

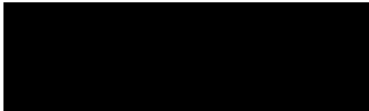


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Ref: FOI2021/02738



20 April 2021

Dear 

Thank you for your email of 10 March 2021 requesting the following information:

*“A. Can you please clarify for me when a soldier is deemed to be on duty within the Armed Forces. Do they work set hours or are they deemed to be on Duty 24 hrs a day, and does it differ on overseas postings?”*

*B. When on organised Sport or recreational activities is the soldier on Duty.”*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA). A search for the information requested has now been completed within the Ministry of Defence (MOD), and I can confirm that information in scope of your request is held. The requested information has been provided at Annex A to this document.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact us in the first instance at the address above. If informal resolution is not possible and you are still dissatisfied then you may apply for 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.gov.uk](mailto:CIO-FOI-IR@mod.gov.uk)). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint 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. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

Defence People Secretariat

## ANNEX A

*Can you please clarify for me when a soldier is deemed to be on duty within the Armed Forces?*

- Army guidance on Duty Status can be found in Army Policy. It provides guidance on the categorisation of activities and events, and whether individuals participating in the activity or event can be considered as 'On Duty' or 'Off Duty'.
- It only provides guidance as it is difficult to categorise every type of activity or event. If a local commander is unable to decide on the Duty Status for an activity or event, further guidance can be sought from the Army Personnel Directorate.
- Duty Status does not affect an individual's liability to be recalled in line with policy. It also does not affect the fact that Service personnel are subject to Service Law throughout their service, both on and off duty.
- Service personnel are considered 'On Duty' when performing specific functions required by the Service or during time spent in a particular location where presence is required but the individual is not performing specific functions.
- Service personnel are considered 'Off Duty' during time spent on Service premises as a result of residence in mess/barracks/married quarters.

*Do they work set hours or are they deemed to be on Duty 24 hrs a day?*

- Service Personnel are not considered 'On Duty' 24 hours a day.
- Commanders set the working practices for the unit, often called the Battle Rhythm. When considered against the guidance in Army policy, Service personnel can be identified as 'On Duty' or 'Off Duty'.

*Does it differ on overseas postings?*

- Regular overseas assignments follow the same principles for 'Duty Status' as in the UK.
- Operational overseas assignments and respective duty status is governed by the Permanent Joint Headquarters and the senior Operational Commander following the principles set out in Defence and, where applicable, Army policy.

*When on organised Sport or recreational activities is the soldier on Duty?*

- Army policy provides guidance on sporting and recreational activities:
  - **Sport.** Sport in the Armed Forces is governed by Defence Policy and Army Policy. Service Personnel can be considered 'On Duty' if the activity is either compulsory (as part of training or organized fitness programme), selected by Service authority to represent a Service unit and training for the sport, or taking part in sport authorized and supervised by Service authority or participating in the Joint Service Adventurous Training Scheme. During all other types of sport SP can be considered 'Off Duty'.
  - **Adventurous Training (AT).** AT in the Armed Forces is governed by Defence Policy and Army Policy. Duty Status is covered in the relevant policies in conjunction with the overarching guidance in Army Policy.
  - **Travel.** Travel to and from a normal place of duty and to and from leave is considered 'Off Duty'. Travel during an 'On Duty' visit other than at the normal place of work is considered 'On Duty'.

- **Private Life Activities.** During private life activities including time volunteering and leave Service Personnel are considered 'Off Duty'.