



**SERVICE INQUIRY**  
**ARMY PERSONNEL SERVICES GROUP**

**SERVICE INQUIRY INTO ARMY TRAINING ESTABLISHMENTS' HANDLING OF COMPLAINTS OF  
UNACCEPTABLE BEHAVIOURS**

The requirement to carry out a Service Inquiry is mandated by statute in the Armed Forces Act 2006, by the Armed Forces (Service Inquiry) Regulations 2008 and/or by the policy laid out in Joint Services Publication 832.

The Armed Forces (Service Inquiry) Regulations 2008<sup>1</sup> require that a military Convening Authority must cause a Service Inquiry to be held in the event of the death of a Service Person, where it is considered '*that anything of consequence...may be learned*'. Joint Services Publication 832<sup>2</sup> describes that a Service Inquiry must also be convened in the event of serious injury to a Service Person, the death or serious injury of civilians on the Defence Estate or in conducting Service organised activity or following a safety-related occurrence. Joint Services Publication 832 also gives provision for a Service Inquiry to be conducted '*into any matter...where the Convening Authority determines that anything of consequence may be learned*'. A Service Inquiry does not attribute blame and has no power to attribute civil or criminal liability.

The purpose of a Service Inquiry is to establish the facts of a particular matter and make recommendations to prevent re-occurrence. It is an internal fact-finding investigation primarily to assist in maintaining operational effectiveness. However, its findings will likely be used for other purposes, particularly where deaths occur. These might include assisting the MOD in fulfilling its legal obligations, such as under the Management of Health and Safety at Work Regulations 1999; advising the Next of Kin and others of how the incident happened; and informing an inquest by His Majesty's Coroner.

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<sup>1</sup> [The Armed Forces \(Service Inquiries\) Regulations 2008](#), Regulation 4(1) (b).

<sup>2</sup> [JSP832.pdf](#)

**Service Inquiry Investigation into Army Training Establishments' handling of complaints of unacceptable behaviours.**

1. The Service Inquiry Panel formally convened on 30 June 2023 by order of Director Land Warfare Centre, Major General CBK Barry CBE for the purpose of investigating how Army Training Establishments manage complaints of unacceptable behaviours.
2. The following inquiry papers are enclosed:
  - a. **Section 1** – Executive Summary.
  - b. **Section 2** – Narrative of Events, Findings/Observations and Analysis.
  - c. **Section 3** – Recommendations.
  - d. **Section 4** – Convening Authority Comments.
  - e. **Section 5** – Reviewing Authority Comments.
  - f. **Annex A** – Convening Orders.
  - g. **Annex B** – TORs.

**President**

[REDACTED]

Permanent President Service Inquiry (PPSI)  
Army Personnel Services Group (APSG)

**Panel Member**

[REDACTED]

**Panel Member**

[REDACTED]

30 October 2024

## Section 1 – Executive Summary

### Summary of Incident Resulting in a Service Inquiry

1. On 30 June 2023, Director Land Warfare directed a Service Inquiry convene to investigate how Army Training Establishments manage complaints of unacceptable behaviour. The investigation was time-bounded between March 2021 and November 2023, to incorporate 12 months immediately preceding and following the introduction of 2022DIN [REDACTED] Zero tolerance to Sexual Offences and Sexual Relationships Between Instructors and Trainees & 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour. It was to report on all relevant matters, where appropriate comment on such matters, express opinions and make recommendations.

### What happened?

2. Several recent allegations of unacceptable behaviour both across the organisation and specifically within the Phase 1 Training Establishments have given cause for concern. Not only does this significantly affect those involved, but potentially these incidents have wider implications for our 'licence to operate'. Without 'licence to operate', we cannot undertake our core role of protecting the Nation.

### What themes of recommendations have been identified?

3. The inquiry identified three key themes which have informed many of the recommendations:
- a. **Policy differential.** Defence and Army level policy was generally very well written but by virtue of policy cascade, Unit-level policies were generally very poor and frequently contradicted the Defence and Army policy from which it was extracted.
  - b. **Approach.** The basics are not being done well. By this it is meant that policy is not always being followed in the first instance with consequential effects as to how it is subsequently implemented and then assured.
  - c. **Ineffective assurance.** The plethora of assurance, both internal and external, has made the Basic Training Establishments over-confident and provided false confidence to higher headquarters. However, the Panel found the assurance regimes to be ineffective and the organisational change recommended by previous inquiries and reviews (DHALI-Blake, Atherton, RMAS 2019) had not been embedded in the organisation.

[REDACTED], SI President

## **Section 2 – Narrative of Events, Findings and Analysis.**

**TOR 1: Establish and provide an overview of the current organisation of ARITC and provide an overview of the training pathway of a Recruit/Junior Soldier until the time they are assigned to their Initial Trade Training/Unit. Specifically, this should include:**

- 1) Overview of ARITC including the relevant organisational and C2 structures for directing, implementing and provision of oversight for policy changes.**
- (2) Reference to Basic Training and an overview of the Trainees pathway for reporting for duty to passing out.**
- (3) Reference to Army Foundation College (Harrogate) and an overview of the Junior Soldier pathway from reporting for duty to passing out.**
- (4) Key appointments with relevant roles and responsibilities within each Training Establishment.**
- (5) Provide detail on the male/female ratio within each training establishment, and the relevant Company's (both across the Junior Soldiers/Trainees and Permanent Staff (PS)).**

### **Overview of ARITC**

4. The Army Recruiting and Initial Training Command (ARITC) is the 2 Star command responsible for attracting, selecting, and training those people joining the British Army. ARITC oversees the recruitment of potential candidates into suitable roles prior to their enlistment. Initial training comprises basic training which focuses on physical fitness, military skills, and discipline. It is followed by specialised training in specific occupational roles such as infantry, combat engineering or driving, known as Initial Trade Training (ITT). ARITC plays a crucial role in shaping the British Army by ensuring that recruits are well-prepared and equipped to meet the demands of military service and contribute to the Army's operational effectiveness<sup>3</sup>.

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<sup>3</sup> WSJB-Exhibit JB2

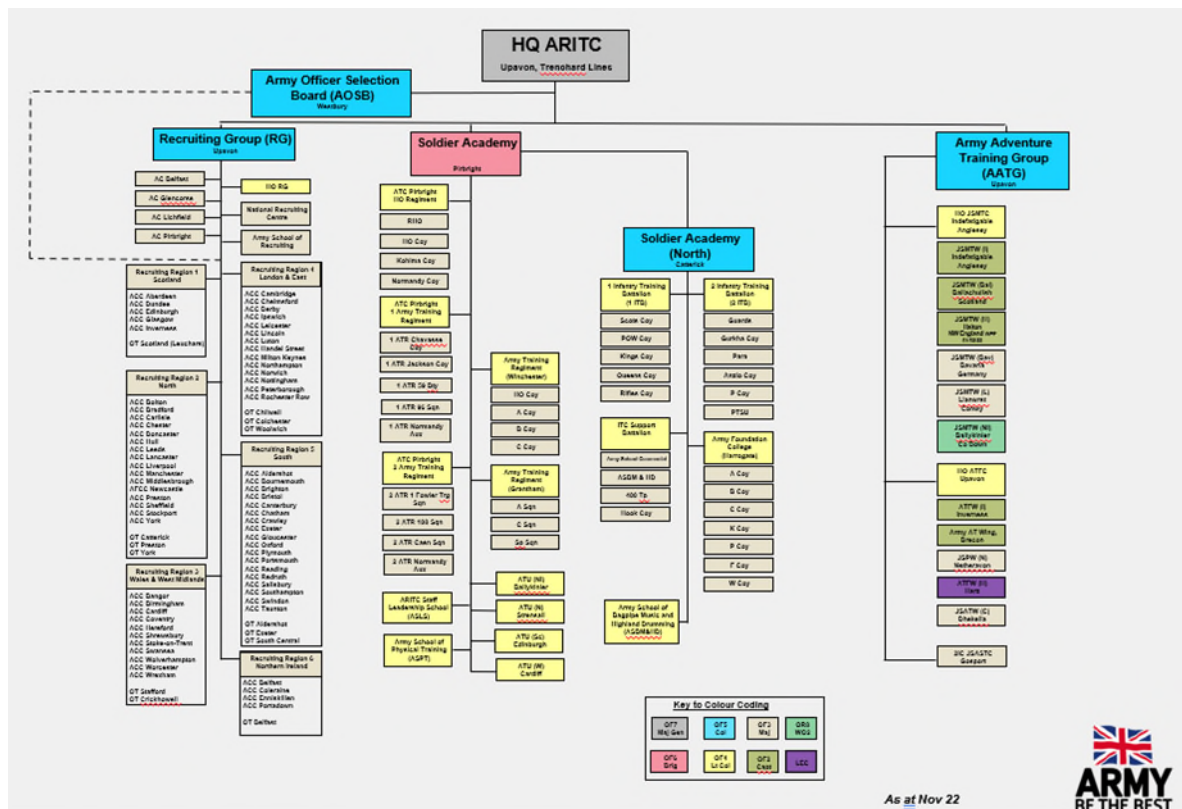


Figure 1.1 – ARITC Task Org<sup>4</sup>

## Overview of Soldier Academy including Training Establishments

5. Soldier Academy, formerly Initial Training Group (ITG), is the 1 Star organisation responsible for the delivery of the entirety of Army Soldier Basic Training, inclusive of Regular, Reserve, Junior Entry soldier and Infantry. Soldier Academy's overarching mission is to deliver trained and motivated soldiers to ITT and conduct Subsequent Trade Training (as directed)<sup>5</sup>.

6. Soldier Academy also encompasses Soldier Academy (North), formerly SCHINF, whose mission is to deliver trained and motivated infanteers with infantry, dismounted close combat and leadership skills. The final part of the organisation is Soldier Academy (Reserves), who have responsibility for Reserve ITT. In addition to providing ITT, Soldier Academy has command of a small number of Subsequent Trade Training (STT) units.

<sup>4</sup> WSJB-Exhibit JB3

<sup>5</sup> WSWM-Exhibit WM01

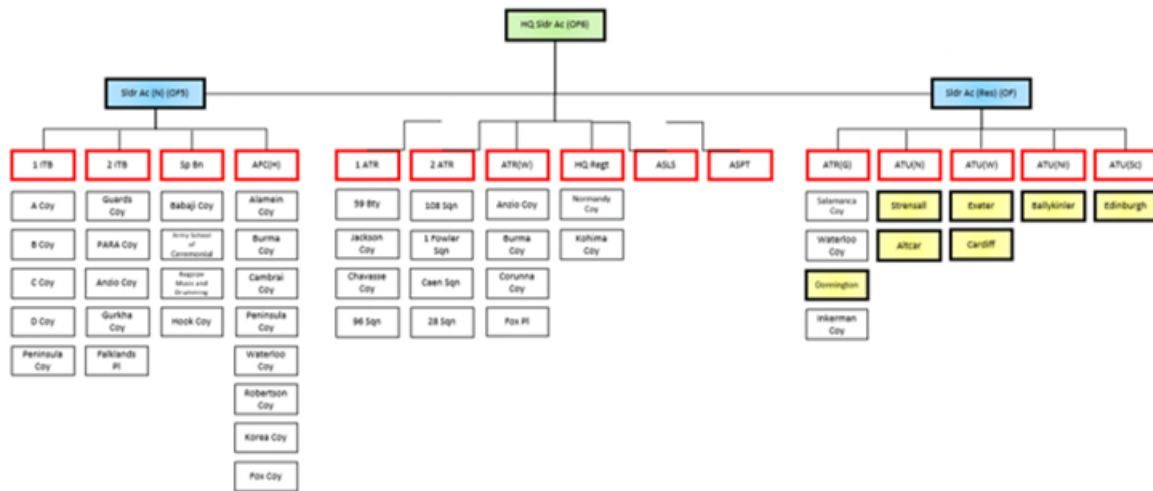


Figure1.2 – Soldier Academy Task Org<sup>6</sup>

7. Soldier Academy has under its command each of the Training Establishments responsible for the provision of Basic Training (also known as initial or previously Phase 1 training). A Training Establishment is a site comprising multiple schools or units under a common command where the operational purpose of that site is predominantly or entirely to deliver training to personnel. In some cases, multiple schools within a Training Establishment may have separate commands, such as at the Army Training Regiment (Pirbright). JSP 822 Defence Training and Education Volume 4 (Care and Welfare in Training) stipulates that where an establishment has responsibility for more than one school/unit there will be a need for some level of coordinated activity and mechanisms across the establishment which may be based on geographical area rather than independent school/unit activity. It has been observed by the Panel that in some instances, there is a lack of coordinated activity and the Training Establishments where there are multiple regiments within the same site would benefit from greater standardisation. This is a point that will be returned to in due course.

8. Broadly the training conducted within the establishments teaches individuals to become a soldier and how the Army works. Whilst each of the Training Establishments provide Basic Training, the capbadge that the individual will join or looks to join will dictate which Training Establishment the individual will attend. In order to allocate an individual to a particular Training Establishment, recruits are asked at assessment centres which Career Employment Qualification (CEQ - trade) they wish to specialise in. If they are suitable for the CEQ, they are asked when they would like to start basic training based on when CEQ places are available<sup>7</sup>.

<sup>6</sup> WSWM-Exhibit WM01

<sup>7</sup> WSWM-Exhibit WM01

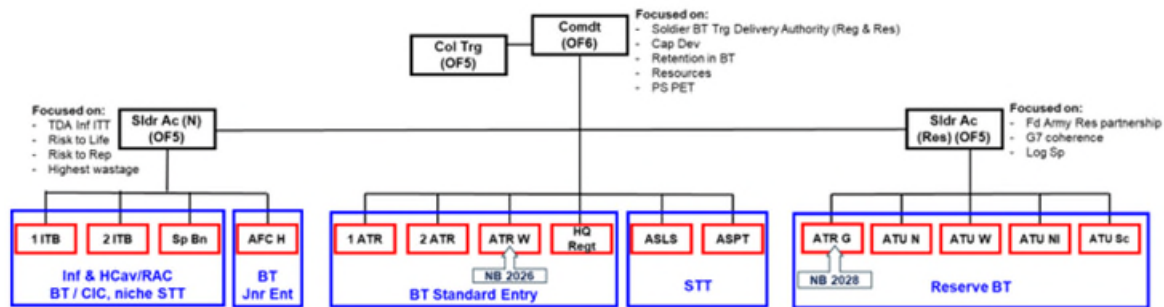


Figure 1.3 – Functional Areas and Respective Roles within Sldr Ac

9. Basic Training for those seeking to join the Infantry is provided by those Training Establishments in Catterick or if U18, AFC(H). The Infantry Training Centre (ITC) Catterick is divided into three battalions, of which two are infantry training battalions. Both Infantry Training Battalions train recruits for Phase 1 and Phase 2 of their training. The 1st Infantry Training Battalion (1 ITB) is responsible for training soldiers who are going to join the infantry and Rifles regiments of the British Army. The 2nd Infantry Training Battalion (2 ITB) is responsible for training recruits who will join the Foot Guards, the Parachute Regiment and the Brigade of Gurkhas. The ITC Support Battalion provides support to ITC. Its specific functions include planning and resourcing training, and providing support services. At any time, there are c. 899 male and female trainees in training at ITC, overseen by c. 533 permanent military and civilian staff. It should be noted that the staff number is somewhat distorted as these staff cover both basic and initial trade training.

