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of Defence

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XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

12 January 2018

Dear XXXXXXXXXXXXXXXX,

Thank you for your further clarification email of 10 December 2017 in response to my letter to you of 7 December 2017 (FOI2017/ 11277) in which you requested the following information:

*'Any communications by the named individuals as to the removal of rights under the new commission, nor whether these individuals have communicated anything about a perceived risk of CFAV seeking "to use rights granted under the List B commission" - as implied in the copy written by Commandant Air Cadets (Air Commodore Dawn McCafferty CBE)*

*The named individuals are Deputy Commander Cadets, ACOS CCF and GOC Regional Command.'*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000. A search for the information has now been completed within the Ministry of Defence, and I can confirm that information in scope of your request is held. A copy of the information which can be released is attached.

Some information held by the Department falling within scope of your request is exempt from release under Section 40 (Personal Information) of the Freedom of Information Act and is therefore withheld. This is an absolute exemption and therefore there is no requirement to consider the public interest in making a decision to withhold the information.

If you have any queries regarding the content of this letter, please contact this office in the first instance. Following this, if you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

XXXXXXXXXXXXXXXXXXXX

8 Nov 16

CCF ExCom Members

## THE CADET FORCES COMMISSION (CFC) – CCF CONSIDERATIONS

### Issue

1. To initiate tri-Service CoC consideration of CCF specific factors to inform the introduction of the Cadet Forces Commission (CFC) by 1 Apr 17.

### Recommendations

2. CCF ExCom agrees that future MoD and sService work on the development of the CFC should take account of CCF specific factors such as:
  - a. School-related considerations to be ranked alongside sService CFC factors.
  - b. Pan-CCF coherence within future CFC policies and process is an important factor in ensuring future CCF effectiveness and efficiency.
  - c. The "rules of the club", as they relate to the CCF need to be as simple as possible to execute from the school's perspective.
  - d. It is desirable that there is a high degree of interoperability between CCF officers to permit a ready exploitation of a school's CFAVs across all CCF sService sections.
  - e. Importance of being able to demonstrate the value added of the CFC to the school, the CF and the individual(s).
3. The CCF ExCom to support further development of the option of having a bespoke CCF variant of the CFC (COA 3).

### Timing

4. For discussion on 16 Nov 16 at the next CCF ExCom.

### Background/Discussion

5. **General.** Attention is now very much on the development of suitable policies and processes with which to implement the new CFC on 1 Apr 17. A CFC Working Group has been established under [REDACTED] RFC YC CF2020 team. To date there has been no minuted consultation on the CCF factors which need to inform Defence and sService thinking on the CFC. CCF ExCom consideration of the CFC is an agenda item for next week's meeting and [REDACTED] will attend the meeting, representing [REDACTED].
6. **Key CCF Factors.** The following CCF specific factors are offered for CCF ExCom consideration in the wider development of the CFC:

- a. **Primacy of School-related Considerations.** CCFs operate under many different circumstances to those experienced by their Service's community



based counterparts. The policies and processes supporting the CFC should allow the maximum freedom for all CCF officers, regardless of 'parent' Service, to deliver the cadet experience from the school's perspective. This means that policy and process differences applying to officers of sService CCF sections to those of the sService community cadet forces should be expected and tolerated. Underpinning this approach is the consultation and communication that must, as a matter of urgency, be undertaken with schools.

b. **Pan-CCF coherence.** The introduction of the CFC presents a golden opportunity to remove any inter-Service inconsistencies in the TCOV of officers serving in the different Sections of the CCF; this will be particularly valuable where a school has more than one Service section. As sService models for the CFC evolve, an opportunity to challenge any emerging pan-CCF incoherencies should be built in, perhaps with an outlet for senior arbitration where future CCF effectiveness looks to be in question.

c. **Simplicity.** Whatever commissioning arrangements come into place it is of paramount importance that those which relate to the CCF are as simple to execute as they can be. This is because the administrative arrangements supporting school based cadet activity are far less robust than is the case with community cadet forces. The individuals serving as officers, or aspiring to serve as such, have far less time to spend on administration and training. This capability is demonstrably the case of the CEP schools that lack institutional resilience and must in consequence be offered straightforward, simple and robust commissioning arrangements. From a recruiting and retention perspective these CFAVs have far less tolerance of time consuming process and training than seems to be the case with the community cadet forces.

d. **Interoperability.** Notwithstanding the importance of sService ethos and the need for special to Service cadet officer training, we should work to help schools have the maximum flexibility in the 'employment' of their volunteers across their school's CCF programme. New commissioning policies should maximise talent and build capability. Movement between sServices and also between contingents should be feasible and subject to minimal administrative burden. The CFC should also allow community cadet force officers to support the delivery of the CCF cadet experience in any of the four CCF Service sections, even if it is not of their 'parent' service – subject of course to appropriate skill currency, competence and experience.

e. **Value Added.** The bottom line to Headteachers is that their support cannot be taken for granted but must be informed and nurtured. The most intelligent way to engage with a school and to establish and maintain their support is to demonstrate the value added dimension and the kudos of a Royal Commission being held by members of their staff. There must be a clear articulation of the benefit to a school of adopting the new CFC.

7. **CFC Options.** Options for the implementation of the CFC have yet to emerge from MoD and sServices but for the CCF there appear to be three alternative COAs:

a. **COA 1 – Adopt sService Arrangements.** Assumes that each Service develops its own form of the CFC albeit under a common set of 'umbrella' policies.



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b. **COA 2- Adopt modified sService Arrangements.** Each Service adapts its community cadet force commission policies and processes to accommodate the needs of schools as they are perceived by the sService cadet HQs.

c. **COA 3 – Adopt a bespoke CCF variant of the CFC.** This would be a bespoke variant of the CFC for the CCF drawing upon those sService policies and process which are common to all Services but also adapting these or developing new policies and process to best meet tri-Service school cadet force considerations. This model might be a single CCF commission or if necessary, a suite of three sService CCF commissions with identical policies, processes and TCOVs.

