



Ministry of Defence

Ministry of Defence
Main Building
Level 6 Zone N
Whitehall London
SW1A 2HB

Our reference: FOI2017/06339

[REDACTED]

[REDACTED]

1 August 2017

Dear [REDACTED]

Thank you for your correspondence received on 2 July 2017 requesting the following information:

Please state the number of duties that reserve forces are allowed to carry out throughout the training year and state any limitations on this.

Your enquiry has been considered to be a request for information in accordance with the Freedom of Information Act 2000 (FOIA).

There are different types of Reserve Forces that are authorised by the Reserve Forces Act 1996 (RFA 96), and it is unclear which type of Reservist you are referring to in your request. Therefore, the number of duties carried out by a Reservist in a training year depends on the category they fall into.

In accordance with RFA 96, the Reserve Forces consist of:

- a. Volunteer Reserve Forces. Volunteers who accept an annual training commitment and a liability for call out for permanent service. The Volunteer Reserve Forces are the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve and the Royal Auxiliary Air Force.
- b. Ex-Regular Reserve Forces. Ex-Regular forces personnel who, on leaving the Regular forces, retain a liability for call out. The Ex-Regular Reserve Forces are the Royal Fleet Reserve, the Regular Reserve and the Royal Air Force Reserve.

In addition, there are ex-Regulars not in the Reserve Forces who have a liability to be recalled for service in the event of national danger, great emergency or an actual or anticipated attack on the UK.

RFA 96 also provides for two special categories of Reservist, who may be either Volunteer Reserves or Ex-Regular Reserves:

- a. High Readiness Reserve. Reservists who accept a commitment, subject to the agreement of their employer, to make themselves available for military service at an agreed minimum notice.
- b. Sponsored Reserves. Members of a civilian workforce who are required to join the Reserves as a condition of a contract which their civilian employer has entered into with the Ministry of Defence to provide a capability under normal conditions and on operations. Membership of the Reserve Forces becomes a condition of their civilian employment.

In most circumstances a Reservist will be brought into permanent service, colloquially known as mobilised, in accordance with section 56(1B) of RFA 96 before deploying on operations. Once mobilised, Reservists receive the same pay and benefits as their Regular counterparts, their civilian employment is protected and they and their employers may be eligible for financial assistance to ensure neither is disadvantaged as a result of mobilised service. The mobilisation of Reservists requires the Secretary of State for Defence to issue a call-out order authorising Service Commands to issue call-out notices to individuals to report for a period of permanent service of up to 12 months.

Short of mobilisation, RFA 96 allows for Reservists to be employed to fulfil mandatory annual training obligations. RFA 96 section 22 provides for Reservists to be subject to training obligations. Annual training, usually between 19 and 27 days consists of the following:

- i. Continuous Training. Continuous training consists of a unit camp, an attachment or a course that directly contributes to the role of the unit or the individual's continued professional development as directed by the chain of command. Continuous training comprises of one or more periods not exceeding 16 days per annum and should include at least one continuous period that may vary in length depending on Service.
- ii. Non-continuous Training. Non-continuous training (out of camp) can take place at any time, but normally at weekends and training nights with no training period exceeding 36 hours without the individual's consent.

In addition to the mandatory training obligations described above, RFA 96 section 27 provides for a more flexible use of Reserves, offering opportunities to seek or agree to undertake a period of Voluntary Training or Other Duties. This is entirely separate from the minimum training obligation. The Reservist has no legal obligation to attend, but when on duty is subject to Service law. This non-mandatory activity may include adventurous training, ceremonial and community engagement type activities.

Reservists may attend training under the authority of both Sections 22 and 27 in any given year. In these cases, control measures are in place to restrict the total days under Sections 22 and 27 to between 90 and 117 days.

In accordance with section 25 of RFA 96, an Additional Duties Commitment is a formal binding commitment under which a member of the Reserve Forces commits, in writing, to perform specified duties for specified, usually shorter, periods. In broad terms personnel enter an Additional Duties Commitment to make use of competencies they already hold for Regular or Reserve service, or to take advantage of longer training opportunities or courses. A commitment can range from 16 days up to a maximum of 180 days in any twelve month period. It is used for extended duties such as Unit activities, recruitment, welfare, projects/studies.

RFA 96 section 24 provides for a member of the Reserve Forces to enter into a commitment in writing to undertake a period of Full Time Reserve Service performing specified duties for a specified period. This is a formal binding commitment under which the Reservist is contracted to undertake duties. Full Time Reserve Service commitments can be from six months to nine years.

Further information is available at the following links:

Reserves in the Future Force 2020: Valuable and Valued dated July 2013

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/210470/Cm8655-web_FINAL.pdf

The Reserve Forces Act 1996

<http://www.legislation.gov.uk/ukpga/1996/14/contents>

If you have any queries regarding the content of this letter, please contact this office in the first instance.

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 CIOFOI-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,

Defence People Secretariat