10. Basic Training for those seeking to join the Army Air Corps, Royal Artillery, Royal Engineers, Royal Signals, Adjutant General's Corps, Army Medical Service, Intelligence Corps, Royal Logistic Corps and the Royal Electrical and Mechanical Engineers is provided by those Training Establishments in Pirbright. Army Training Centre (Pirbright) comprises three Regiments, each with their own chain of command, but which are closely linked and co-located on one site; two of the units are Army Training Regiments (1 Army Training Regiment (Pirbright) and 2 Army Training Regiment (Pirbright)) and the third, HQ Regiment ATR(P), provides the coordination, support and enabling of training as well as the overall management of the site. At any time, there are c. 827 male and female trainees in training at ATC (P), overseen by c. 388 permanent military and civilian staff.

11. Army Training Regiment (Winchester) (ATR(W)) can also provide BT to all those capbages found at ATC(P). At any time, there are c. 225 male and female trainees in training at ATR(W), overseen by c292 permanent military and civilian staff.

12. Finally, Basic Training is also provided at the Army Foundation College (Harrogate) (AFC(H)). This is where individuals who are either 16 or 17 years of age seeking a career in the British Army receive training in basic military skills, fitness and education. AFC(H) provide two courses, a long (40 weeks) and short (20 weeks) course and ATR(P) BT Cse is 13 weeks. The course the individual will undertake is dependent upon the subsequent ITT course length. At any time, there are up to 1344 male and female JS in training at AFC (H), overseen by c. 600 permanent military and civilian staff (almost 50:50 split).



13. To fully understand the available workforce and the limitations therein, the Panel also sought to understand the impact of gapping at each of the Training Establishments. Soldier Academy (Sldr Ac) use the following definitions: a 'Hard' gap is where an individual has not been assigned to a post; a 'Soft' gap is when a SP is assigned to a post but is not currently delivering in post due another reason for example, G1 Discipline or Welfare, has yet to receive DBS clearance, is on a career course, or has been trawled. Of course, this data does not expose exactly which PIDs are vacant, any one of which could be a critical fill role.

Rank	HQ Sldr Ac	ATR(G)	ATC(P)	ATR(W)	AFC(H)	Sp Bn	1 ITB	2 ITB	G1	G4	Med	HQ	Trg Delivery	Total	8005 Estb	% Gap
OR2						4				3			1	4	75	5%
OR3					1	2			1	1			1	3	63	5%
OR4		2	9	10	5	2	9	3		3	1		36	40	841	5%
OR6				1	3		3	1	1		1		6	8	236	3%
OR7															81	0%
OR8															85	0%
OR9						1							1	1	24	4%
OF1/2				2			4	1					7	7	148	5%
OF2			2		2								4	4	80	5%
OF3	1						1	1				2	1	3	72	4%
OF4	1											1		1	16	6%

Figure 1.4 – Data Cut for Hard Gaps across Sldr Ac dated 21 Feb 24

Rank	HQ Sldr Ac	ATR(G)	ATC(P)	ATR(W)	AFC(H)	Sp Bn	1 ITB	2 ITB	G1	G4	Med	HQ	Trg Delivery	Total	Estb	% Gap
OR2						2			3	2				5	75	7%
OR3			5			3					8			8	63	13%
OR4		2	9	4		3	13	7					39	39	841	5%
OR6			2	1		1							4	4	236	2%
OR7															81	0%
OR8															85	0%
OR9															24	0%
OF1/2			2										2	2	148	1%
OF2															80	0.00%
OF3				2									2	2	72	3%
OF4		1	1									2		2	16	13%

Figure 1.5 – Data Cut for Soft Gaps across Soldier Ac dated 21 Feb 24

## Organisational and Command and Control (C2) structures within ARITC for directing, implementing and provision of oversight for policy changes

14. C2 structures within ARITC are no different to other organisations within the British Army. For example, Commandant (Comdt) Sldr Ac answers directly to General Officer Commanding ARITC. Comdt Sldr Ac is an OF6 Brigadier with an OF5 Comd Sldr Ac (Reserves), an OF5 Comd Sldr Ac (North), and units reporting up their respective chains of command from OF4 Unit Commanding Officers and Unit staff. All formations and Unit headquarters have a G1-9 functional staff, which varies in size dependant on output (e.g.

Army Foundation College (Harrogate) is larger than an Army Training Unit due to the volume and demands of the training audience).

15. The direction, implementation and provision of oversight for policy changes is theoretically delivered through the OPCOM<sup>8</sup> chain of command. It was reported to the SI panel that weekly meetings and quarterly Command Groups can all instigate policy changes dependent on authorisation from their chain of command. How it is effectively and practically tracked by the higher headquarters that any policy change has been effectively promulgated and enacted is not well understood. Those within ARITC have cited that a number of over-lapping control mechanisms are conducted to ensure correct implementation e.g. Ofsted inspections, Soldier Academy 2<sup>nd</sup> Line of Defence Assurance, G1 Audits and internal Unit checks. As will be discussed later in the report, the reliance on these assurance regimes may be misplaced.

## The Training Audience

16. Before providing an overview and analysis of the BT pathway, the SI Panel felt it crucial to understand the training audience itself. Even the casual observer would expect that those entering the Training Establishments would be diverse given that the education, family backgrounds and vulnerabilities from which the Army recruits vary widely.

17. In 2023, the average age of those joining the British Army as Private soldiers was 20 years old. The Army is one of only a few major employers that offers entry and progression to recruits without any formal education. To join as a soldier, entrants require Entry Level 2 (equivalent to 7-year-old reading standard) on enlistment in English (functional skills) and Maths (functional skills) and Level 1 in speaking and listening<sup>9</sup>. In addition, Mandatory Academic Qualifications (MAQ) for certain employment categories are set by the respective Heads of Capability and the detailed standards are contained within the relevant Arms/Corps job profiles. Exceptions to Soldier Entrants' Educational Standards which fall outside permitted cognitive shading may be granted in exceptional circumstances by the Military Judgement Panel (MJP) chaired by the 1\* Director Operations ARITC.

18. The Army's recruits are more than twice as likely to come from the lowest wage-earning 25% of local authorities than the top 25% of the highest wage-earning authorities. This means that the training audience at Army training establishments for soldiers is diverse and will include a number of Care Leavers<sup>10</sup>.

19. In 13 weeks, trainees will have to prove that they can meet the Army's high expectations. These include that they are fit, disciplined soldiers who can work as part of a team and live by the Army's values and standards, before moving on from Basic Training. For both the trainees and those who train them, the diverse nature of the training audience and in particular their education and family backgrounds where many

<sup>8</sup> See [Army Field Manual \(Command\), section 1-41. para a.](#)

<sup>9</sup> WSCE-Enclosure CE1

<sup>10</sup> A Care Leaver is legally defined as someone who has been in the care of the Local Authority for a period of 13 weeks or more spanning their 16th birthday [The Children \(Leaving Care\) Act 2000](#).

have experienced adverse childhood experiences, can create additional difficulties for their training experience.

### **Opportunities including salary and social mobility**

20. For those who are eager, the British Army has excellent opportunities for social mobility available to its people. The starting salary is £18,686/year rising to at least £23,496/year once trained. More widely, over 95% of all trainees are enrolled on a Level 2 or higher apprenticeship standard with an achievement rate of 81.5% (compared with an achievement rate of 67% across all apprenticeship providers)<sup>11</sup>.

### **Current inflow**

21. Despite the opportunities, currently the British Army is not meeting its recruiting targets. Contributing factors to this shortfall include the current state of the UK economy and the employment market<sup>12</sup>. This challenge is not unique to the British Army. This experience of reduced inflow is broadly reflected across the Royal Navy, Royal Marines and Royal Air Force as well as other NATO land forces. This challenge is even more acute because it is at the same time as the British Army is being asked to do more<sup>13</sup>.

### **Transition from Selection to Basic Training<sup>14</sup>**

22. After attending an Assessment Centre, successful candidates should be told that they have been successful and are suitable for the Army and the CEQ they have applied for. They will be asked when they want to start basic training for that CEQ, and then sent joining instructions for their arrival at the relevant training establishment. During the gap between attending an Assessment Centre and the start of basic training, they should be nurtured by Recruiting Group to prevent them drifting (i.e. falling out of the pipeline).

23. The management of the transition from selection to arriving for basic training is conducted by the Recruiting Group and the respective Candidate Support Management who assist in the preparation of recruits. However, Basic Training units can make contact via closed Facebook groups and other virtual initiatives; this activity is designed to enhance a soft landing into Basic Training.

24. For those candidates at the Selection Centre deemed to be a higher risk in terms of suitability additional training can and is provided. Individuals can be loaded onto the Soldier Development Course (SDC). This is a four-week course run by Normandy Company (Coy), HQ Regiment (Regt) in Pirbright, but owned and loaded by ARITC Training Ops. High risk candidates come in three categories: those who are Sick Cell Trait (SCT) positive; those who require physical development; or those who require confidence/character development.

### **Basic Training<sup>15</sup>**

25. For soldiers over 17 years and 6 months on entry, Basic Training is a rigorous and comprehensive 13-week programme following a common syllabus, designed to transform

<sup>11</sup> WSCE-Enclosure CE1

<sup>12</sup> WSMJ-Enclosure MJ1

<sup>13</sup> Integrated Review Refresh 2023

<sup>14</sup> WSWM-Exhibit WM01

<sup>15</sup> WSWM-Exhibit WM01

civilian recruits into disciplined and capable soldiers. The latest iteration of the syllabus is known as the CMS (FS). The training, often referred to as Phase 1, focuses on developing physical fitness, military skills, and instilling core values such as discipline, teamwork, and resilience. It is the common foundation for a soldier's career, providing them with the necessary skills, knowledge, and mindset to serve effectively in their chosen Arm or Service.

26. For Regular soldiers, as detailed above, there are four locations where Basic Training can be undertaken:

- Army Foundation College (Harrogate)
- Army Training Centre (Pirbright)
- Army Training Regiment (Winchester)
- Infantry Training Centre (Catterick)

### **Overview of a Trainee's training pathway<sup>16</sup>**

27. Upon arrival at their Training Establishment, trainees undergo an initial processing phase which includes administrative tasks such as medical examinations, equipment issue, and induction briefings. Following this, trainees undertake a common military syllabus of Basic Training<sup>17</sup>. This is a physically and mentally demanding process designed to transform them into disciplined soldiers. Trainees undergo intense physical conditioning, learn essential core combat skills, and receive instruction in areas such as weapon handling, fieldcraft and navigation. The training also includes classroom-based work to educate and inculcate trainees on the British Army's ethos, values, and culture. Trainees are also exposed to simulated combat scenarios and must pass a series of assessments to demonstrate their proficiency. This training is now enshrined within the CMS (FS) which is taught across all the Training Establishments. The content of the CMS (FS) will be covered in more detail in Term of Reference 2.

28. To mark the successful completion of their Basic Training, trainees participate in a ceremonial event known as a 'Passing Out' Parade. The next phase of their training is specialist trade training, known as initial trade training or Phase 2; this is commanded at 2 Star level by Director Land Warfare. On completing their Phase 2 training, a trainee joins a unit from their own cap-badge in the Field Force.

### **Leaving the Army<sup>18</sup>**

29. The armed forces is not an employer in the standard use of the term and legally require their personnel to commit themselves for several years, with the risk of a criminal conviction if they leave sooner<sup>19</sup>. The minimal length of service within the army for those under 18 is 28 days, they can request to leave up until their 18<sup>th</sup> birthday giving 14 days' notice. For those under 18, who choose to serve past their 18<sup>th</sup> birthday, the minimal

<sup>16</sup> WSWM-Exhibit WM01

<sup>17</sup> In October 2023, a new syllabus – Common Military Syllabus (Future Soldier) was rolled out across all regular training establishments finally been incorporated at AFC(H) in April 2024.

<sup>18</sup> WSFS-Enclosure FS1

<sup>19</sup> The armed forces are not governed by employment law in the same way as other employers in the UK and soldiers and officers do not have contracts of employment. While a technical legal point, it enables the armed forces to demand greater commitment than an 'employer' would.

length of service is until their 22<sup>nd</sup> birthday. For those over 18, it is 4 years. However, it is recognised that joining the Army is a significant life decision and although an individual may believe that it is the right one for them, the realities of the Army may be different, and they may wish to leave. All mechanisms for leaving the Service are contained within Queen's Regulations, Part 6.

30. Wastage rates<sup>20</sup>. Wastage rates is the catch all term used to describe those people that do not complete training and leave the Army. Broadly this trend has been going up over the last 5 years at all Training Establishments with financial year 2021/22 having the highest wastage rates.

	Financial Year of entry				
	2017/18	2018/19	2019/20	2020/21	2021/22
<i>Phase 1 only</i>					
AFC (H)	18%	22%	25%	32%	33%
ATC (P)	16%	15%	16%	23%	24%
ATR/ATFC (W)	15%	15%	20%	21%	28%
<i>Phase 1 and Phase 2</i>					
ITC	30%	28%	27%	37%	41%

Source: Analysis(Army)

Figure 1.6 – Untrained Outflow Proportions by Training Establishment for Financial Years 2017/18 – 2021/22.

31. The Panel sought to understand the reasons why the individuals left Service. At Figure 1.7 below all exit reason information for these cohorts over this time period is detailed. However, it should be noted that the exit reason information is not available for c. 10% of those who left the Untrained strength from these cohorts over this period.

<sup>20</sup> WSAC-Enclosure AC1

	Financial Year of entry					
	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
<b>Phase 1 only</b>						
<b>AFC (H) total</b>	230	300	440	530	460	250
of which						
Discharge as of Right	100	170	320	410	320	110
Defect in enlistment procedure	20	20	70	60	20	20
Not required for Army Service/Other	80	100	20	20	90	100
Unsuitable/Conviction/Misconduct	-	-	-	10	-	-
Medical Discharge	10	10	20	20	20	-
Family/Compassionate	-	-	-	-	-	-
Other Discharges	10	-	10	20	-	-
Data not available	-	-	-	-	10	10
<b>ATC (P) total</b>	430	370	530	600	620	460
of which						
Discharge as of Right	180	190	270	380	310	200
Defect in enlistment procedure	110	50	80	170	80	130
Not required for Army Service/Other	-	-	-	-	20	10
Unsuitable/Conviction/Misconduct	60	70	130	190	160	120
Medical Discharge	50	60	40	40	30	-
Family/Compassionate	-	-	-	-	-	-
Other Discharges	10	-	10	10	10	-
Data not available	-	-	-	-	10	10
<b>ATR/ATFC (W) total</b>	90	100	240	230	290	120
of which						
Discharge as of Right	30	40	80	90	120	60
Defect in enlistment procedure	30	30	100	90	80	40
Not required for Army Service/Other	-	-	-	-	-	-
Unsuitable/Conviction/Misconduct	10	20	30	20	60	10
Medical Discharge	10	10	20	10	10	-
Family/Compassionate	-	-	-	-	-	-
Other Discharges	-	-	10	10	10	-
Data not available	-	-	-	-	10	10
<b>Phase 1 and Phase 2</b>						
<b>ITC total (direct ITC entrants only)</b>	420	380	720	890	650	430
of which						
Discharge as of Right	200	200	340	470	290	200
Defect in enlistment procedure	50	30	120	160	140	90
Not required for Army Service/Other	30	20	60	20	20	10
Unsuitable/Conviction/Misconduct	60	70	140	140	80	70
Medical Discharge	60	60	40	40	20	-
Family/Compassionate	-	-	-	-	-	-
Other Discharges	20	10	10	20	-	-
Data not available	-	-	-	30	110	50

Source: Analysis(Army)/ARITC

Figure 1.7 –Reasons for Leaving by Training Establishment for Financial Years 2017/18 – 2021/22.