8. **COA Discussion.** COA 1 will ensure fullest coherence in the selection, management and TCOV for all of a sService's cadet officers. However, COA1 may prolong negative inter-Service differences at Contingent level and could herald new and varying sService officer selection and training arrangements which, in turn, might impact adversely on CFAV recruiting and retention in schools. COA2 provides some opportunity for sServices to embrace the school cadet factors outlined above but these sService approaches will negatively impact upon coherence at the school level. Any consideration of the following will illustrate these shortfalls: varied age criteria, promotion eligibility, VA entitlement and CFAV performance management. COA3 undoubtedly best accommodates the CCF requirements, and achieves fullest possible commission coherence. But it also separates CCF officers from their sService community cadet counterparts and likely complicates cadet officer MS/HR arrangements for the sService CoCs above school level.

#### **Summary**

9. The introduction of the CFC offers an opportunity to achieve considerable coherence across the sService sections of the CFF. The new 'rules of the club' should allow for the simplest possible arrangements to be put in place for schools to recruit, manage and retain their hard won CFAVs. However, there is a risk that a drive for CCF/community cadet force coherence within the sServices will, unless the factors stated at Para 6 above are carefully considered, prolong and perhaps at worst exacerbate section differences within contingents. There are several routes for the adoption of the CFC within the CCF; setting up a bespoke CCF variant of the CFC (COA 3) offers advantage from a CCF perspective.

██████████  
ACOS CCF



[REDACTED]

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**From:** RC-Cdts-DComd (Lowe, Matthew Brig) [REDACTED]  
**Sent:** 14 December 2016 12:46  
**Subject:** Cadet Force Commission

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[REDACTED]

Some thoughts for Jan as we discussed. It seems to me that there has to be a Defence context and framework for the single Service Cadet Force Commissions.

**Command.** If we go to a commission outside the single Service and Defence Reform Acts, what is the lawful authority for the issuing of orders? How is duty holding and H2A enacted? If orders lack a lawful authority, on what legal basis do we deal with those who disobey or negligently perform duties? Are MOD and Service lawyers directed to be involved in non-military processes? What happens to the concept of operational effectiveness and administrative action? If commissioned personnel are not governed by QRs or the DRA, why will they be dealt with by a separate chain to non-commissioned CFAV? Our internal processes may vary slightly, but the basis of command (or whatever replaces it) must be clear.

**Coherence.** We need a Defence view on the relative importance of coherence. It seems to me that it is more important that there is coherence between the different CCF sections in a school, than between the CCFS section and its sService community organisation. At the moment laissez faire means we are heading towards sS Full Comd primacy.

**Eligibility.** Having been told we must get rid of over 65s and pursued the issue dutifully we cannot afford to have different attitudes on this, otherwise we create resentment and incoherence, especially within the CCF. We need clear Defence rules on eligibility.

**Entitlements.** We need a common view of what Defence entitlements remain and what are lost. For example, will the DTEE continue to recognise the need for separate officers and non-commissioned messes? It would seem that the entitlement to disability payments will be lost when the Reserve Commission ceases. This is a dis-benefit. It will need to be communicated clearly to all CFAV, not a different message for different Services.

I've avoided stuff like MIS, Logistics et AI because they are not relevant to the commission—they are mechanics and procedures and can be dealt with in slower time

Have a good break

Matthew

Brigadier MP Lowe MBE | Deputy Commander Cadets | UK Regional Command HQ |

*“UK Regional Command HQ - Supporting Excellence”*

[REDACTED]



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**From:** RC-Cdts-DComd (Lowe, Matthew Brig)

**Sent:** 13 January 2017 17:07

**To:** [REDACTED]

**Cc:** People-RFC-CapCdts Hd (Fry, Jonathan Cdre); [REDACTED]

**Subject:** RE: CFC



█

More than happy to do the engagement with CLS and DS Sec involved. Ultimately we have to look our Chiefs in the eye and tell them we are convinced, and if we aren't experts (and we aren't) then we should get the experts at the table.

Matthew

Brigadier MP Lowe MBE | Deputy Commander Cadets | UK Regional Command HQ |

*"UK Regional Command HQ - Supporting Excellence"*

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** RC-Cdts-DComd (Lowe, Matthew Brig)

**Sent:** 13 January 2017 13:45

**To:** [REDACTED]

**Cc:** People-RFC-CapCdts Hd (Fry, Jonathan Cdre); [REDACTED]

**Subject:** CFC

[REDACTED]

Conscious that none of us in HQ RC are ninjas at pro-rogative powers and commissions, we have been directed us to get D Pers and his staff from Army HQ involved in the process of articulating the Cadet Force Commission. There's nothing to be concerned about here, just a sense that it must be got right first time. We remain focussed on the 1 Apr target date.

At some point I would like to get [REDACTED] and [REDACTED] to brief D Pers staff on where we are so far. I'm conscious of [REDACTED] circumstances, so perhaps the sooner the better. Grateful for your support.

Regards and a good weekend to you both

Matthew

Brigadier MP Lowe MBE | Deputy Commander Cadets | UK Regional Command HQ |

***"UK Regional Command HQ - Supporting Excellence"***

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 06 March 2017 14:09  
**Subject:** 20170306-Comd\_HC\_ref\_CFC-GOC\_RC  
**Attachments:** 20170306-Comd\_HC\_ref\_CFC-GOC\_RC.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Colonel,

Please see the attached LM which has been sent on behalf of Maj Gen Stanford, GOC RC ref Queen's Cadet Forces Commission update.

