

***Regular Reservists*** - When a member of the Regular Army leaves, he or she remains liable to be recalled in times of need. The length of time people remain in the Regular Reserve depends on the length of their Regular service, age and sex.

***Civil Contingency Reaction Forces*** – Can be called up at very short notice, as little as 24 hours, but would only be mobilised for a relatively short period of time, e.g. one week. Given that the notice of call-out would be exceptionally short, members of CCRFs are expected to inform their employers in advance about this liability for call-out in times of civil emergency.

***High Readiness Reservists* -** Have specific skills which the Armed Forces may occasionally need at short notice. If they have a full time job (or work more than two days a week) they must have the written consent of their employer in the form of an annually renewable agreement. If they are mobilised, an HRR can be asked to serve for up to nine months.

1. MD-S-2013-0075. The Ministerial decision includes useful information, provided by Major Nick Spratley (Officer Commanding, Jersey Field Squadron) which has informed this consultation paper. [↑](#footnote-ref-1)
2. Ministerial decision MD-HA-2013-0047 [↑](#footnote-ref-2)
3. For more information see the website [www.sabre.mod.uk](http://www.sabre.mod.uk) [↑](#footnote-ref-3)
4. [www.legislation.gov.uk/ukpga/1996/14/contents](http://www.legislation.gov.uk/ukpga/1996/14/contents) [↑](#footnote-ref-4)
5. Reserve Forces (Call-out and Recall) (Financial Assistance) Regulations 2005 [www.legislation.gov.uk/uksi/2005/859/contents](http://www.legislation.gov.uk/uksi/2005/859/contents) [↑](#footnote-ref-5)
6. Reserve Forces (Safeguard of Employment) Act 1985 [www.legislation.gov.uk/ukpga/1985/17](http://www.legislation.gov.uk/ukpga/1985/17) [↑](#footnote-ref-6)
7. [www.gov.uk/government/uploads/system/uploads/attachment\_data/file/210470/Cm8655-web\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/210470/Cm8655-web_FINAL.pdf) [↑](#footnote-ref-7)
8. [www.gov.uk/government/consultations/future-reserves-2020-consultation](http://www.gov.uk/government/consultations/future-reserves-2020-consultation) [↑](#footnote-ref-8)