32. It is clear from Figure 1.7 that, by and large, the most prevalent reason for leaving across all of the Training Establishments was Discharge As Of Right (DAOR)<sup>21</sup>. This means that people are leaving having only had 1-6 months experience of the Army. Hence making improvements to the training audience's lived experience even more important.

### AFC(H) pathway<sup>22</sup>

33. The AFC(H) is the only under 18 training establishment in the British Army. Each year, it transforms around 900 U-18s from civilian school leavers into trained soldiers ready to undertake ITT. In addition to the Common Military Syllabus that is delivered at all initial training establishments, the College benefits from time and resource to provide wider education, leadership, and initiative training as well as sport. CMS is delivered as part of the two courses that are delivered at the College: Junior Entry (Long) and Junior Entry (Short). The long course lasts 12 months and is designed for those joining Ground Close Combat roles, the Royal Artillery and the Royal Logistic Corps Driver trade. The short course lasts 6 months and is aimed at the remaining, more technically orientated cap badges. The College has five training companies – Alamein, Burma, Cambrai,

<sup>21</sup> QR's Part 6 Para 9.391 **Having Applied to Determine Service or Claim Termination**. Applies to a recruit, i.e. a person who has not previously been enlisted and finally approved, or who is under the age of 18 years and claims termination as their statutory right. Often referred to as Discharge As Of Right (DAOR). [WSFS-Enclosure FS1]

<sup>22</sup> WSWM-Exhibit WM01

Peninsula (all teaching the Junior Entry (Long) course); and Waterloo Company teaching the Junior Entry (Short) Course.

34. On average, the educational entry standard is lowest at AFC(H). In 2019, at the AFC(H), 20% of all junior soldier trainees joined with only an entry level qualification (EL2/3) and a further 40% had only reached L1 in English or Maths. Of these, more than 80% achieved L2 in English by the time they were 19 years old, compared to 21% of the wider population of those leaving school with only L1 or below in English<sup>23</sup>.

### Overview of the training pathway for a JS in AFC(H)

35. The minimal length of service within the army for those under 18 is 28 days, they can request to leave up until their 18<sup>th</sup> Birthday giving 14 days' notice. For those under 18<sup>24</sup>, who choose to serve past their 18<sup>th</sup> Birthday, the minimal length of service is until their 22<sup>nd</sup> birthday.

36. Wastage rates. As shown in the table above, AFC(H)'s wastage rates have seen the most rapid increase over the last 5 years and are second in percentage terms only to ITC(Catterick)<sup>25</sup>.

### Key appointments including roles and responsibilities<sup>26</sup>.

37. Everyone has their part to play, but certain roles have specific obligations. In the view of the Panel the following, are the key appointments within a Training Establishment.

38. **Commanding Officer.** The Commanding Officer (CO) of a Unit's role is primarily to command the unit whose purpose is to develop and train standard entry trainees to provide the required motivated and trained soldiers to initial trade training (Phase 2). Their roles and responsibilities include the delivery of Basic Training outputs as directed by Sldr Ac and satisfy assurance requirements. The CO is to aim to increase the retention of trainees, without compromising standards. Further, they are to establish, implement and maintain a clear set of policies and procedures for the operation of their unit.

39. **Adjutant.** The Adjutant is the principal Staff Officer to the CO and is to assist with the day-to-day planning of events at both the unit and externally, providing logical advice and problem-solving abilities across the spectrum of personnel issues. They are the Unit representative for Unit Service Discipline, administration, incident reporting and co-ordinator of unit compliance with policy. According to job specifications seen by the Panel, they are responsible for the management of the Vulnerability Risk Management Information System (VRMIS)<sup>27</sup>, WISMIS<sup>28</sup> and PAPMIS<sup>29</sup> for the Unit and are to run Unit Health Committees<sup>30</sup>, VRM and Welfare meetings. The incumbent in this role is routinely expected to be a 2nd/3rd Tour Capt on elevated reporting.

40. **Sub-Unit Command.** A Sub-Unit Commander in a Training Establishment is expected to develop and train the right quantity and quality of Common Military Syllabus

<sup>23</sup> WSCE-Enclosure CE1

<sup>24</sup> Which applies to all those starting at Army Foundation College (Harrogate), albeit many turn 18 whilst there.

<sup>25</sup> WSAC-Enclosure AC1

<sup>26</sup> WSWM-Exhibit WM01

<sup>27</sup> Vulnerability Risk Management Information System [AGAI 110].

<sup>28</sup> Wounded, Injured, Sick, Management Information System [AGAI 99].

<sup>29</sup> PULHEEMS Administration Pamphlet Management Information System [AGAI 57].

<sup>30</sup> Explained below.



Future Soldier (CMS (FS)) trainees capable of meeting the output standards required by the syllabus. They are to Command Sub-Unit Permanent Staff and trainees and are to develop Permanent Staff for their role and supervise all training and preparation of trainees for future employment. They must ensure that training is carried out in accordance with training objectives and Sldr Ac Policy and lay the foundations of military character in the trainees. They are to provide the appropriate welfare and supervisory care for permanent staff and soldiers under training and liaison with recruit parents and families.

41. **Unit Welfare Officer.** The Unit Welfare Officer (UWO) is responsible to the CO for the support, assistance and welfare advice given to personnel in the unit and their dependants<sup>31</sup>. They are the focal point for all welfare agencies operating within (Primary), and external to (Secondary) the unit. They are responsible for the delivery of improvements in Duty of Care because of direction issuing from DHALI-Blake<sup>32</sup> and Ofsted recommendations. Subject to the Army Welfare Code of confidentiality<sup>33</sup>, they are to provide COs with an independent welfare assessment of trainees, PS and families on request.

42. **Platoon Commander.** A Platoon Commander (Comd) is expected to execute the training programme for their platoon as appropriate to their unit. They are responsible for health, safety and welfare of all trainees and permanent staff under their command. They are required to liaise with U18 trainee's parents/families and deliver Duty of Care responsibilities. Not only must they supervise and advise Senior and Junior Non-Commissioned Officers in all aspects of work and personal development, but they must monitor and counsel trainees in welfare, training progress and career development.

43. **Platoon/Troop Sergeant.** A Platoon Sergeant is to guide, coach and mentor trainees and Platoon/Troop staff and actively promote retention. They are to command the Platoon/Troop in the Platoon Comd's absence and administer and supervise trainees at all times. They are to advise/assist the Platoon Commander with welfare issues. They are to supervise training delivered by Section Commanders regularly in order to maintain standards and to advise, guide and promote Duty of Care and the Code of Practice for Trainers.

44. **Section Commander.** A Section Commander is to lead and instruct a Section of trainees in the skills required to pass either the Phase 1 Common Military Syllabus (Future Soldier) course or the Reserve (A) & (B) course. They are to administer and supervise trainees at all times in their Phase 1 Training. They are to maintain and monitor trainees' welfare. They are to maintain good order and military discipline amongst trainees, applying the Army Leadership Code at all times. They would be expected to command a section of up to 12 trainees in barracks and on exercises.

### **Selection of Service Personnel to be Appointed to a Training Establishment.**

45. The Panel sought to understand how individuals are selected for appointment at a Training Establishment. It quickly became apparent that this varies significantly

<sup>31</sup> JSP 770 v16 (Jun23) Ch2 Annex A refers.

<sup>32</sup> DHALI-Blake is common parlance for three report findings: Defence House of Commons, Adult Learning Inspectorate and the Blake Report.

<sup>33</sup> See [AGAI 81](#) para. 81.033. and [AGAI 57 para 57.025](#).



depending on the organisation, rank and if the post is deemed Regimental Duty, E1 (cap-badge-tied posts) or E2 (any cap-badge fill) etc. Selections are generally made through routine appointment boards held at the Army Personnel Centre or at unit level, with selections made based on a balance of quality and KSE-B<sup>34</sup>. There is not a bespoke instructor cadre for the Training Establishments as there is for the Royal Military Academy at Sandhurst (RMAS) which acts as a filter to confirm suitability. Of all cap badges, only four<sup>35</sup> provide a bespoke instructor cadre/course assessing instructor capability prior to assignment at Basic Training employment. Of note, this does not include any of the Combat Arms who make up the vast proportion of instructor appointments.

46. Boards (where conducted) are run in accordance with the Career Management Boarding Manual (Sep 23)<sup>36</sup>, which does not contain specific guidance to Secretariats or Board Members on the criteria to be used in selecting Service Personnel for appointments within ARITC. This is again in contrast to the selection of instructors for RMAS, where the Career Manual provides an appendix on the role of the board in identifying the most suitable candidates to undertake the role. Not only does it detail at length the required standards, but also lists the course qualifications required by all instructors. Instead, for appointments within ARITC, the decision will be predicated on the job specification (assuming that one is used)<sup>37</sup>; recommendations in the Annual Report narrative and recommendation boxes; Personal Preference Proformas and where appropriate Board Briefing Notes<sup>38</sup>. Of note, recent direction to Reporting Officers when making recommendations for employment as instructors has sought to place greater emphasis on behaviours over raw quality to support a broadening of the sort of individuals in the instructional environment.

47. None of this is new and the Army Inspector's recent review of Soldier Basic Training highlighted the same issues<sup>39</sup>. The Army Inspector highlighted that currently, there is a considerable quantity of removal from posts occurring relating to instructors in BT establishments. Despite the Army's desire to provide the very best instructor to develop our future army soldiers, failings and subsequent removals leads to a serious loss of confidence potentially damaging the Army's reputation. They stated that the Army's reputation is at risk of being deemed an unsuitable teaching organisation. One that continuously makes the same mistake due to employing unsuitable instructors. This poses a welfare and duty of care risk at each Basic Training establishment to the trainees who are in training and to the instructors themselves. The findings of the Panel accord with those of the Army Inspectorate in this regard.

**48. Observation 1. There is no single selection process used across E1 & E2 trainer employment by the Army for Soldier instructor selection.**

**This observation informs Recommendation 1.**

## **Appointment Training for Service Personnel Assigned to Training Establishments**

<sup>34</sup> WSWM-Exhibit WM01

<sup>35</sup> AGC - Potential Trainer Assessment Day (PTAD), RE - Royal Engineers Trainer Insight Course (RETIC), RLC - Instructor development cadre (IDC), Royal Signals - Royal Signals Instructor Selection Course (RSISC).

<sup>36</sup> Career Management Boarding Manual v3.1.1

<sup>37</sup> WSWM-Exhibit WM01

<sup>38</sup> WSJB-Enclosure JB3

<sup>39</sup> Army Inspector – Basic Training Review 2023

49. With any role or responsibility comes the requirement to be competent in fulfilling that role. In Defence policy, a competent person is defined as someone “who has the training, skills, experience, and knowledge necessary to perform a task safely and is able to apply them. Other factors, such as attitude and physical ability, can also affect someone's competence”<sup>40</sup>. Given the importance of training to determining whether a person is deemed competent, and thus fulfilling their role and performing their responsibilities, it seemed appropriate for the Panel to focus on the training and the qualifications that prove that such training has taken place. Defence provides direction for personnel and training to support care and welfare in initial training. Although the CO is central to the provision of care and welfare within initial training, is it essential that all those responsible for the delivery of care and welfare understand their responsibilities and have the knowledge and skills to carry out what is required of them.

50. Instructor pre-employment training has been a perennial issue. Previous reviews have made clear recommendations about instructor pre-employment training. The Blake Review 2006 recommended “Instructors must receive essential training in how they are to achieve the tasks they are to meet before they take up their post.”<sup>41</sup> Subsequently, the Death at RMAS 2019 Service Inquiry recommended ‘ARITC are to direct that by default all preemployment training requirements for Training Establishment Staff are to be completed prior to commencing appointments at Basic training establishments. In the event that pre-employment has not been completed Permanent Staff do not undertake any unsupervised instruction until qualified.’<sup>42</sup>

51. ‘Appointment Training’ is a recognised term within job specifications completed for all positions within the Army. ‘Pre-Employment Training’ and ‘Role Training’ are also widely used terms that are commonly used in the same context.

52. Whilst certain roles within a Training Establishment, such as the CO or UWO, require specific qualifications, there are also baseline competencies that all staff must complete.<sup>43</sup> JSP 822 Defence Training and Education Volume 4 (Care and Welfare in Training) mandates the specific training that the CO of any Training Establishment must ensure is completed. All staff must be inducted into the training establishment and are fully briefed on the Supervisory Care Directive (SCD) and its contents. All training staff must be selected, trained and developed and monitored in accordance with Defence Trainer Capability requirements. All positions with routine interaction with trainees are identified and the incumbents attend, and remain in date for, Care of Trainees training. Accordingly, this Panel has focused on those two qualifications: the Defence Trainer Course and Care of Trainees, both of which are explained in more detail below. The Panel has focused purely on the attainment and management of these qualifications, rather than the content of either course.

53. **Defence Trainer Course (DTc)**<sup>44</sup>. Commanders must seek to ensure that all trainers (military, civilian and contractor) in Initial Training attend the appropriate Defence Trainer Capability. The DTc is aimed at personnel whose primary role is a Defence Trainer in a Defence training establishment (Phase 1, 2 or 3). The course, delivered via a

<sup>40</sup> JSP 375 Vol 1 Chapter 8 (V1.5 Apr 23)

<sup>41</sup> Blake Review Recommendation 11

<sup>42</sup> Death at RMAS 2019 Service Inquiry Recommendation 17

<sup>43</sup> This will be detailed in ToR 2.

<sup>44</sup> WSCM-Enclosure CM1

number of techniques including facilitation and interactive scenarios, covers the key techniques of assessment, coaching and development of trainers. All personnel attending the DTc Stage 2 will be expected to complete the civilian accredited Level 3 Award in Education and Training in accordance with JSP 822 Defence Training and Education.

54. **Stage 1: Knowledge and Concepts:** This stage contains 8-12 hours of e-learning on the Defence Learning Environment (DLE) covering important learning theories, models and underpinning knowledge relevant to the role of a Defence Trainer. The learning will include an online summative assessment that must be passed prior to commencing. Applicants are to be aware that once completed, the Stage 1 Certificate is only valid for 6 months before arrival on Stage 2.