Kindest Regards,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



RC/GOC/Cdts

6 Mar 17

Comd HC

Copy to:

MA1/CGS

D Pers

DGALS

## QUEEN'S CADET FORCES COMMISSION - UPDATE

### Issue

1. The introduction of the Queen's Cadet Forces Commission for Cadet Force Adult Volunteers (CFAV), which is planned for 1 Apr 17 for new joiners, with a transition date in Oct 17 for existing CFAV on a Section B Land Forces Commission.

### Recommendations

2. **Comd HC is requested to note:**
  - a. **Legal issues beyond our control could still preclude the implementation of the Cadet Forces Commission on 1 Apr 17.**
  - b. **Notwithstanding these uncertainties the development of appropriate regulations for the Army's Cadet Forces is on track and will be ready by 1 Apr 17.**
  - c. **At this stage the CCF will still have to deal with three separate single Service disciplinary systems which is inefficient.**

### Timing

3. **Routine.** Noting CGS is visiting HQ HC on 15 Mar and GOC RC is due to represent Comd HC at the 3\* YCSG on Thu 30 Mar.

### Background

4. **Context.** Chiefs agreed to the introduction of a Cadet Forces Commission for CFAV rather than a Reserve Commission for two reasons: it will be a more appropriate commission for leaders in an MOD sponsored youth movement; and will remove CFAV discipline, AGAI action and complaints from the Army Board space. Her Majesty agreed to the introduction of the Commission and CDP directed it be introduced for new joiners on 1 Apr 17.

5. **Legal position.** CLS and RF&C are still working on the legal position. It appears that the 1862 Commissioning Act is insufficient authority in itself and that an instrument such as a Royal Warrant may be required. This will need to 'deactivate' existing Section B Commissions for those who are CFAV but not members of the Army Reserve, act as the lawful authority for the new Commission, and pre-empt the possibility of Service Complaints from those who currently hold Section B Commissions. Confirmation of the instrument's legal efficacy should be sought from CLS by ALS before the Army introduces the new Commission.

6. **The CCF position.** The MOD has delegated the writing of the new commissioning rules and wider regulations to the single Services, which is generally welcome. However, CFAV in the CCF



will continue to be dealt with under three different single Service processes, even though they are all in one school: this is a missed opportunity.

7. **Future model for discipline and grievances.** The future model for commissioned CFAV discipline and grievances will be based on enactment/resolution by the ACF and RPOC chain of command as shown at Enclosure 1. Appeal against termination of a Cadet Forces Commission will not be delegated below 2\* level, so GOC RC will be the single and final level of appeal in any such cases. We understand from RF&C the new Commission allows us to define through regulations that an RPOC commander of OF5 rank will have the authority to deal with a CFAV holding OF5 rank based on the hierarchy of command appointment, which underpins the delivery of the cadet experience in other respects.

8. **Summary.** The Cadet Forces Commission is a welcome innovation and is being communicated as such to minimise any potential dissatisfaction. We will be ready to implement it for new joiners from 1 Apr 17, but CGS will need to be assured by ALS of the legal position first.

## GOC RC

Enclosure:

1. Decision Authority for ACF Officers.



### Decision Authority for ACF Officers

#### Dismissal

	Decide	Consultation with	Appeal
Col Cdt	RPOC (2)	GOC	GOC
Comdts	RPOC	GOC	GOC
Lt Col	RPOC	GOC	GOC
Maj	Comdt	RPOC	GOC
Capt	Comdt	RPOC	GOC
Lt	Comdt	RPOC	GOC
2lt	Comdt	RPOC	GOC

#### Removal from Appointment

	Decide	Consultation with	Appeal
Col Cdt	RPOC	GOC	GOC
Comdts	RPOC	GOC	GOC
Lt Col	RPOC	GOC	GOC
Maj	Comdt	RPOC	RPOC
Capt	Comdt	RPOC	RPOC
Lt	Comdt	RPOC	RPOC
2lt	Comdt	RPOC	RPOC

#### Written Warnings

	Decide	Consultation with (1)	Appeal
Col Cdt	RPOC	n/a	GOC
Comdts	RPOC	n/a	GOC
Lt Col	Comdt	n/a	RPOC
Maj	Comdt	n/a	RPOC
Capt	Area Comd	n/a	Comdt
Lt	Area Comd	n/a	Comdt
2lt	Area Comd	n/a	Comdt

#### Notes

1. Consultation not required in advance of minor sanction
2. The RPOC Commander or his deputy. Regular OF5 or above. Applies across matrix

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

-----Original Message-----

**From:** RC-GOC (Stanford, Richard Maj Gen)  
**Sent:** Friday, March 17, 2017 11:49 AM GMT Standard Time  
**To:** People-RFC-ACDS RC (Munro, Ranald Maj Gen)  
**Cc:** People-RFC-CapCdts Hd (Fry, Jonathan Cdre); RC-Cdts-DComd (Lowe, Matthew Brig); [REDACTED]  
**Subject:** CADET FORCE COMMISSION

Ran



We continue to work towards the 1 Apr target date for the Cadet Force Commission. I had a really useful meeting with Susan Ridge this morning, DGALS, and I remain concerned that the Centre may not have its Cadet Force Commission work ready in time. Given that the imperative was to further limit the Department's employment liabilities, Susan's view is that further work is required from CLS to establish that the new Cadet Force Commission actually does this. She has yet to see legal advice that the instrument will 'de-activate' the existing commissions and suspects that service complaints remain a strong possibility. There is also an issue, I understand about the Armed Forces Compensation scheme and whether or not it will apply and any exemptions to employment legislation which the Armed forces have but which cadet commissioned people may not have in the future. My argument about volunteers rather than employees I gather is not valid in this area. Susan is also aware that providing such legal advice may not be high on CLS' priorities.

So we are leaning as far forward as we can on drafting the future regulations and processes, but unless these issue are going to be resolved swiftly DALs is unlikely to recommend to CHC and CGS that we should introduce the new commission on 1 Apr.

*Richard*

Major General R J Æ Stanford MBE | GOC RC

*"Regional Command – Supporting Excellence"*

[Redacted]

[Redacted]

[Redacted]

**From:** RC-GOC (Capps, Duncan Maj Gen) [Redacted]  
**Sent:** 28 March 2017 19:12  
**Subject:** FW: 20170328-Cadet\_Commission-CGS-RFI-O

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Matthew

Not for onward and definitely not for RF&C!

Can you bring a copy with you on Thu and see if we can get a read out from MA1/CGS before the meeting please.

Thanks

Richard  
Major General R J Æ Stanford MBE | GOC RC "Regional Command – Supporting Excellence"

[Redacted]

[Redacted]



[REDACTED]

**From:** RC-Cdts-DComd (Lowe, Matthew Brig)  
**Sent:** 22 August 2017 17:04  
**To:** Fry, Jonathan Cdre (People-RFC-CapCdts Hd) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: 20170801-Cadet Forces Commission-Message from CDP

Jonathan

No I can't-yet. Taking commissions off people is likely to prove contentious, so it may be that we simply declare that the List B commission is no longer an authority for conducting Cadet business, and then give people the ability not to receive a Cadet Force Commission- which would in effect mean resigning . But by way of confirmation that we aren't asleep on the job I will send you a recent note from GOC RC to D Pers and DALs. Why will this prove contentious? All your CFAVs know that the Cadet Forces Commission is superseding their existing commission – you have explained this to them and they know the timescale. I just can't see how what you have said here can work. Are you honestly suggesting that those who take the Cadet Forces Commission would also continue to hold a Reserve Forces commission too? That simply doesn't make sense. The whole point of the Cadet Forces Commission is to take them out of the Armed Forces!!! For those who do not take the Cadet Forces Commission you would have to get the Defence Council to direct them to resign anyway otherwise they sit there with a Reserve Forces commission but not a member of anything. How would that work? Sorry, this is nonsense. This is a policy issue not a legal issue.

The news that unspecified regulations (which ones?) mean that the Defence Council must do this for my CFAVs comes out of the blue, and would have been useful to know months ago. Grateful if you would provide the appropriate references, as this may force a change of approach. These are your (Army) regs! Reserve Land Force Regulations Pt1 Ch4 Annex L para 54/55. You need to give your legads a hard time – they told us this.

On the road so copied to [REDACTED] in case your response requires an immediate change of tack.

Matthew



-----Original Message-----

[REDACTED]

[REDACTED]

[REDACTED]

**From:** RC-Cdts-DComd (Lowe, Matthew Brig)  
**Sent:** 20 August 2017 09:49  
**To:** Fry, Jonathan Cdre (People-RFC-CapCdts Hd) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: 20170801-Cadet Forces Commision-Message from CDP

Jonathan

[REDACTED] and [REDACTED] met with the Army lawyers a couple of weeks back. I've not heard any objections from them, although there have been some mutterings from the Army HQ G1 staff. I remain a strong advocate of moving to the CFC.

Matthew



-----Original Message-----

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[REDACTED]

[REDACTED]

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[REDACTED]

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**From:** RC-Cdts-DComd (Lowe, Matthew Brig) [REDACTED]  
**Sent:** 06 September 2017 18:33  
**Subject:** FW: 20170906-Implementation Plan for Cadet Force Commission  
**Attachments:** 20170905-ACO\_CFC Implementation-v11-Dcomd comments.rtf; 20170905-ECAB-new0Dcomd comments.docx; ATT00001.txt

[REDACTED]

First class work- only the most minor of suggestions. Thank you so much for this under serious time pressure.

[REDACTED] - we are getting some hassle from the MOD RF& C wanting to see a legal opinion that the route of 'CFC as sole authority, so List B while not relinquished never applies and thus neither do the AFA and DRA' is okay. Can you either produce that as an empowered rep of DALs or have it drafted for her signature Mon AM? Of course 'okay' could mean lawful, procedurally sound or not unlawful. But at the least we need something that says the chosen route is not illegal.

Regards to all

Matthew

-----Original Message-----

**From:** Matthew Lowe [REDACTED]  
**Sent:** Wednesday, September 06, 2017 06:13 PM GMT Standard Time  
**To:** RC-Cdts-DComd (Lowe, Matthew Brig)  
**Subject:** RE: 20170906-Implementation Plan for Cadet Force Commission

*WARNING: An attachment to this email may contain a potentially harmful file. If this email is unsolicited DO NOT open the attachment and advise your local help desk immediately. If you requested the attachment ensure that a virus scan is carried out before the file is opened.*

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**From:** RC-Cdts-DComd (Lowe, Matthew Brig) [REDACTED]  
**Sent:** Wednesday, September 6, 2017 5:28 PM  
**To:** 'matthewlowe100'  
**Subject:** FW: 20170906-Implementation Plan for Cadet Force Commission

-----Original Message-----

[REDACTED]

[REDACTED]

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[REDACTED]