55. **Stage 2: Skills Development and Early Application:** This stage comprises a 10-day residential course, in which students will use their learning from Stage 1 to develop their practical skills as a Defence Trainer. The course will include 3 teaching practices, Care of Trainees (CoT) as well as a series of tutorials and workshops. Students will also complete their portfolio for the Level 3 Award in Education and Training upon completion of Stage 2, students will be awarded the Defence Trainer Foundation (Awareness) level 1 competence, as well as the Advanced Care of Trainees competence.

56. **Stage 3: Authentic Application and Contextualisation:** This stage is undertaken in the workplace and involves completing three lesson observations by local Defence Training Supervisor (DTS). On successful completion of the lesson observations, students will be awarded the Defence Trainer Practitioner level 2 competence (Practitioner).

57. Advanced Practitioner level is awarded by the Chain of Command. In order to achieve Defence Trainer Level 3 (Advanced Practitioner). The individual must complete a programme of Continuous Professional Development and, where appropriate, additional training.

58. The Army policy (Army Command Standing Order (ACSO) [REDACTED] para 10) requires trainers employed in training schools to be qualified by attending the Defence Trainer Course (Army), within 3 months of assignment date. This is a two-week, Army-run, franchise of the Defence Trainer Course, which is run by ARITC Staff Leadership School, Pirbright. Again, policy does not define who is a trainer and therefore it is a matter for Chain of Command interpretation and explicit direction.

59. On successful completion of Stages 1 and 2 of the Defence Trainer course, the Joint Personnel Administration (JPA)<sup>45</sup> competence Defence Trainer Level 1 (Foundation/Awareness) is awarded. Completing Stage 3 of the Defence Trainer Course gains a further JPA competence award of Defence Trainer Level 2 (Practitioner). Level 3 awards a competency of Defence Trainer Level 3 (Advanced Practitioner). The DTc only needs to be completed once i.e. the qualification does not lapse.

60. **All Arms Initial Training Cadre (AAITC)<sup>46</sup>.** The AAITC is an 11-week course delivered by the ARITC Staff Leadership School that supports the Defence Trainer Concept Model (DTCM). The course has been designed to qualify newly assigned instructors to deliver Basic Training. The course, which is supported by Commandant

<sup>45</sup> Defence's system for managing military personnel.

<sup>46</sup> WSWM-Exhibit WM01

Soldier Academy is considered an interim solution which has been introduced to mitigate historic issues relating to instructors arriving on assignment without pre-employment training specific qualifications. The current AAITC course delivers in two phases consecutively, three times per year.

61. **Care of Trainees (CoT).** Common to all staff within a training establishment is the requirement to hold a 'Care of Trainee' qualification. Two levels are available:

- a. Basic CoT. As a minimum, "All staff within an initial training establishment must complete Basic COT"<sup>47</sup>. This is a short online course completed on the Defence Learning Environment (DLE) which includes the principles of safeguarding and provision of care and welfare within initial training. The course is valid for three years.
- b. Advanced CoT. Additionally, where staff within Initial Training establishments have routine contact with Phase 1 or 2 trainees Advanced CoT must be completed within 3 months of taking up post<sup>48</sup>. This is a minimum of a half day course which covers the required elements of Safeguarding within initial training. This course is valid for 3 years only and must be retaken in full to remain in date. Advanced CoT is delivered within the Defence Trainer Course, but may also be delivered by a Defence Trainer who is themselves in date for CoT (Advanced)<sup>49</sup>. Whilst the DTc only needs to be completed once, and includes the Advanced CoT, it should be noted that the Advanced CoT is only valid for 3 years.

### **Policy for Training Requirements for an Appointment within Training Establishments.**

62. Policy dictates what qualifications/training an individual requires to be employed in a Training Establishment. JSP 822 Vol 4 Care and Welfare in Training stipulates that all Training staff must complete the Defence Trainer Capability and that all positions with routine interaction with trainees are identified and the incumbents attend, and remain in date for, CoT training (Basic/Advanced).

63. ACSO [REDACTED] provides the Army Appointment Training policy. Those who are appointed as a Basic Training Instructor as a primary role must complete the DTc and the Advanced CoT course. For those undertaking a non-direct instructional role (not 1:1 contact) this is deemed to be a secondary appointment and therefore are only required to complete the Basic CoT course.

64. ACSO [REDACTED] states that all trainers, commanders and staff with unsupervised 1-2-1 contact require Advanced CoT – this appears to be a narrower definition than that enshrined in JSP 822 which simply talks of 'routine interaction' with trainees and does not distinguish whether or not the individual is undertaking an instructional or non-direct instructional role.

65. As part of the SCD and Commander's Risk Assessment, Commanders must identify which staff need Basic or Advanced CoT training. A record of staff and their training status is to be maintained and made available for assurance activity. Policy does not define

<sup>47</sup> JSP 822 Vol 4 Ch 6 para 6

<sup>48</sup> JSP 822 Vol 4 Ch 6 para 7

<sup>49</sup> WSCM-Enclosure CM1

'trainer' nor 'routine' and therefore it is a matter for Chain of Command interpretation and explicit direction as to which roles require the DTc and the CoT (Advanced) qualification.

66. The Panel reviewed each of the Unit's SCDs to confirm which staff within the Training Establishments required which qualification and whether there was a difference of approach between units. Some specific examples of the Panel findings regarding SCDs are as follows:

- a. The ARITC SCD SOI<sup>50</sup> makes no direct comment about the requirements of instructor appointment training.
- b. AFC(H) SCD makes no reference to the degree of contact or interaction with trainees. It differentiates the required qualifications through the binary nature of employment within either a Training Company or Non-Training Coy<sup>51</sup>.
- c. ITC(C) mandates that all with an undefined supervisory role attend DTc and that all personnel in direct/regular 1-2-1 contact with Phase 1 & 2 trainees must complete Advanced CoT<sup>52</sup>.
- d. ATC (P) SCD fails to provide explicit direction as to which specific roles require DTc or the Advanced CoT qualifications and instead repeats that all personnel in direct/regular 1-2-1 contact with Phase 1 & 2 trainees MUST complete the Advanced CoT as articulated in the JSP<sup>53</sup>.
- e. ATR(W) fails to articulate which staff require Advanced CoT over Basic CoT or even if anyone requires Basic CoT, but does provide some direction on who should obtain the DTc<sup>54</sup>.

67. On the face of it, it is arguably clear as to which roles within each Training Establishment should or should not complete DTc and the Advanced CoT. In reality however, the direction does not provide clarity and permits very uneven interpretation. Even where articulated, direct/regular 1-2-1 contact could include the person working in the QM store or the company clerk who are clearly not employed in an instructional role but who routinely have regular 1-2-1 contact. Furthermore, a CO from one Training Establishment could determine that their storeperson could require DTc and the Advanced CoT qualification whereas another CO balancing a similar cohort of trainees and staff makes an alternative determination just because they have a higher tolerance of risk. At AFC(H,) individuals may be employed within a non-training Coy but have regular direct or unsupervised contact with a recruit. None of the SCDs from ARITC down to the unit give sufficiently explicit direction on exactly which roles require what training. The risk is that people are not adequately trained to minimise a known area of risk and were an incident to occur our 'licence to operate' would be compromised.

**68. Observation 2. Soldier Academy (Sldr Ac) do not have a policy which stipulates the mandatory qualifications required for every role within a Training Establishment. Sldr Ac do not provide clear and simple direction on the criteria to**

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<sup>50</sup> WSJB-Exhibit JB14

<sup>51</sup> WSWM-Exhibit WM28

<sup>52</sup> WSWM-Exhibit WM27

<sup>53</sup> WSWM-Exhibit WM61

<sup>54</sup> WSWM-Exhibit WM62

**determine which roles are considered to be 'recruit-facing', 'routine' or have 1-2-1 contact with trainees. Sldr Ac do not have a policy that lists all JPA Position Name|No (JPAN) and the mandatory qualifications required.**

**This observation informs Recommendation 2.**

69. The determination of whether or not an individual has 'routine interaction' or a direct or non-direct instructional role is not only fundamental for what qualifications are required in order to be deemed competent, but also to determine whether or not the role is determined as a primary or secondary role. This may have direct consequences on an individual's assignment date and whether or not they take up the role suitably trained and qualified.

70. For appointments that are deemed to be a primary role i.e. a Basic Training Instructor, training for these positions must be complete prior to taking up the role due to the bespoke, critical KSE-B that the appointment attracts. The losing unit is responsible for releasing individuals to attend primary appointment training. Primary appointment training is generally designed using the 'just-enough, just-in-time' approach. It is the losing unit's responsibility to ensure an individual is afforded the time to conduct Pre-Employment Training prior to them beginning a Basic Training appointment. However, the risk of individuals not completing primary appointment training prior to assuming appointment is held by the Training Establishment, who may decide not to employ the individual until the required training has been completed or may decide to mitigate the risk until deferred attendance<sup>55</sup>. From the evidence submitted to the Panel, it is clear that in a significant proportion of cases individuals are not being released by the losing unit to complete the required appointment training, meaning that the burden on the Training Establishments is increased as they are required to manage the risk of untrained staff who cannot be gainfully employed.

71. For those appointments deemed to be secondary, there is no requirement that the individual must complete specified training prior to taking up assignment. It is questionable whether any assignment in a Training Establishment should be deemed secondary given the risk.

72. In its current form, Sldr Ac requires all those taking up a primary role to complete AAITC. As stated above, this course is run 3 times a year and takes 11 weeks for completion. In an Army that is increasingly suffering from a strained and gapped workforce, it is unsurprising to the Panel that losing units are not able to stand the gap for nearly 3 months to enable an individual to undertake appointment training. This issue is well understood within Soldier Academy and has been the driver for reducing the duration of pre-employment training and the AAITC from 11 weeks to 4 weeks. Further, there is an aspiration to increase the number of courses each year from 3 to 9 which would provide more options and flexibility for individuals selected for appointment to attend<sup>56</sup>.

**73. Observation 3. The reformed AAITC will be at initial operating capability by April 2025, with full operating capability by September 2025. However, the success of this course and whether it has the desired effect to increase numbers of staff being released to complete their appointment training and decrease the risk held**

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<sup>55</sup> WSWM-Exhibit WM01

<sup>56</sup> DDASLS-Enclosure SP1

by the Training Establishments of having untrained staff on strength must be monitored and assessed in due course.

### **Job Specifications for an Appointment within Training Establishments**

74. As mentioned earlier within this section, policy does not define which roles require the CoT (Advanced) or the DTc qualification and it is therefore a matter for Chain of Command interpretation and explicit direction. The Panel sought to understand, in the absence of policy direction, whether the job specifications for appointments made it clear what qualifications were required.

75. Job/Position specifications are incredibly important in an Army where most roles change every three years. They articulate the key details of the role. They also specify the competencies required of the role and whether they are essential or desirable assisting Boards to select the right person for the right role. It also defines the key responsibilities as well as the pre-employment training required and what security clearance they require. They should be reviewed by the Line Manager prior to the job being listed for filling on an Army Personnel Centre board. Accurate job/position specifications would reduce the risk of not having a single point of reference for mandatory qualifications. Not only does each job specification list a post's responsibilities, but it should state the pre-employment requirements.

76. When reviewing individual job specifications across the Training Establishments, the Panel found that the overall standard of job specifications was poor, particularly the pre-employment training section which often does not accurately reflect the employment competencies required by policy. For example, the job specifications for the ATR(P) CO, AFC(H) UWO, AFC(H) Assistant UWO, ATR(W) Platoon Comd and ATR(W) Platoon Sergeant did not stipulate a requirement for CoT. This is directly contrary to JSP 822 Training and Education Volume 4. The ATC(P) UWO refers to "Care of Trainees" but does not specify whether that is the Basic or Advanced qualification. Not only is this relevant for ensuring individuals are suitably trained, but for subsequently holding individuals to account if necessary<sup>57</sup>.

77. The job specifications also did not make any reference to whether or not an individual would have any form of interaction with a recruit<sup>58</sup>. In the Panel's view, job specifications do not accurately reflect the competencies required nor do they indicate whether the role is 'recruit facing'. However, it is noted that with the amalgam of certain units into Soldier Academy in accordance with implementation orders, and the introduction of a new job specification format as directed by APC/CASTLE work<sup>59</sup> is ongoing to update job specifications<sup>60</sup>.

**78. Observation 4. Job specifications do not adequately articulate the mandatory qualifications required for the role nor specifically state whether Care of Trainees (CoT (Adv)) (rather than CoT (Basic)) and Defence Trainee Course (DTc) Phase 1 and 2 (or equivalent) is required.**

<sup>57</sup> WSWM-Exhibit WM8, WSWM-Exhibit WM9, WSWM-Exhibit WM10; DDMB-Exhibit 01 – Exhibit 26

<sup>58</sup> WSWM-Exhibit WM8, WSWM-Exhibit WM9, WSWM-Exhibit WM10; DDMB-Exhibit 01 – Exhibit 26

<sup>59</sup> Army Talent Management System 1

<sup>60</sup> WSWM-Exhibit WM1

## This observation informs Recommendation 2.

### Management of Qualified Personnel

79. COs are responsible for the correct qualification of their people<sup>61</sup>. Current direction is that COs must ensure that appropriate records are maintained to manage and assure trainer capability, as directed by ACSO [REDACTED]. This is most usually done using a staff qualification matrix. The Staff Qualifications Matrix should then be assured by the unit as part of the 1<sup>st</sup> Line of Defence Assurance (1LoDA) through the chain of command, as a normal part of routine organisational management checks. Each unit's Staff Qualification Matrix is then requested as part of the 2<sup>nd</sup> Line of Defence assurance (2LoDA) pre-audit checks by Combined Individual Training Assurance Team (CITAT) during each audit cycle (every 3-4 years). An individual's qualifications are also recorded on JPA and/or Training and Financial Management Information System (TAFMIS)<sup>62</sup>.

80. **Qualification Matrix.** Each of the Training Establishments hold a local standalone qualification matrix. The purpose of the matrix is to enable the effective management of staff qualifications so that the unit knows who is qualified, where the gaps are and prioritises what they are going to do to manage the risk. It should be noted that CITAT often observes that the unit staff qualification matrix is normally the most up to date and accurate means of tracking qualifications with neither JPA or TAFMIS always having the correct detail.

81. For each of the Training Establishments the Panel reviewed their staff qualification matrix. An observation from the Panel is that there is no policy direction as to what format the matrix should take, or content it should hold<sup>63</sup>. This lack of standardisation means that there is significant variance in the format between units and utility of information recorded. Without policy direction as to what information should be included and the format to be utilised, some units have a comprehensive matrix detailing all qualifications required from instructor and education qualifications to military qualifications whereas others have an extremely limited matrix which simply details vetting and conflates DTc and CoT. None of the matrices reviewed detailed when the qualification advanced CoT expired. Many did not record the DTc qualification raising questions as to how this is managed and assured<sup>64</sup>.

82. Some specific examples of the Panel findings regarding the format of the matrices are as follows<sup>65</sup>:

- a. AFC(H)'s spreadsheet does not track Basic CoT (despite it being essential for all staff) and the column for recording Advanced CoT is not used<sup>66</sup>. The qualifications are recorded in a binary fashion (yes/no) with no qualification expiry date. AFC(H)'s spreadsheet was the only spreadsheet that articulated the level of DTc qualification (Foundation, Practitioner, Advanced).