# ARMY

**ARMY COMMAND ORDER 2017/ - dated Sep 2017**

TITLE	<b>Implementation of the Cadet Forces Commission</b>
<b>BACKGROUND &amp; PURPOSE</b>	
<p>1. The Cadet Forces Commission is to be introduced on 1 Oct 17 as the basis for adult volunteers to exercise leadership in MOD sponsored youth organisations. Cadet Force (CF) officers will be appointed to the new commission on that date, after which no other commission, including the General List Section B commission, will provide a basis for service in the Army's CF<sup>1</sup>.</p> <p>2. The Cadet Forces Commission sits outside the Armed Forces Act and Defence Reform Act so from that date no Cadet Force Adult Volunteer (CFAV) will be subject to Service Law or Army Regulations in respect of volunteering in the Army's CF. From that date CF officers will be subject to administrative processes defined within ACF and CCF (A) Regulations, which is already the case for CFAV without commissions. The management of the new commission for the ACF and CCF(A) will be delegated to RC.</p> <p>3. The Cadet Forces Commission recognises the unique status of CF officers who dedicate a significant portion of their lives to developing young people in Defence sponsored voluntary youth organisations.</p> <p>4. <u>Purpose.</u> The purpose of this ACO is to direct the implementation of the Cadet Forces Commission for the Army's CF from 1 Oct 17.</p>	
<b>KEY TASKS AND TIMELINES</b>	
<p>5. <u>D Pers.</u> Provide AHQ lead for implementation of Cadet Forces Commission. Amend Reserve Land Force Regulations to reflect that no commission other than the Cadet Forces Commission, including the General List Section B commission, will provide a basis for service in the Army's CF. Ensure that Reserve liability is not inadvertently damaged. Manage the transition from discipline and administration under Service Law and Army Regulations.</p> <p>6. <u>GOC RC.</u> Lead the implementation of the Cadet Forces Commission within the Army's CF, ensuring the benefits are clearly articulated and presentational issues are managed. Thereafter, appoint, administer and where necessary terminate appointments to the Cadet Forces Commission, maintaining appropriate Regulations for the ACF and CCF(A).</p>	
<b>PRESENTATION &amp; RISK</b>	
<p>7. New commissions are rare, so it is a mark of Her Majesty's favour that CF officers are being recognised in this manner. As part of the wider communications plan, CGS will write to all commissioned ACF and CCF(A) officers expressing his pleasure at the advent of the Cadet Force Commission and assuring them of the Army's continued support. An ABN will inform the Regular and Reserve cohort of the change.</p> <p>8. ACF and CCF(A) officers will not be required to relinquish or resign their General List Section B commissions, which has obvious presentational benefits. As no cadet duty will ever be</p>	

**Comment [ML1]:** Perhaps "no commission, including the General List Section B Commission, will provide....."

<sup>1</sup> The Army Cadet Force (ACF) and the Combined Cadet Force Army Sections (CCF Army).



conducted under the legacy Land Forces commission, CF officers will never be subject to Service law. RLFR will be amended to reflect this.

RESOURCES ALLOCATED/REQUIRED		IMPACT ON OTHER ACTIVITY
<p>The minor costs arising will be contained within the existing RC BLB Control Total.</p> <p>There will be a reduction in ALS support required compared to the current provision for AGAI 67 and Service Complaints</p>		Nil.
ENDSTATE		
<p>9. The Cadet Forces Commission successfully introduced and providing the sole basis for commissioned service in the Army's CF, without adverse impact on the CF moral component, unintended damage to Reserve liability or reputational damage to the Army or Defence.</p>		
REPORTING REQUIREMENTS (ECAB/QPRR or other mechanism as applicable)		
<p>10. Quarterly reporting to reflect realisation of benefits and highlight any changes to risk profile with intended mitigation.</p>		
KEY REFERENCES/RELATED STUDIES		
<p>2011 Dyer Report into Defence Sponsored CF.</p> <p>Reserve Land Force Regulations</p> <p>JSP 313 including Army Supplement</p> <p>AC***** - ACF Regulations</p>		
STAKEHOLDERS		
WHO IS ACCOUNTABLE/ RESPONSIBLE	WHO IS TO BE CONSULTED	WHO IS TO BE INFORMED AND HOW
<p>D Pers – AHQ sponsor, with lead for managing transition from LF General List Section B Commissions</p> <p>GOC RC – detailed implementation of the Cadet Forces Commission</p>	<p>DALS</p> <p>Hd AMC</p> <p>RPOC Comds</p> <p>GOC LONDIST</p>	<p>All CF officers – by letter from CGS</p> <p>All Regular and Reserve officers – by ABN</p>
EXPIRY		

**Comment [ML2]:** Perhaps too frequent. Suggest report twice: at 6 month point to confirm admin done and at 12 month point to report on how cooling off period has worked.

Sponsored by:

Authorised by:

Director Personnel

Deputy Chief of the General Staff

Annex:

A. Cadet Forces Commission – Implementation Pan.



## CADET FORCES COMMISSION –IMPLEMENTATION PLAN

1. **Overview.** The Cadet Forces Commission will change the way in which commissioned officers in the MOD sponsored CF are administered. The commission will be outside the Defence Reform Act (DRA) and the Armed Forces Act (AFA) and individuals on CF activities will be subject only to respective CF regulations. The MOD has directed that transitional arrangements are sS business. The Army imperative is to not inadvertently affect the Reserve liability of CF officers with other appointments under their LF commission while portraying the change in a positive way to volunteers.

2. **Purpose.** This plan focuses on the preparatory moves and transition from the Land Force General List Section B commission to the Cadet Forces Commission as the sole basis for commissioned service in the Army's CF. It also addresses the management of legacy LF commissions and sets the policy for individuals appointed to a Cadet Forces Commission who also have an active Reserve liability.

3. **Steady State.** Looking beyond implementation, the Regulations and supporting process for the management of the Cadet Forces Commission, including the appointing to and termination of the commission, are detailed in the respective CF Regulations<sup>2</sup>. Some aspects of these Regulations are alluded to in this plan but the CF regulations provide the authority.

4. **Concept.** The concept for the implementation of the Cadet Forces Commission to CF officers in the Army's Cadet Forces is as follows:

a. From the day of its introduction (currently 1 Oct 17) officers will require a Cadet Forces Commission to serve in the Army's CF. Officers serving in the Army's CF at that time will be appointed to the Cadet Forces Commission at midnight on the preceding day, unless they opt-out. Once the Cadet Forces Commission has been introduced no other commission, including the General List Section B commission, provides a basis for service in the Army's CF.

Comment [ML3]: Either here or in para 5 we need to explain how opt out works. Letter through chain of command to GOC/Cadets Branch?

b. Officers who do not wish to be appointed to the Cadet Forces Commission may opt-out and elect to continue in the Army's CF in a non-commissioned appointment, either as an adult instructor or a civilian assistant. Where they are also appointed to an active Reserve Forces commission then they may only opt to be appointed to a civilian assistant role.

c. For 12-months following the introduction of the Cadet Forces Commission an individual that chose to opt-out may retrospectively decide to accept a Cadet Forces Commission and be reassigned, although their previous post may no longer be available. Individuals wishing to be appointed to the Cadet Forces Commission after this time will be considered according to the extant Regulation for the transfer of a commission.

Comment [ML4]: Delete inverted commas

### Transitional Arrangements

5. **Notification.** Deputy Commander Cadets will write to all CF officers in the Army's CF informing them of the transitional arrangements for the introduction of the Cadet Forces Commission, which are detailed below. Critically, he will explain the options for any CF officer who wishes to opt-out and not to be appointed to the new Cadet Forces Commission.

<sup>2</sup> AC\*\*\*\*\* for the ACF and the single Service Supplement to JSP 313 for the CCF(A), with JSP 313 expected to be replaced by new CCF Regulations in 2018.



6. **Appointment by Default.** Once introduced, the new Cadet Forces Commission will replace the current General List Army Reserve Section B Commission as the sole basis for commissioned service in the Army's CF<sup>3</sup>. Unless otherwise notified to HQ RC all existing officers in the Army's CF will be appointed to the new commission on the date it is introduced.

7. **Opting Out.** Those who do not wish to be appointed to the new commission may elect to opt out and:

- a. Revert to a non-commissioned rank as an adult instructor; or
- b. Take up a role as a non-uniformed civilian assistant.

8. **Opting Out for those with Reserve Liability.** CF officers who elect to opt out but who have a Reserve liability will only be able to take up a role as a non-uniformed civilian assistant as an individual can presently not be commissioned in the Reserves and non-commissioned in a CF, and vice versa<sup>4</sup>.

9. **Cooling-Off Period.** There will be a 12-month cooling off period for any CF officers who initially opted out of the new commission. During this cooling-off period they may subsequently choose to take up the new commission through a simple administrative process explained in CF regulations. After this time, an individual who has opted out may still apply to be appointed to the Cadet Forces Commission under the respective CF regulations<sup>5</sup>.

10. **Understanding which Regulations Apply.** In simple terms issues or incidents that arose prior to the introduction of the Cadet Forces Commission will be dealt with under the Regulations extant at the time, so AGAI 67 and the Service Complaints process will apply. Issues and incidents arising after the introduction of the Cadet Forces Commission will be dealt with outside the AFA and DRA using the CF regulations unless there is a compelling reason to do so on the basis of where the substance of the issue arose. The freedom to exploit SC to complain about the introduction of the Cadet Forces Commission will be governed by the usual statute of limitations. CF Regulations and RLFR will make this issue clear.

Comment [ML5]: Not quite sure what this means/implies

11. **Newly Commissioned Officers.** All officers newly selected for commission from the date the Cadet Forces Commission is introduced will automatically be appointed to that commission. The Regulations and supporting process for the management of the Cadet Forces Commission, including the appointing to and termination of the commission, are detailed in the respective CF regulations, which provide the authority.

#### **Holding a Cadet Force Commission and Land Forces Commission Simultaneously**

12. **General.** Officers in the Army's Cadet Forces are currently appointed to Land Forces Commissions under the General List Section B<sup>6</sup>. A significant number of CF officers are also active members of the Army Reserve or have a Regular Reserve liability under Section A of the same Land Forces Commission<sup>7</sup>. Army Regulations currently permit duality of service in the Reserve and the Army's CF and will be amended to permit officers with an active Reserve Liability to also hold a Cadet Forces Commission for service with the Army's CF.

Comment [ML6]: Delete comma

13. **Regular Officers.** Army Regulations currently prohibit Regular officers from serving as CF officers although they are permitted to act as "Service Helpers". The introduction of the Cadet Forces Commission may present an opportunity to review this policy as part of an effort to

<sup>3</sup> The Army Cadet Force (ACF) and the Combined Cadet Force Army Sections (CCF Army).

<sup>4</sup> Whether this will remain the case as the Cadet Forces Commission beds in remains to be seen, and a more flexible approach may be adopted.

<sup>5</sup> ACF or CCF(A).

<sup>6</sup> Section B is now reserved exclusively for CF officers.

<sup>7</sup> It is important to realise that these officers currently have a single Commission, which is used for different purposes under terms and conditions prescribed in the relevant Section of Reserve Land Force Regulations.



enhance Army support to its CF, but this will be subsequent to the introduction of the Cadet Forces Commission.

14. **Legacy Land Forces Section B Commissions.** Those CF officers with General List Section B Commissions who do not also have a Reserve liability will not be required to relinquish or resign their Land Forces commission when they are appointed to the Cadet Forces Commission. This is a considered move to avoid unnecessarily disenfranchising a dedicated cohort of volunteers that value their LF Commission and its heritage. More importantly it avoids unintended damage to Reserve liability. Note:

a. As no cadet activity will ever be conducted under the legacy commission an individual will never be subject to Service law as a result of their legacy Section B commission and there will be no credible opportunity or requirement for any actions under the DRA and AFA<sup>8</sup>.