<sup>61</sup> WSWM-Exhibit WM1

<sup>62</sup> DDSldrAc-Exhibit 2JH 9

<sup>63</sup> DDSldrAc-Exhibit 2JH 9

<sup>64</sup> DDSldrAc-Exhibit JH 3.4 – 3.22

<sup>65</sup> DDSldrAc-Exhibit JH 3.4 – 3.22

<sup>66</sup> Except for a very small number of entries.



- b. On ATR(W)'s spreadsheet, both CoT and DTc qualifications are recorded in the same column of the spreadsheet, even though they are distinct qualifications. The qualifications are also recorded in a binary fashion (yes/no) with no qualification expiry date for CoT nor any indication as to level of DTc qualification (Foundation, Practitioner, Advanced).
- c. 1ITB utilises a dashboard rather than a simple matrix to depict their qualifications. It shows both Basic and Advanced CoT but does not appear to detail DTc.
- d. 2ITB utilise a dashboard in the same format as that of 1ITB. Whilst it shows both Basic and Advanced CoT, it does not detail DTc. This raises questions of how 2ITB is managing their personnel in relation to DTc qualification.
- e. The Support Battalion (Sp Bn) Catterick also utilise a dashboard. They submitted only the dashboard entries pertaining to Basic and Advanced CoT. However, the format appears to be identical to that of 2ITB and so it is likely that their dashboard also does not detail DTc.
- f. HQ ATR Pirbright's staff qualification matrix is the only matrix that records a date under Basic CoT and Advanced CoT. However, it is not clear if this references the date the qualification was obtained or expires. It does not record DTc. It is unclear how the Chain of Command manage the DTc qualification.
- g. 1 ATR(P) staff qualification matrix details both basic and advanced CoT but does not detail DTc.
- h. 2 ATR(P) matrix is broadest in scope in that it details instructor and education qualifications alongside military qualifications. However, these are recorded in a binary fashion (yes/no) and fails to capture CoT qualification expiry dates.

83. Although differing in levels of information contained within the matrices, the overall standard raises questions as how units are enabling themselves to effectively manage or assure staff qualifications. In the Panel's opinion, the COs are not currently meeting the direction contained within ACSO [REDACTED] to keep appropriate records.

84. The second element of the direction within ACSO [REDACTED] is that the CO must manage and assure the trainer capability within their unit. The Panel sought to understand from the Staff Qualification Matrices whether staff were appropriately trained.

85. Some specific examples<sup>67</sup> of the Panel findings regarding the actual qualifications are as follows:

- a. There is no evidence recorded on their spreadsheet that any of the staff within AFC(H) have either Basic or Advanced CoT as the spreadsheet does not track Basic CoT (despite it being essential for all staff) and the column for recording Advanced CoT is not used<sup>68</sup>. Of those who have completed DTc, less than 50% have achieved practitioner.

<sup>67</sup> DDSIdrAc-Exhibit JH 3.4 – 3.22

<sup>68</sup> Except for a very small number of entries.

- b. Spot checks on ATR(W) revealed that qualifications that are 'green' on the unit's management system could not be verified by qualification certificates.
- c. 1ITB's dashboard showed that 71% of staff required to hold Advanced ACoT held it.
- d. 2ITB's dashboard shows that 15% of the staff are not Basic CoT qualified, whilst 77% of those requiring Advanced CoT did not hold it. DTc qualifications were not recorded.
- e. The Sp Bn Catterick dashboard shows that 74% of staff are outstanding for basic CoT.
- f. There are a number of key roles missing from the unit staff matrix for HQ ATR(P), most notably the CO and the Adjt. There is no reference to DTc – this may be as the Chain of Command have determined that it is not required for anyone within HQ ATR due to a perceived lack of 'routine' contact with trainees.
- g. Although 1 ATR(P) staff qualification matrix details both basic and advanced CoT, it was not possible to ascertain whether the individuals were deemed current, and therefore competent, as dates of qualification/expiry were not recorded.
- h. 2 ATR(P) matrix indicates that, with a handful of exceptions, nobody has the CoT Advanced qualification despite the fact that the vast majority are recorded as having the DTc competency.

86. It should be noted that with the exception of spot checks conducted at ATR(W), no other spot checks were conducted by the Panel to assess whether those individuals identified as competent could be verified by qualification certificates.

87. The overall observation of the Panel having reviewed and analysed the Staff Qualification Matrices across the Training Establishments is that it is nigh on impossible to assess let alone manage whether staff hold and are 'in date' for the mandatory qualifications. Given that the method to assure the trainer capability across the Training Establishments for both the CO and their higher Headquarters relies heavily upon the Staff Qualification Matrix, it raises the question as to how assurance of staff qualifications can be more effective or more easily facilitated.

88. **Assurance of the management of qualifications.** The Panel was informed that whilst instructor training is the responsibility of the Commanding Officer, supported by HQ Sldr Ac where needed, it is assured by mechanisms including Ofsted, G1 Audit, command climate check, and 2 LoDA checks.<sup>69</sup> In reality, it is only the CITAT audit which deals specifically with the management of qualifications. CITAT has previously identified instructors who have not completed pre-employment training as an issue e.g. the CITAT report of ATR(W) in 2021 found that the qualification matrix was 'incomplete and not used consistently across the Regiment'. However as will be detailed in Term of Reference 2, the follow-up mechanisms for the rectification of these issues in lacking.

89. **Staff Qualification Matrices Findings.** In its review of the staff qualification matrices for each of the Training Establishments the Panel has found that not only is

<sup>69</sup> WSWM-Exhibit WM01

there a lack of uniformity to the information contained within the staff qualification matrices, but there are significant qualifications either missing from the matrix or information not accurately recorded. The Panel found that none of the Training Establishment Staff Qualification Matrices were appropriate or sufficient for the CO to discharge their duty to manage and assure trainer capability. The review of the individual staff matrices led the Panel to observe that there is a risk that unqualified staff may currently be working within the Training Establishments, the extent of which is not understood by either the unit chain of command nor the wider chain of command as part of the 2<sup>nd</sup> Line of Defence Assurance audits conducted by CITAT. The reliance on the assurance regime by the Chain of Command appears to be misplaced as there is no evidence as to what checks are conducted as part of unit managerial checks, and the only other assurance mechanism which audits the staff qualifications (CITAT) occurs only every 3-4 years.

**90. Observation 5. Commanding Officers of the Training Establishments are not adequately ensuring that all Permanent Staff within their units hold the mandatory competencies in relation to Care of Trainees and the Defence Trainee Course.**

**This observation informs Recommendation 3.**

**91. Observation 6. Soldier Academy is not adequately assuring that all Permanent Staff within their units hold the mandatory competencies in relation to Care of Trainees and the Defence Trainee Course.**

**This observation informs Recommendation 3.**

**92. Observation 7. There is no standardised staff qualification matrix used by all Training Establishments.**

**This observation informs Recommendation 3.**

#### **Management of Qualifications on IM systems.**

93. Given the inability to assure individuals within the Training Establishments were appropriately trained through the Staff Qualification Matrix, but noting CITAT's general observation that staff qualification matrices tended to be more accurate, the Panel still sought to understand whether records on IM systems would provide further clarity to staff qualifications and whether they were appropriately trained.

94. **JPA.** Defence's personnel management information system is called JPA. JPA holds a plethora of information on personnel including their qualifications. There is the ability to load, or record, all qualifications onto JPA (either automatically or manually).

95. A JPA data cut was taken of all Training Establishments to confirm which of personnel held a Care of Trainee qualification (required of all those at a Training Establishment) and which held an instructor qualification (DTc Phase 1 and 2 or equivalent). The JPA data showed significant numbers of personnel without CoT (either Basic or Advanced) or the mandatory instructor qualifications.

96. The data led the Panel to consider that competencies (DTc and CoT (Advanced)) following completion of the AAITC may not be being correctly awarded. At some locations

(Harrogate, Winchester, 1 ATR and 2 ATR) significantly more people have the DTc qualification (awarded on completion of AAITC) than have CoT(Advanced). This is odd because CoT(Advanced) is a half-day serial during the AAITC. The Panel would have expected to have seen at least as many individuals qualified in CoT (Advanced) as DTc<sup>70</sup>. It therefore may be the case that more instructors are qualified than were registered on JPA.

**97. Observation 8. Competencies may not correctly be awarded and recorded on completion of the Soldier Academy Initial Trainer Course.**

**This observation informs Recommendation 3.**

98. CoT (Basic) is conducted solely on DLE. Some DLE courses automatically link to JPA so that completion of a course is automatically recorded as a competency on JPA. CoT (Basic) is not such a course, so completion of the course does not automatically award a competency on JPA. Instead, the person completing the course must then show their certificate to a Military Personnel Administrator who manually awards the competency on JPA. It is important that this qualification is correctly recorded but an inefficient use of time. Automatically linking completion of all courses to awarding competencies on JPA would assist the Chain of Command in doing the basics well. It would also prevent discrepancies as found in the standalone system. And it would allow the wider Chain of Command to have oversight with less resource.

**Male/Female ratio**

99. Since 2018 all roles within the military have been open to women. From that date, women already serving in the Army were able to transfer into infantry roles. From December 2018, those not currently serving could apply for infantry roles. Basic training for new trainees in these previously closed roles was available from April 2019<sup>71</sup>.

100. In 2021, the House of Commons Defence Committee published a report entitled "Protecting those who protect us: Women in the Armed Forces from Recruitment to Civilian Life" colloquially known as the 'Atherton' report after the lead, Sarah Atherton MP. The report found that the British Army had failed to provide women with the experience they deserve, and that there were serious problems with the military's handling of sexual assault and harassment. The report also found that the military culture is still too male-dominated, and that women are often treated as second-class citizens<sup>72</sup>.

101. It is not possible to provide the gender break down by rank and capbadge in the Army as there is only published data of gender via rank, due to the potentially small numbers of women (as few as 1-2) within some of the capbadges<sup>73</sup>.

<sup>70</sup> CoT(Advanced) can also be taught in Unit, so it would actually be reasonable to assume that more SP had the qualification than had DTc.

<sup>71</sup> WSMJ-Enclosure MJ1

<sup>72</sup> HCDC Report: Protecting those who protect us: Women in the Army Forces from recruitment to civilian life

<sup>73</sup> WSMJ-Enclosure MJ1

RANK	MALE	FEMALE
All UK Regular Army	69,620	7,920
All UK Regular Army OFFICERS	11,380	1,610
OF-9	3	0
OF-8	10	1
OF-7	41	1
OF-6	139	9
OF-5	460	50
OF-4	1,510	170
OF-3	3,500	540
OF-2	3,740	530
OF-1/OF(D)	1,960	290
All UK Regular Army OTHER RANKS	58,240	6,310
OR-9	1,110	120
OR-8	3,160	340
OR-7	4,630	450
OR-6	6,890	730
OR-5	10,580	1,210
OR-4	10,490	1,230
OR-3	21,380	2,230
OR-2/OR-1	27,140	5,040

Figure 1.8 Gender breakdown within the Army by rank as at 1 Jul 23<sup>74</sup>

102. The Panel were specifically asked to report on the male/female ratio within each Training Establishment, both across the Junior Soldiers/ trainees and Permanent Staff.

Ser	Unit	Trg Team Ct		Permenant Staff		Rcts / JS / Students	
		Strength	Delivering	Male	Female	Male	Female
1	HQ Reg	5	5	95	12	125	52
2	1 ATR	16	6	118	21	157	22
3	2 ATR	16	12	129	13	403	68
4	ATR (W)	14	6	242	30	190	32
5	AFC (H)	28	22	264	30	755	69
6	1 ITB - BT	31	13	247	2	364	9
7	1 ITB - ITT		8			248	5
8	2 ITB - BT		14	283	1	526	0
9	2 ITB - ITT		7			182	0

Figure 1.9 Gender breakdown within the Training Establishments as at 2-9 Feb 24<sup>75</sup>

103. Cognisant of the findings of the 2021 'Atherton Report', the Panel sought evidence that the recommendations put forward by the Report to improve the experiences of Servicewomen had been enacted. The Panel also sought to understand the lived experience for women, for both staff and trainees, within the Training establishments.

104. **Female Focus.** JSP 822 states that there should be a female focus in each unit. This is to provide a specific point of contact for female trainees, Junior Soldiers and staff. This was reinforced by the Death at RMAS 2019 Service Inquiry, which recommended

<sup>74</sup> WSMJ-Enclosure MJ1

<sup>75</sup> WSMJ-Enclosure MJ1

“ARITC are to produce unit level guidance regarding female focus leads including for example (roles and responsibilities, key outputs and engagement targets).”<sup>76</sup>

105. During Unit visits, the Panel heard from the Chain of Command about how they encouraged an inclusive culture. They were all passionate about engendering an inclusive culture and spoke thoughtfully about some of the challenges particularly when they did not have as many female trainees and PS as they would have wished. However, when discussing with female trainees as part of Focus Groups, evidence given to the Panel suggests that the Chain of Command still have some way to go before this inclusive culture trickles down to the lowest levels. Some female trainees reported ‘not being wanted’ due to females being deemed to be “too much trouble” and it was “rough being female”, although often it was stated that it was male trainees who had made these comments rather than staff. Some expressed concerns for the younger female trainees who were not confident enough to report or call out unacceptable sexual behaviour or sexism<sup>77</sup>.

106. **Sanitary products.** One of the unique challenges affecting female Service personnel described in the report was provision of sanitary products. During the report’s evidence gathering phase, the MoD announced that from Summer 2021 the MoD would offer back-up sanitary products to female Service personnel in Phase 1 training establishments<sup>6</sup>. Despite having female recruits at every site, the Panel’s findings were that, with the exception of ATR(W), no evidence was seen of the provision of sanitary products as announced in 2021.

107. Current direction is that the Training Establishments provide the following:

(a) **Get You In Packs (GYIP).** GYIP include the provision of up to six weeks’ worth of sanitary products. This is for those who are unable to afford products prior to their first receipt of pay after starting Basic Training. This initiative was introduced in April 22 at all Sldr Ac sites delivering Basic Training.

(b) **Emergency Provision Box**<sup>78</sup>. Each platoon has an Emergency Provision Box which contains numerous sanitary products in case of an emergency. This box is available both in camp and on exercise and can be replaced via the G4 chain.

108. However, whilst this is direction, the Panel’s findings were that no evidence was seen of the GYIP provision of sanitary products as announced in 2021.

109. **Observation 9. During visits to the Training Establishments no evidence was seen of the provision of (GYIP) sanitary products as announced by Minister for the Armed Forces in 2021.**

**This observation informs Recommendation 7.**

110. On the Panel’s visit to ATC(P), sanitary disposal bins were found congregated in the downstairs lobby to the accommodation blocks. The Panel were informed that female trainees were required, once the sanitary disposal bins were full, to remove them from the ablutions and place them downstairs in the lobby. These were then collected by a

<sup>76</sup> Death at RMAS 2019 Service Inquiry Recommendation 47 refers.