Comment [ML7]: spelling

Comment [ML8]: or

b. Where a CF officer is also an active Reserve officer or has a Regular Reserve liability any opportunity or requirement for action under the DRA or AFA would be on the basis of the Reserve liability under Section A and not the legacy Section B of the Reserve Land Forces Act.

15. **Breaches of Values and Standards.** If a CF officer fails to live up to the CF Values and Standards<sup>9</sup> outside of cadet activity then they will be subject to the appropriate CF regulations, unless they are also an active Reserve officer. By default a CF officer who also has an active Reserve liability will initially be dealt with under Reserve Land Forces Regulations on the basis that their Reserve liability takes precedence. Where required a CF officer will be suspended pending the outcome of AGAI 67 action.

16. **Relinquishment of Legacy Section B Commissions.** If an individual has their Cadet Forces Commission terminated then HQ RC, as the administering HQ, will inform the Army in order that a decision can be made to terminate their legacy LF commission. Although RLFR already make provision to require the relinquishment of a Section B Commission they will be amended [AHQ to confirm content with this] to provide unequivocal direction that CF officers who have their Cadet Forces Commission terminated will automatically relinquish their legacy General List Section B Commission. In the unlikely event that this results in a SC this will be a matter for the Army rather than the Cadets to address.

Comment [ML9]: Might need something here about type of offence and judgement. Being alone with a 17 year old might not be grounds for termination under Reserve Liability but it would under the CFC.

Comment [ML10]: A residual risk for the Army rather than Cadet Branch.

#### ACF Chaplains

17. ACF Chaplains will transition to the Cadet Forces Commission as soon as possible after its introduction (and not later than 31 Mar 18)<sup>10</sup>. Thereafter the RACHD will continue to appoint as it currently does, but on a Cadet Force Commission rather than a Section B Commission. CF Regulations will describe the process for appointment and for consultation with CG where a commission is to be terminated. While the final appeal will be to GOC RC rather than the Army Board the CG will have the authority to withdraw the commission where the circumstance has an E1 flavour, such as losing the support of the sending church.

Comment [ML11]: Not sure I understand why the requirement to also serve in the Reserve changes on 31 Mar?

#### Coordinating Instructions

#### 18. Timings:

<sup>8</sup> Although at times CFAV (whether commissioned or not) are governed by Army Regulations (for example concerning the use of MT) any failure or shortcomings to meet the obligations of those regulations will only ever be addressed through the administrative processes in CF regulations.

<sup>9</sup> As measured against the Cadet Forces' test explained in the ACF or CCF(A) Regulations.

<sup>10</sup> In the short term ACF Chaplains are likely to continue to be appointed by the Chaplain General (CG) to Section B commissions within the RACHD. This is in order to preserve the flexibility to employ Chaplains in support of the Army Reserve.



- a. NLT 19 Sep 17 – DComd Cadets informs all CF officers of the detailed transitional arrangements.
- b. NLT 20 Sep 17 – ACF Regulations and Army Supplement to JSP 313 published.
- c. NLT 30 Sep 17 – CGS writes to all CFAV.
- d. 1 Oct 17 – implementation of Cadet Forces Commission.
- e. NLT 30 Mar 18 – ACF Chaplains transition to Cadet Forces Commission.

- 19. **Communications Plan.** SO1 Policy to insert key events/items.
- 20. **Benefits.** SO1 Policy to list benefits.
- 21. **Cadet Forces Commission Scrolls.** Pending information form RF&C.

#### Command and Signal

22. **Army Sponsor.** D Pers is the AHQ sponsor, with the lead for managing transition from LF General List Section B Commissions.

#### 23. Command.

- a. **Commander Cadets.** GOC RC is responsible for the detailed implementation of the Cadet Forces Commission and its effective management and thereafter.
- b. **Chain of Command.** Command of the Army's CF is exercised through RPOC Commanders and GOC LONDIST as directed in the RC Plan. Delegated authorities are described in CF regulations.

24. **Control.** D Comd Cadets is responsible to for the routine adminiatration of the Cadet Forces Commission for the Army's CF.

Comment [ML12]: spelling

25. **Reporting.** Quarterly reporting by HQ RC is to reflect the realisation of benefits from the introduction of the Cadet Forces Commission and to highlight any changes to the RC risk profile, articulating intended mitigation.



GOC RC File Ref

XX Mar 17

ECAB

## QUEEN'S CADET FORCES COMMISSION [initial re-draft only]

### ISSUE

1. The implications for the Army of the Cadet Forces Commission<sup>1</sup> for Cadet Force (CF) officers in the Army Cadet Force (ACF) and Combined Cadet Force (Army) (CCF(A)), which will be introduced on 1 Oct 17. CF officers holding a General List Section B commission will be appointed to the Cadet Forces Commission on the date, after which it becomes the only basis for commissioned service in the Army's CF.

### RECOMMENDATION

2. It is recommended ECAB note:

a. The Cadet Forces Commission sits outside the Armed Forces and Defence Reform Acts. It recognises the unique status of Cadet Force (CF) officers who dedicate a significant portion of their lives to developing young people in Defence sponsored voluntary youth organisations.

b. CF officers will be subject to administrative processes defined within ACF and CCF(A) Regulations rather than Service Law and Regulations. The management of the new commission for the ACF and CCF(A) will be delegated to HQ RC.

c. That by making the Cadet Forces Commission the only basis for commissioned service in the Army's CF the existing LF commissions are rendered inapplicable for CF officers without a Reserve liability.

Comment [ML1]: insert comma

### TIMING

3. Routine, noting that the Cadet Forces Commission will be introduced on 1 Oct 17.

### BACKGROUND

4. **Authority.** The 2011 DYER report recommended the creation of a CF commission whose terms would more closely match the purpose for which it was awarded (i.e as the basis for adult volunteers to exercise leadership in MOD sponsored youth organisations). HM The Queen approved the creation of the Cadet Forces Commission in mid-2016 and has given assent to a Royal Warrant, which will 'make the new commission the sole basis for commissioned appointments in the MOD sponsored youth organisations. For the Army the Cadet Forces Commission will replace the current General List Army Reserve Section B Commission as the sole basis for commissioned service in the Army's CF.

5. **Legal.** The Cadet Forces Commission sits outside the Armed Forces Act (AFA) and Defence Reform Act (DRA). CF officers will be governed by ACF and CCF(A) regulations, rather than by military law designed to maintain operational capability. The Cadet Forces Commission further emphasises CF officers' volunteer status, empowers the CF to regulate themselves, and removes the burden on the Army Board and Service Complaint system of AGAI 67 and Service Complaints involving CF officers. The sections in Queen's Regulations and Reserve Land Force Regulations that refer to CF officers will be amended or removed.

<sup>1</sup> MOD has specifically directed that "Cadet Forces Commission" should not be abbreviated.



6. **Status.** CF officers will continue to enjoy the same privileges in terms of commissioned status, access to messes and the paying of compliments. CF officers will no longer have the legal authority to give orders to Regular or Reserve personnel who are tasked to support them, although this should not diminish the nature of the relationship or the quality of support provided. Officers in the ACF and CCF(A) will no longer be restricted to the substantive rank of lieutenant, but will be junior in precedence to Regular and Reserve officers of equivalent rank. Those officers who are also members of the Army Reserve will continue to use their existing LF Commission (where their appointment will be under Section A) for that purpose. The introduction of the Cadet Forces Commission will not impact on officers with a Regular Reserve liability, which will continue on the basis of their LF Commission.

Comment [ML2]: spelling

7. **Future model for administration and grievances.** The systems for dealing with complaints, inefficiency and misconduct have been simplified and are more consistent across commissioned and non-commissioned volunteers. Army Cadet Force Regulations<sup>2</sup> have been revised and issued ahead of implementation, delegating a greater degree of decision making to volunteers. RPOC commanders will be empowered to decide the most serious cases of misconduct, ill-discipline and poor performance. Whenever a decision is made to terminate a CF officer's commission the single and final appeal will be to GOC RC as Commander Cadets.

8. **Transition.** If disciplinary or administrative action arises from an incident or occurrence prior to the introduction of the Cadet Forces Commission those CF officers with General List Section B commissions will be dealt with under current Regulations. Incidents occurring after an individual has been appointed to the Cadet Forces Commission will be dealt with under the new Regulations extant at that time.

Comment [ML3]: spelling

## RESOURCES

9. The minor costs arising will be contained within the existing RC BLB Control Total. There will be a reduction in ALS support required compared to the current provision for AGAI 67 and Service Complaints.

## PRESENTATION

10. New commissions are rare, so it is a mark of Her Majesty's favour that CF officers are being recognised in this manner. CGS has written to all commissioned ACF and CCF(A) officers expressing his pleasure at the advent of the Cadet Force Commission and ensuring them of the Army's continued support. The message has also been cascaded to CF officers through social media. An ABN has been drafted to inform the Regular and Reserve of the change. ACF and CCF(A) officers will not be required to relinquish or resign their General List Section B commissions, which are rendered inapplicable for CF officers without a Reserve liability once the Cadet Forces Commission is the only basis for commissioned service in the Army's CF. New commissioning scrolls will be issued in due course.

Comment [ML4]: Something about the soft approach rather than relinquishment would be useful.

<sup>2</sup> The Royal Warrant allows us the Army to make regulations for administration, which enables Regular and Reserve officers of substantive OF5 rank to deal with ACF and CCF(A) officers in OF5 rank.



[REDACTED]

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**From:** Capps, Duncan Maj Gen (RC-GOC) [REDACTED]  
**Sent:** 20 September 2017 10:49  
**Subject:** FW: 20170913-Cadet Force Commission Army Implementation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Team

I think we are as close as we are likely to get

I spoke to Gen Munro yesterday and he is content in line with the note below

Major General Duncan Capps CBE | GOC Regional Command

“Regional Command – Supporting Excellence”

[REDACTED]

[REDACTED]

-----Original Message-----

[REDACTED]

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[Redacted]

**From:** Lowe, Matthew Brig (RC-Cdts-DComd) [Redacted]  
**Sent:** 15 November 2017 08:32  
**Subject:** Cadet Forces Commission

General

As you can see the MOD aren't letting this go and are implying an air gap between DCGS and ourselves. I think the only thing I can do is to say that we are focussed on implementation and that Army HQ is not yet able to give us a timeline on how long it will take to create the regulations that permit relinquishment and do the follow on staff work. Content?

Matthew

Brigadier MP Lowe MBE | Deputy Commander Cadets | UK Regional Command HQ |

***"UK Regional Command HQ - Supporting Excellence"***

[Redacted]

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**From:** [Redacted]  
**Sent:** 02 November 2017 11:44  
**Subject:** 20171102\_CadetForcesCommission\_LtrfromDComdCdts

Ladies and Gentlemen,

Please see attached a letter from Brig Lowe providing an update on the Cadet Forces Commission.

This letter will be made available to all CFAVs on the [Cadet Forces Resource Centre](#).

**SO2 Cadets and OC CTTs:**

Can you please ensure that this message is forwarded out to all CCF(A) and ACF officers through your Chains of Command.

With many thanks and kind regards,

[Redacted]

[Redacted]

[Redacted]

[Redacted]