<sup>77</sup> Focus Group

<sup>78</sup> [Supply of Emergency Sanitary Products Provision for Service Personnel](#)

contractor before being replaced. When emptied, the female trainees were then required to replace the bins in the ablutions. The trainees were provided PPE to conduct this task. Upon inquiries, the Panel were informed that the contractual provision for the removal of sanitary bins did not sufficiently cover the removal of sanitary bins from the trainees' accommodation ablutions. In the Panel's opinion, this practice falls entirely within the definition of 'second-class citizen' as articulated within the Atherton Report<sup>79</sup>.

**111. Observation 10. Female trainees were required, once the sanitary disposal bins were full, to remove them from the ablutions and place them downstairs in the lobby. These were then collected by a contractor before being replaced.**

**This observation informs Recommendation 7.**

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<sup>79</sup> HCDC Report: Protecting those who protect us: Women in the Army Forces from recruitment to civilian life

**TOR 2: Examine and assess the command culture at each training establishment in the 12 months immediately preceding and following the introduction of 2022DIN [REDACTED] Zero tolerance to Sexual Offences and Sexual Relationships Between Instructors and Trainees & 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour. This should include, but not be limited to:**

- (1) Commanding Officer Directives, Standing Orders or other relevant policies, such as standards and discipline, child safeguarding, supervisory care, fraternisation (including concerning interactions and relationships) between male and female Recruit/Junior Soldiers and the presence of the opposite sex in accommodation) and welfare.**
- (2) If there were, or are, any similar sub-unit/platoon of the relevant sub-unit/platoon directives/policies in place.**
- (3) Assess how any policies, directives, standing orders were promulgated, understood, applied, and enforced across the training establishments for both Junior Soldiers/ trainees and PS.**
- (4) Assess how any changes to policies, directives and standing orders were promulgated, understood and applied across the training establishments for both Junior Soldiers/ trainees and PS.**
- (5) Comment on any training the PS had received into those directives, policies and standing orders.**

## **Overview**

112. Despite 'command culture' being a commonly used term within the organisation, the British Army does not have a doctrinal definition of the term<sup>80</sup>. The Panel therefore will define command culture as, *the norms, beliefs and values within a unit which are shown through behaviours*. Within a Unit, the example set by the CO and Regimental Sergeant Major (RSM) will be crucial to these accepted behaviours, but other key personalities may also hold significant sway in the behaviours adopted. A good command culture will exemplify the Army's values and standards and be based on the principles of mission command, leadership, teamwork, and respect for others.

**113. Observation 11 – The Centre for Army Leadership should consider defining the term 'command culture'.**

114. The Panel has sought to gain a holistic view of the command culture at each Training Establishment throughout the period March 2021 to November 2023. However, as the Panel have been engaged more generally to investigate the handling of unacceptable behaviours within the Training Establishments, the Panel has sought within this Term of Reference to focus on the command culture and approach towards the care and welfare of trainees. By this it is meant the legal and moral obligation to the provision of care and support for the well-being of trainees. The Panel has been specifically asked to examine and assess certain policy areas within each Training Establishment. These

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<sup>80</sup> WSDC-Enclosure DC01



include standards and discipline, child safe-guarding, supervisory care, fraternisation, and welfare because these are at the heart of the command culture. This is a much wider remit than simply considering Zero Tolerance.

115. For each of these areas, the Panel has looked at the relevant policies from Defence and Army-level all the way down to unit-level. The top-level policies are crucial as they direct (or 'order' in military parlance) how business is to be done and the behaviour that the Field Force expects. By looking at how these policies are cascaded down the chain of command, we can judge whether the same message which was issued by the top of the organisation is the one that is heard at the bottom. The Panel has used data including unit policies, external reports (Ofsted, Independent Advisory Panel), Recruit Training Survey, Climate assessments, various assurance reports, personal testimony, Focus Groups, DISCREPs, inflow rates, outflow rates to support their observations.

116. By comparing what has been written to the lived experience, or the behaviours of those within the Training Establishments, the Panel has been able to discern any difference between what is written and what is done, and thereby comment on the 'say-do' gap if appropriate. After all, it is the lived experience which best captures how the policies have been applied and enforced. Best practice will be where the 'say-do' gap is as narrow as possible.

117. JSP 822 Volume 4 'Care and Welfare in Training' sets out Defence Policy Direction and Guidance on Care and Welfare in Training in Defence. It is the authoritative policy that directs and guides Defence people to ensure that learning (training and education) in Defence is appropriate, efficient, effective and, most importantly, safe<sup>81</sup>. JSP 822, Volume 4 outlines a number of mandated care and welfare directed tasks. These can broadly be categorised as falling under the following headings: risk and supervisory care; safeguarding (including personnel under 18 in training); trainee management; personnel and training; and assurance of care and welfare in training. The Panel has used the approach of units to care and welfare in training, supervisory care and unit Supervisory Care Directives as a handrail to investigate and analyse the command culture in relation to a large number of the issues covered by this Term of Reference.

## **Supervisory Care**

118. Supervisory care is the expression used to define the moral component of the MoD's Care and welfare provision. Supervisory care involves the conscious overseeing of trainees by an authorised person to ensure the delivery of an appropriate military, pastoral and welfare regime. It goes beyond the delivery of military, technical or specialist training and/or education carried out during the normal working day. It includes the inculcation of professional military ethos, the maintenance of values and standards, ensuring appropriate behaviour, providing assistance or advice on welfare and administration, and the mentoring of trainees by military or suitable civilian staff. It also includes the need for trainees to be mentored by suitable staff, and recognises the particular vulnerabilities associated with Initial Training and the transition from being a civilian to a trained member of the Armed Forces. It is for this reason that the Panel have sought to focus on supervisory care when assessing the command culture at each of the Training Establishments. It is believed that much contained within the Term of Reference

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<sup>81</sup> JSP 822 para 4.

can be understood and analysed through the Chain of Command's understanding, approach and implementation of supervisory care.

### **Risk Assessment and Supervisory Care Directives**

119. The SCD articulates the Commander's intent for how the unit aims to provide appropriate levels of support, assistance, or advice to trainees during their Initial Training. The SCD must be based on the outcome of a comprehensive Commander's Risk Assessment, must be clearly linked to the risks identified in the risk assessment and adjusted as required to ensure all measures in place remain robust and effective. The SCD must stipulate the standards to be achieved and who is to do what, to achieve them. In so doing, the document must provide a framework within which the unit discharges its supervisory care responsibilities and must demonstrate and clearly articulate the CO's commitment to the Care and Welfare of trainees.

120. Although arguably, it could be said that the SCD is the formal encapsulation of the culture that a CO wishes to cultivate, it is much more than this as it has the status of a set of orders that must be followed.<sup>82</sup> The SCD should establish and direct appropriate levels of supervision and welfare cover required at all times including, out of hours, weekends, during leave or stand down periods, during any periods of unprogrammed or holdover time within Initial Training and during periods where trainees are undertaking training off-site or at another unit location. It must also include or refer to appropriate procedures, processes, and policies to ensure compliance with higher level requirements, and consistency/coherence with other Unit/Command/Service/Defence activities as appropriate.

121. Given the central role played by the welfare and medical staff, the SCD must include details of the unit's welfare structure and its governance. As a minimum, this must include an outline of the various welfare forums, their inter-relationships, membership, frequency of meetings, passage of information, escalation routes and confidentiality protocols.

122. Both ARITC and Sldr Ac have a Standard Operating Instructions (SOI) detailing their respective direction on SCDs to their lower formations. ARITC SOI [REDACTED] states that its SOI highlights and provides some ARITC-specific points which should be adhered to. It is 6 pages in length. Sldr Ac's SOI [REDACTED] is slightly longer at 9 pages and details a little more information. Having reviewed both of these SOIs, the Panel offer the reflection that if developed these SOIs could provide additional value to the lower formations. Of note, neither SOI provides any direction on how the higher headquarters will review or assure the contents of the unit's SCD. Whilst it is understood that CITAT do assure, to a degree, the unit SCDs, it is known that CITAT only assure a unit on a 4 yearly cycle. Given that units are required to review and update their SCDs on an annual basis, this lacuna of assurance introduces additional risk which could, managed better, be minimised.

**Observation 12. Neither Soldier Academy (Sldr Ac) Standard Operating Instructions (SOI) [REDACTED], nor Army Recruiting and Initial Training Command (ARITC) Standard Operating Instructions (SOI) [REDACTED] provide adequate direction and guidance on how the lower formations are to provide a supervisory care directive and specific points**

<sup>82</sup> JSP 822 Vol 4 3.1 para 2

<sup>83</sup> WSWM-Exhibit WM25

<sup>84</sup> WSWM-Exhibit WM70

**of risk to the nature and circumstances of the trainees under instruction within the Training Establishments that have been identified.**

**This observation informs Recommendation 6.**

123. For each of the Training Establishments the Panel reviewed their SCD. JSP 822 Volume 4 directs that a comprehensive SCD is provided which is accessible and disseminated to all staff. An observation from the Panel is that when compared to the policy intent, the Panel finds the general standard of Training Establishment SCDs to be poor. This observation is not simply in terms of specific content which we will turn to in due course, but also in general staff work. As a simple example, there are references to ARTD which disbanded in 2018<sup>85</sup>. The Panel finds that this is indicative that the SCDs are not being afforded the attention to detail that is required, nor that they are truly policy compliant in being reviewed annually. Other examples include hyperlinks within the documents which do not work or link to superseded or defunct information and policies<sup>86</sup>. Furthermore, although it is recognised that each unit is likely to have some differences based upon the Commander's risk assessment, there is significant variance in the format between units and utility of information recorded. This variance is evidenced in numerous ways from their effective articulation of overarching Army policies where they differ from signposting to the relevant Army policy, to creating their own less comprehensive and non-conformant interpretation. They vary in scope, where one provides no direction on sexual relationships between trainees but has a section on how the tuck shop is to be run on exercise<sup>87</sup>. They also vary in depth, ranging from 26 pages to 76 pages and from a single document to a central document with 27 annexes.

124. The Panel also sought to understand how each Training Establishment promulgated, disseminated, trained and ensured individuals within the unit understood the supervisory care directives and their content.

125. At AFC(H)<sup>88</sup> the Chief Instructor has a session to brief the directive to all Permanent Staff as part of the PS Dev Pt 2 programme. The Chief Instructor tells Permanent Staff to read the main document and then specifically review a few of the annexes and the referral forms. The directive is also loaded onto the DLE Permanent Staff Dev Pt 1 which will give an electronic tick to show that it has been accessed. Each Coy has a signature record of SOIs read, this includes the SCD and checking this signature sheet is part of the 1 LoDA question set. Additionally, updates to policy are briefed in Week Zero (the week prior to the new intake arriving that all Permanent Staff attend).

126. At ATC(P)<sup>89</sup>, the SCD is printed and displayed in RHQ and Sqn lines. All new members of staff are mandated to attend a Workplace Induction Programme (WIP), with Recruit facing staff members conducting the full Staff Preparation Course (SPC) – the programme for both use much of the supervisory care directive as the framework. Recruit facing staff, as part of Course Development Week (CDW) cover specific discipline

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<sup>85</sup> WSWM-Exhibit WM28

<sup>86</sup> WSWM-Exhibit WM62

<sup>87</sup> WSWM-Exhibit WM27

<sup>88</sup> WSWM-Exhibit WM10

<sup>89</sup> DD2ATR-Exhibit Ser 1.1

sessions, and will use the SCD as a basis to remind and revise PS prior to each Common Military Syllabus.

127. In relation to ATR(W)<sup>90</sup>, it was noted that the SCD is briefed on the Workplace induction programme which is a mandatory course which is to be attended by all members of Permanent Staff, of which a nominal role is collected. However, members of Permanent Staff only have to attend the programme once during their tenure here, which means that ATR(W) has no way of recording who has read updates to the Supervisory Care Directive. However, the Panel were very impressed that when challenged on this issue, it found ATR(W) are reviewing their processes and assessing how best to implement this throughout the Regiment to ensure that everybody is captured when the updated SCD is published in due course. It is noted that it is still unclear how it is promulgated and understood by the trainees.

128. ITC<sup>91</sup> state that there is a DLE course which is mandated to be completed annually; it provides a DLE badge which is how it is recorded and assured alongside their other mandated training.

129. On the whole, the Panel recognises that all units go to great lengths to initially brief their Permanent Staff on the SCD. However, the way in which the annual updates is promulgated is less clear and/or prescriptive, let alone tracked and assured to make sure all staff read and understand any changes/updates. It is also not clear to what extent the supervisory care directives are briefed to the trainees.

130. Although differing in levels of information contained within the SCDs, the overall standard raises questions as to how units are enabling themselves to provide a comprehensive SCD which is accessible to all staff and trainees. It is also not clear to the Panel how these documents are disseminated to both staff and trainees, nor assured by the unit chain of command to ensure that they are understood. The Panel accepts that their findings are in notable contrast to the findings of the assurance regimes, both external and internal. For example, Ofsted remarked of ATC(P), "Senior officers have a comprehensive supervisory care directive in place. This gives very clear guidance to permanent staff and trainees about their roles and responsibilities"<sup>92</sup>. Meanwhile CITAT described ATR(W)'s SCD as, "a thorough document"<sup>93</sup>. The Panel stands by its findings. The efficacy of the assurance regime will be considered in more detail below.

131. JSP 822 requires every Commanding Officer to have their own SCD<sup>94</sup>. However, given the poor standard and the lack of local permutations, not to mention the time that the staff in each Training Establishment spend updating their SCDs, there may be a more effective approach. Mirroring RMAS' response to the Death at RMAS 2019 Service Inquiry, a single Sldr Ac SCD with annexes for each Training Establishment would allow subject matter experts to contribute, each CO to conduct their Risk Assessment to contribute to their individualised annex, but ensure there is a co-ordinated, coherent approach taken towards all individuals within the Training Establishments. In the Panel's opinion this freedom is one contained within JSP Volume 2<sup>95</sup> and could be exploited by

<sup>90</sup> DDATR(W)-Exhibit Ser 2.1 – 2.4

<sup>91</sup> DD1ITB-Exhibit Ser 1.2

<sup>92</sup> Ofsted Report 2022 – ATC (Catterick)

<sup>93</sup> CITAT Training Assurance Audit Report 2021 – Army Training Regiment (Winchester), Annex C

<sup>94</sup> JSP 822 Vol 4, Defence Care and Welfare Framework page 7

<sup>95</sup> Para 3.3.2, JSP 822, Volume 4.

Soldier Academy to decrease and better mitigate risk, and provide resource in terms of time back to the Unit's.

**Observation 13. The general standard of Unit Supervisory Care Directives is poor and not compliant with the overarching policy contained within JSP 822 (Defence Training and Education).**

**This observation informs Recommendation 5.**

### **Supervisory Care Ratios**

132. Through unit SCDs, the Panel sought to understand supervisory care ratios as a fundamental element of a command culture is how trainees are cared for, developed, trained, and managed. The Blake Review into Deepcut, Recommendation 10 stated, "ATRA<sup>96</sup> should require all its training regiments to identify the supervisory ratios it needs to train future generations of trainees in accordance with the effective duty of care principles outlined in this Report. Those ratios should be taken as the necessary minimum, in the absence of any subsequent comprehensive risk assessment to revise them".

133. This recommendation is incorporated as part of the Defence Care and Welfare Framework whereby units are required to direct, record and manage ratios of supervisory staff to trainees. Vol 4, JSP 822 further clarifies this direction to mandate that units must identify the minimum ratio of supervisory staff to trainees against all serials both on and off-site during normal working hours and out of hours, at weekends and during leave periods, and the risk mitigation strategy if these ratios cannot be met. Sldr Ac's SOI more succinctly requires, "Sldr Ac units are to ensure that there is a system in place to ensure that the movements of all trainees can be accounted for at all times (including weekends, off duty or leave)."<sup>97</sup>

134. It is clear from Blake Recommendation 10 and all high-level policy that the assessment of, and articulation of, supervisory care ratios is fundamental in the ability of the unit to successfully comply with their duty of care. In the Panel's opinion, none of the SCDs adequately identify and direct supervisory care ratios for effective discharge of the duty of care as required by the Blake Review and JSP 822.

135. Some specific examples of the Panel findings regarding the supervisory care ratios are as follows:

- a. AFC(H)'s SCD<sup>98</sup> makes oblique mention to supervisory care ratios over weekends, but provides no obvious mention of a supervisory regime or care ratio during leave and standdowns.
- b. ATR(W)'s SCD<sup>99</sup> makes no reference to supervisory care ratios over weekends or during leave periods.

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<sup>96</sup> Now ARITC

<sup>97</sup> WSWM-Exhibit WM70 para 15

<sup>98</sup> WSWM-Exhibit WM28

<sup>99</sup> WSWM-Exhibit WM62

c. ITC have a pan-ITC SCD<sup>100</sup> in accordance with the direction in Vol 4, JSP 822 which facilitates the use of a single SCD where there are several training units located on a single site. Generally, their SCD is the most effective in articulating the care ratios, however, with the exception of Hook Company, there is no reference to weekend cover.

d. Pirbright also have a pan-Pirbright SCD<sup>101</sup>. However, there is no reference to supervisory care ratios over weekends or during leave periods.

136. The Panel have identified that during periods of instruction, care ratios across the units are broadly similar. However, when it comes to ratios and approach to safeguarding risk in out of hours or within accommodation, there is a lack of consistency. For example, at ATR(W) and ITC(C) there is a Duty NCO per Platoon resident in the accommodation during the first few weeks of a new intake. Whereas, at ATC(P) this is reduced to a Duty NCO by sub-unit. The different approaches by the Training Establishments means that ATC(P) may be carrying significantly more risk during the formative first three weeks of training. Albeit this may be due to the differing accommodation layouts within the Training Establishments. However, it does mean that trainees have very different experiences in levels of staff supervision and their training staff are expected to undertake significantly different out-of-hour duty commitments depending on the establishment.

137. While policy allows bespoke approaches for different units, when the Training Establishments are teaching the same course to the same training cohort, it is difficult to understand such different care ratios. The Panel have not seen any direction or policy on how a ratio for supervisory care should be calculated or what considerations should be included when assessing what would be a suitable supervisory care ratio.

138. The Panel reviewed each of the available CITAT reports<sup>102</sup> in relation to each of the Training Establishments. All of them are required to comment on the SCD. In none of the reports that were reviewed was the issue of supervisory care ratios identified.

**139. Observation 14. Recommendation 10 of The Deepcut Review<sup>103</sup> and the Government Response<sup>104</sup>, in particular, para 12.64 of the Review stated, Instructor to trainee ratios of over 1:40 are unlikely to be acceptable. As far as the Panel is aware, there is no guidance available to the Training Establishments to assist them in determining what is or is not acceptable and/or suitable in terms of instructor to staff ratios. The Panel believe it would be of assistance if a framework was provided to assist COs in determining supervisory care ratios.**

**140. Observation 15. The Training Establishment Supervisory Care Directives do not adequately identify and direct supervisory care ratios for effective duty of care.**

**This observation informs Recommendation 5.**

<sup>100</sup> WSWM-Exhibit WM27

<sup>101</sup> WSWM-Exhibit WM61

<sup>102</sup> ERJB-Exhibits 1 - 13

<sup>103</sup> [The Deepcut Review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/reviews/deepcut-review)

<sup>104</sup> [The Government's response to the Deepcut Review - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/deepcut-review-response)

**141. Observation 16. There is insufficient assurance of supervisory staff to student ratios across the Training Establishments.**

**This observation informs Recommendation 5.**

### **Safeguarding**

142. According to Defence direction, safeguarding, or the management, care and welfare of Service personnel within initial training apply to all trainees and not just those under 18. It encompasses a broad number of requirements, which are covered throughout this Term of Reference and not simply under this heading. The key one is the supervisory care ratios articulated above and the identification of those 'at risk' detailed further below as well as the requirements for Disclosure and Barring Service ('DBS') and Disclosure checks (covered in Term of Reference 1).

143. **PREVENT.** PREVENT is the legal duty placed on public bodies by the Counter Terrorism and Security Act 2015 and concerns radicalisation policy. On the whole, the Panel found that the requirements in relation to PREVENT were well understood and enacted across the Training Establishments. However, what was not clear was the level of PREVENT training that has been delivered to contract services, or civilians, working within the Training Establishments nor what regular PREVENT content reminders were in place for staff and trainees following their initial PREVENT training.

**Observation 17. PREVENT is the legal duty placed on public bodies by the Counter Terrorism and Security Act 2015 and concerns radicalisation policy. The level of PREVENT training being delivered to civilian contractors within Training Establishments was not clear.**

**This observation informs Recommendation 3.**

**144. Observation 18. It is not clear what PREVENT refresher training for members of staff and trainees has been provided after their initial PREVENT training.**

**This observation informs Recommendation 5.**

145. **Additional policies relating to trainees – under 18s.** In the Panel's opinion, additional policies concerning alcohol, smoking and gambling were well articulated across the Training Establishments. These were contained within the SCDs and further promulgated through Part One Orders. It was clear that these policies were widely understood.

146. **Armed Guarding.** Under 18s are not to carry out Armed guarding duties pursuant to DCDS (MSO)/[REDACTED] CDS operational directive (cat 2) as further directed within JSP 822 volume 4. The SCDs for each Training Establishment were reviewed to assess whether or not they complied with this direction.

147. ATR(W) SCD<sup>105</sup> did not reference either weapon security or the prohibition of under 18s conducting Armed guard duties.

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<sup>105</sup> WSWM-Exhibit WM62

148. The pan-ITC SCD<sup>106</sup> gave some direction on weapon security but failed to mention the prohibition.

149. The AFC(H) SCD<sup>107</sup> makes no reference to weapon security or the prohibition of under 18s conducting guarding duties.

150. The ATC(P) SCD<sup>108</sup> makes reference to firearm security but does not explicitly mention the prohibition rather stating that barrack guard duties will not be conducted by trainees. This was highlighted in the 2022 CITAT report<sup>109</sup> but has not been rectified.

**151. Observation 19. Supervisory Care Directives do not adequately articulate the policy in JSP 822 (Defence Training and Education) Volume 4 concerning the prohibition of under 18s conducting armed guard and weapon security.**

**This observation informs Recommendation 5.**

**152. Contact with Parents or Guardians of under 18s whilst in Initial Training.**

Individuals, including under 18s, have a right to respect for their private life. However, commanders must seek to establish, and sustain links with the parent(s)/guardian(s) of those under initial training. According to JSP 822, Volume 4 the detail governing how a unit will do this should be included within the SCD. Each of the units' SCDs mention parental contact, albeit they could better articulate the mechanism and manners in which contact should be made and managed.

## **Trainee Management**

153. The management of trainees begins before they arrive at the training establishment and continues after they leave<sup>110</sup>. Ensuring effective passage of information about trainees is an important element of the Care & Welfare provision. This could relate to their performance, concerns over health, injury or mental well-being or a concern over learning difficulties. This is especially important for those trainees identified for any reason as at risk during initial training. The Panel have determined to concentrate within this Term of Reference on the management of trainees whilst at the Training Establishment.<sup>111</sup> Trainee management includes aspects of induction and initial briefing, welfare provision, discipline and passage of trainee information. This passage of information can include how they are informed of welfare points of contact, to how remedial training and disciplinary measures or other policies are promulgated.

## **Trainee Induction**

154. On arrival all trainees must be briefed on a wide range of issues. These include, but are not limited to, the right to leave the Service, policy and consequences of drug use and health issues and nutrition. In addition, and specifically where U18s are part of the trainee cohort, commanders must further brief all trainees on specific policies regarding procedures for the reporting of bullying and harassment, the role of the Service

<sup>106</sup> WSWM-Exhibit WM27

<sup>107</sup> WSWM-Exhibit WM28

<sup>108</sup> WSWM-Exhibit WM61

<sup>109</sup> DDSIdrAc-Exhibit 2JH 1

<sup>110</sup> WSWM-Exhibit WM1

<sup>111</sup> Before trainees arrive at the Training Establishments was detailed within Term of Reference 1 and the hand over/take over of trainees between Phase 1 and Phase 2 will be covered in the section pertaining to Term of Reference 7.



Complaints Ombudsman and zero tolerance towards unacceptable behaviour and sexual misconduct policy and process. These particular topics will be investigated further by the Panel below, and in the case of bullying and harassment policies within Term of Reference 4.

155. However, as part of its investigations, the Panel observed and shadowed staff and trainees throughout the arrival and induction process at ATC(P) over a one-week period. Several of the observations from this period are reflected throughout the report. However, one key observation from the briefings attended pertains to the complexity of the language and methods of teaching sometimes utilised given the particular audience.

156. As detailed in Term of Reference 1, in order to join the Army, soldiers require Entry Level 2 in English (functional skills) which is equivalent to a 7-year-olds reading standard<sup>112</sup>. In the Panel's opinion, the language used in some of the briefing materials and by the presenters is not as accessible as it could be to those of a lower educational standard. In addition, the Panel did not deem it appropriate for individuals to be ordered to read questions or their answers out in a public forum. It was apparent that some of the individuals required to do so struggled to read and to do so publicly could induce an unnecessary stress on an already vulnerable cohort. Whilst it is recognised that forcing individuals to leave their comfort zone is an important part of Army life, this needs to be carefully balanced with – whether inadvertently or otherwise - publicly shaming an individual.

**157. Observation 20. The language used in the induction briefings is not appropriate for the educational standard of the trainees.**

**This observation informs Recommendation 7.**

## **Welfare**

158. One of the expectations of Service which makes us distinct from civilians is that we can be moved all around the world. We require our people to live and work in a place that is not of their own choosing. They are away from support networks of family and friends. This is why we owe our people welfare provision. JSP 770 is the Tri-Service policy on welfare delivery and provides guidance to commanders at all levels, as well as welfare specialists, on the provision welfare to entitled. Defence defines welfare as:

“The provision of a widely-recognised and accessible personal and community support structure that secures and improves the well-being of serving personnel and [...] optimises the military capability and motivation of all Service men and women.”<sup>113</sup>

159. Both individuals and the Chain of Command have welfare responsibilities. Individuals have responsibility for their own immediate welfare, whilst COs are responsible for the welfare support of their people which is achieved using specialist advisors and welfare workers<sup>114</sup>. Commanders' responsibilities include: establishing a stigma-free welfare culture, ensure personnel are trained to meet their welfare

<sup>112</sup> WSCE-Enclosure CE1

<sup>113</sup> JSP 770 v16 (Jun23) 1.1.03 refers.

<sup>114</sup> JSP 770 v16 (Jun23) 1.1.11, 1.1.05, 1.1.16 refer.

responsibilities, ensuring that full details of welfare and community support services are effectively communicated to their people including details of the MOD's Equality and Diversity Policy and Bullying and Harassment Complaints Procedures<sup>115</sup>. Furthermore, within JSP 822 Volume 4, COs are directed that they must ensure the provision of Welfare support throughout initial training.

160. JSP 822, Volume 4 provides further direction on what welfare provision must be. It states that the sharing of concerns over trainees among welfare practitioners and the chain of command must be formalised within units. Trainees who are at risk or potentially at risk must be identified as early as possible and appropriate action taken to care for their well-being. Training units must have a formal welfare forum with terms of reference and regular, centrally co-ordinated meetings. Welfare points of contact must be widely publicised (and highlights the issue of a contact card to trainees for welfare needs can be very effective) and trainees apprised of all avenues of complaint, including the Service Complaints Commissioner.

161. Three Army policies further underpin and support the direction contained within JSPs 770 and 822:

- a. AGAI Vol 3, Chapter 81, Army Welfare Policy. As an Army policy, it nests under JSP 770 and promulgates Army Welfare Policy to deliver a key element of the moral component of fighting power and thus contribute to maintaining operational effectiveness<sup>116</sup>.
- b. AGAI Vol 3 Ch 110, commonly referred to as AGAI 110, are the Army regulations for the VRM process. This is part of the Army's preventative strategy to minimise the vulnerability to, and incidence of, suicide and self-harm behaviours across the whole force. It is the capstone policy for this area.
- c. AGAI Vol 2 Chapter 57 Army Health and Wellbeing Committees, is more commonly known as AGAI 57. It is the Army mandatory policy requirement on Health and Wellbeing Committees to meet its statutory duty under Section 2 of the Health and Safety at Work Act 1974<sup>117</sup>. It covers the four themes of health and well-being and directs the structure and conduct of Health and Wellbeing Committees.

## Vulnerability Risk Management

162. The Panel have sought to focus on the understanding and application of AGAI 110 as part of their investigation into the command culture surrounding welfare. This is because the early identification and management of suicide and self-harm behaviours is a leadership function that directly affects the health, employability, deployability and operational effectiveness of individuals and units. Identification is of those directly 'at risk' and early identification goes directly to taking appropriate action to care for their well-being. Suicide and self-harm behaviour is rarely the result of a single factor or incident; it usually follows a combination of previous vulnerability and recent life events. Individuals may find themselves in difficult situations for a range of reasons, some of which may be beyond their control, so it is essential to identify them early and put in place effective care

<sup>115</sup> JSP 770 v16 (Jun23) 1.1.16 refers.

<sup>116</sup> AGAI 81 81.001

<sup>117</sup> AGAI 57 57.004

assessment plans. In the Panel's opinion, the way in which the chain of command implement AGAI 110 is indicative of the culture surrounding the care and welfare of trainees. It goes to early identification, appropriate action and an example of a formal welfare forum with terms of reference and regular, centrally co-ordinated meetings.

163. AGAI 110 is very well written and clearly articulates what the Chain of Command need to do to reduce the current levels of suicide and self-harm. One of the findings of the Death at RMAS 2019 Service Inquiry was that, "commanders at all levels need a greater understanding of AGAI 110". The Death at RMAS 2019 Service Inquiry therefore recommended "ARITC are to ensure that all training establishment staff receive training on AGAI 110 VRM with specific reference to the management of Care Action Plans. Training and refresher training, as identified, should be undertaken prior to return postings to training establishments for appropriate Permanent Staff."<sup>118</sup> Moreover, ARITC have confirmed to Org Learning that they have implemented this recommendation<sup>119</sup>.

164. In light of these recommendations, the Panel sought to understand how the Training Establishments implemented AGAI 110. The first stage was a holistic review of the SCDs and any other localised documents to assess what reference was made to VRM and how it was managed theoretically. The second stage was to assess how VRM was conducted in practice.

165. The ARITC Supervisory Care SOI [REDACTED] discusses 'vulnerable and "at risk" personnel'. It references AGAI 110 and states that it covers the management of 'At Risk' personnel and details the procedures for recording them as 'At Risk'<sup>120</sup>. Within the ARITC SOI on Incident Reporting (SOI [REDACTED]) it states that 'AGAI 110 also directs that the unit must report deliberate self-harm to the RMP immediately'<sup>121</sup>.

166. The Sldr Ac Supervisory Care SOI [REDACTED] does not mention AGAI 110 and VRM<sup>122</sup>. Within the Sldr Ac SOI on incident reporting there is a single reference to VRM reminding units of their responsibilities for reporting.

167. AFC(H) SCD has a specific annex which deals with AFC(H) suicide VRM and deliberate self-harm guidance<sup>123</sup>. Within that annex it states that any individual who deliberately self-harms is to be automatically placed at risk and immediately placed on to the VRM register 'until further investigation'<sup>124</sup>. this is contrary to AGAI 110 which states that the individual must be placed upon the register for a minimum of 12 months. It makes no reference to the requirements under AGAI 110 to automatically place an individual on the register for a minimum period of one month when they have expressed suicidal ideation to allow for a full assessment of the risk factors to be conducted and for the case to be formally reviewed as part of the Commander's Monthly Case Review process. Indeed, the annex makes no reference to suicidal ideation at all and leaves an obvious lacuna of guidance between suicide and self-harm.

<sup>118</sup> Death at RMAS 2019 Service Inquiry Recommendation 1 refers.

<sup>119</sup> WSAL-Exhibit AL2

<sup>120</sup> WSWM-Exhibit WM25

<sup>121</sup> WSWM-Exhibit WM3

<sup>122</sup> WSWM-Exhibit WM70

<sup>123</sup> WSWM-Exhibit WM30

<sup>124</sup> WSWM-Exhibit WM30

168. ATR(W) SCD states,

“Regimental VRM Meeting. An executive meeting will take place monthly. In general, the board will not discuss specific cases. It will focus on trends and welfare support across the Regiment.”<sup>125</sup>

169. This is non-conformant with AGAI 110 which states that, “As a minimum, all soldiers on the unit VRM Register must be [...] formally assessed at the Commander’s Monthly Case Review in accordance with Chapter 3 of AGAI 57”<sup>126</sup>.

170. ATR(W) SCD<sup>127</sup> also states, “Any individual who attempts suicide (intent to die rather than intent to self-harm) is to be automatically placed at risk on the VRM Register (managed by the Adjt) for a minimum period of two years”<sup>128</sup>. This is non-conformant with AGAI 110 which requires, “Any individual who Self-Harms, regardless of the apparent intent or severity of actual injury, is to be automatically placed on the Unit VRM Register for a minimum period of 12 months”.<sup>129</sup>

171. The ATC(P) SCD<sup>130</sup> provides an overview of the ATC(P) response to mental health challenges in the recruit population which includes phases of educate, detect, intervene and monitor. At the intervention stage it discusses that in the event an individual is threatening suicide or self-harm then a VRM record is opened for the individual concerned. It does not reference a time frame for how long they must be on there. Under the manage stage, it states that registers are to be maintained and checked by the CO on a fortnightly basis. It does not reference that each individual must be formally assessed monthly in accordance with AGAI 57.

172. The ITC SCD<sup>131</sup> deals with self-harm in a single paragraph. It does not reference AGAI 110 at all, nor specific VRM register, but instead states that individuals must be entered into a G1 register. There is no reference to suicidal ideation.

173. None of the policies refer to the wider issues of identifying an individual ‘at risk’ and instead seem to place entry on to the VRM at a high threshold of self-harm, suicidal ideation and attempts at suicide. AGAI 110 makes it clear that the identification of those at risk is far broader, and whilst the above issues require a mandatory entry on to the VRM, there are other indicators which could require an individual to be placed on the VRM (as articulated at length in Annex C to AGAI 110).

174. Whilst these are but minor examples, in the Panel’s opinion the very existence of localised policy is not only problematic as these examples indicate, but non-compliant with the over-arching direction within AGAI 110. JSP 822 Volume 4 does not mandate a Unit level policy. AGAI 110 states local copies are not to be produced. Creating local policy which directly contradicts Army policy, as written by experts, means that the Training Establishments are not implementing best practice and is another example of the basics not being done well. This adds risk to the training audience who are already a vulnerable cohort. It also means that the wider Chain of Command do not know what risk

<sup>125</sup> ATR(W) SCD para 27 b refers

<sup>126</sup> AGAI 110 110.059

<sup>127</sup> WSWM-Exhibit WM62

<sup>128</sup> ATR(W) SCD para 37 refers

<sup>129</sup> AGAI 110 110.042

<sup>130</sup> WSWM-Exhibit WM61

<sup>131</sup> WSWM-Exhibit WM27

they are carrying because they would reasonably assume that the Army level policy was implemented and being followed. Ultimately, this impacts on the lived experience of the training cohort because they are not getting the best introduction to the Army that we can offer.

175. These findings caused the Panel concern, particularly as there are clear areas of non-compliance. Unit compliance with AGAI 110 is conducted via the annual G1 Audit (G1A) process which should have identified these issues<sup>132</sup>. Each of the Training Establishment G1A reports over the relevant period were reviewed and, with the exception of ATC(P)<sup>133</sup>, none were found to be non-compliant or non-conformant and often the comments provided in relation to each of the questions was a simple 'yes'. We will return to the issue of assurance at the end of this Term of Reference. But in short, this is but another example where the efficacy of the assurance regime, in this case the G1A audits, is hindered by the lack of subject matter experts conducting the assurance and fettered by the restrictive question set.

176. Given the findings in relation to the SCDs and the paucity of information contained within the G1A reports, the Panel were not suitably satisfied that the Training Establishments were correctly implementing AGAI 110 on Vulnerability Risk Management, despite it being highlighted within and subject to recommendations by the Death at RMAS 2019 Service Inquiry.<sup>134</sup> Indeed the Panel has found that it is a recurring theme across the wider organisation.

177. The Panel sought a subject matter expert audit of each of the Training Establishments Vulnerability Management System and their application of AGAI 110 once someone is identified as being at risk and in need of additional support. The audit included VRM records for both Permanent Staff and trainees across the Training Establishments. The results are detailed at Figure 2.1 below.<sup>135</sup>

Unit	Open Cases (PS)	Open Cases (Trainees)	Total open Cases	Risk Conference Held (%)	Care action Plan initiated (%)	Overview of events % completed	Events summary up to date %completed
1 ATR(P)	5	6	11	100%	100%	90%	90%
2 ATR(P)	7	3	10	100%	100%	100%	90%
3 ATR(P)	0	4	4	100%	100%	100%	100%
1 ITB	7	5	12	100%	100%	100%	100%
2 ITB	2	5	7	100%	100%	100%	100%
ITB SP BN	0	10	10	100%	100%	100%	100%
ATR(W)	0	2	2	100%	100%	100%	100%
AFC(H)	07	96	103	100%	100%	90%	90%
TOTAL	28	131	159				

**Figure 2.1 Compliance with VRM record keeping across the Training Establishments dated 7 Jun 24**

178. Of those cases in which 100% compliance was not met against the areas of examination this was due to a small number of records not being updated. However, this

<sup>132</sup> DDAB-Exhibit 14.1.7

<sup>133</sup> DDASCO-Exhibits 1.1 – 6.3

<sup>134</sup> ARITC must ensure that any policy and procedure amendments that are introduced within training establishments are enacted – establishing and directing a continuous assurance process.

<sup>135</sup> WSSH-Exhibit 1.

was not as a result of considerable delay, and all of the records had been updated within six weeks.

66. Having considered the narrative and detail within each of the 159 open cases, there was no evidence of any soldiers being entered onto the VRM system that did not require an additional level of support or monitoring in order to either safeguard themselves and/or others. Furthermore, it was evident that a number of the AFC(H) cases had been entered onto the system as a precautionary measure in response to pre-existing vulnerabilities related to childhood adversity, for example. This would seem entirely appropriate and proportional<sup>136</sup>.

179. These findings show that when someone is identified as being at risk and in need of additional support, the VRM system is being used appropriately. It does not however detract from the Panel's findings concerning the poor localised policies. This led the Panel to conclude that there is a seam of risk that has not been identified to date and thus not effectively managed by the higher Chain of Command. Where a unit identifies an individual according to their own localised non-policy compliant policy, they correctly apply the mitigations outlined within AGAI 110. However, the 'known unknown' is for those individuals who have not met the criteria laid down within the localised policy for placement on the VRM, but that may meet the lower criteria as laid out in Annex C of AGAI 110. Since Training Establishments may not be correctly identifying all those individuals who should be included on the VRM, they will not be tracking them.

180. Consideration was given to whether it was reasonable for those within the Training Establishments to know of, and follow, AGAI 110, particularly given the findings of the Death at RMAS 2019 Service Inquiry. The Panel found that it was a reasonable expectation for those in key appointments to know and follow this policy as it is taught on pre-employment training for COs, COs of Training Establishments, Adjutants, Sub-Unit Command, and the Unit Welfare Course. The difference at RMAS in 2019 was that despite the title of Commander Old College or Commander New College, these roles were not command earning appointments. They were therefore not filled with command quality personnel, and incumbents had not undergone CO Pre-Employment Training.

**181. Observation 21. Commanding Officers of Training Establishments have not consistently ensured that all policies, procedures, and practices, including the conduct of Unit Health Committee meetings, are in conformance with AGAI 110, Vulnerability Risk Management, and the Dhali-Blake and Death at RMAS 2019 recommendations. This has not been identified by the assurance regime.**

**This observation informs Recommendation 9.**

**182. Observation 22. It is not clear that Training Establishments are conducting additional training to all Permanent Staff on AGAI 110, Vulnerability Risk Management as directed by Death at RMAS 2019 recommendations. This has not been identified by the assurance regime.**

**This observation informs Recommendation 9.**

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<sup>136</sup> WSSH-Exhibit 1.

**183. Observation 23. Soldier Academy has not assured that all policies, procedures, and practices, including the Supervisory Care Directives, and conduct of Unit Health Committee and Vulnerability Risk Management (VRM) meetings, is in conformance with AGAI 110, Vulnerability Risk Management, and Dhali-Blake and Death at RMAS 2019 recommendations.**

**This observation informs Recommendation 9.**

### **Welfare Forum and Meetings**

184. Training units must have a formal Welfare forum with terms of reference and regular, co-ordinated meetings. Accordingly, the Panel reviewed and assessed each of the Training Establishments unit health committee's and conducted spot checks of welfare agency meetings minutes and records. Of particular importance in this regard was the policy and guidance provided within AGAI Vol 3, Chapter 81, Army Welfare Policy and AGAI Vol 2 Chapter 57 Army Health and Wellbeing Committees.

185. It is noted that all units do conduct regular Health Committees. However, there were some areas of concern, most notably in relation to the manner in which AFC(H) conduct their meetings.

186. AFC(H) SCD pertaining to the AFC(H) Junior Soldier Health Committee meeting notes that the Adjutant chairs the Junior Soldier Health Committee<sup>137</sup>. This is non-conformant with AGAI 57<sup>138</sup> which requires the CO to be the meeting chair. Furthermore, there appears to be a two-tier system operating within AFC(H) whereby Junior Soldiers are subject to one health committee (overseen by the Adjutant) and a second health committee which is chaired by the CO and appears to deal solely with Permanent Staff. There does not appear to be any documented methodology as to how an individual can be escalated from the Junior Soldier Health Committee (or Welfare Agency Meeting as it is known) to the Unit Health Committee. In the Panel's opinion, not only is this practice non-conformant with AGAI 57, but carries a high degree of risk as the CO is not aware of individuals who arguably belong to their most vulnerable cohort. Additionally, when reviewing the minutes and records of the Welfare Agency Meetings, although there are boxes available for subject matter experts (e.g. UWO, Senior Medical Officer, Padre, and Well Being Support Officer) to comment, they rarely, if ever do.

**Observation 24. Training Establishment Supervisory Care Directives were providing policy direction contrary to AGAI 57 for the conduct of Unit Health Committee Meetings.**

**This observation informs recommendation 5.**

**187. Observation 25. Soldier Academy are not adequately assuring that all Training Establishment Unit Health Committee Meetings are conducted in accordance with AGAI 57 Army Health & Wellbeing Committees.**

**This observation informs recommendation 5.**

<sup>137</sup> AFC(H) Annex F 'AFC(H) Junior Soldier Health Committee Meeting Management Process refers.

<sup>138</sup> AGAI 57.064

## Welfare Points of Contact

188. As directed within JSP 822, Vol 4 it is mandated that welfare points of contact must be widely publicised and trainees apprised of all avenues of complaint, including the Service Complaints Commissioner. This latter point, and the issue of welfare cards, will be covered within Term of Reference 3. However, introductory visits to all Sldr Ac Regular Basic Training Establishments were undertaken which enabled the Panel to make an assessment of the unit's compliance with this direction.

189. Signposting for support services, both internal and external, empowers trainees to seek expert assistance should they need it. To be effective, up-to-date contact details for support services should be ubiquitous in areas frequented by trainees but also where details can be obtained discreetly. During our site visits across the Sldr Ac estate, signposting was consistently inadequate. There has been barely any signposting observed and much of that which has been seen is out-of-date with contact details for individuals who are no longer in post. In the view of the Panel, best practice has been identified at Defence College of Logistics, Policing and Administration at Worthy Down where signposting to support services is on the back of every toilet door. Signposting up-to-date contact details for support services, both internal and external, in all areas frequented by trainees should be adopted at all Soldier Academy training sites.

**190. Observation 26. Signposting was consistently inadequate during site visits across the Soldier Academy estate. Barely any signposting was observed and much of that which has been seen is out-of-date with contact details for individuals who are no longer in post. This has not been identified by the assurance regime.**

**This observation informs recommendation 7.**

## Discipline

191. Irrespective of their stage of training all Service personnel, including trainees, are subject to Service Law. However, the application of Service discipline should be appropriate and proportional to the principles of Service Law and the Army's values, standards and ethos when dealing with those in initial training. In addition, trainees can be subject to remedial training, including verbal rebuke and minor sanctions. Within this Term of Reference there are three main areas of discipline that the Panel have focussed on in order to answer this Term of Reference: Remedial Training; Fraternisation; and the two Zero Tolerance policies. Within Term of Reference 3, the Panel will consider how discipline is utilised to assist in the inculcation and enforcement of Values and Standards into the trainees.

## Remedial Training

192. Initial training is the fusion of two principal components: ensuring that trainees learn the skills and knowledge appropriate to their trade/branch/specialism, so that they are suitably equipped and prepared to enter productive Service; and to inculcate the right attitudes in terms of military ethos, values and standards required of a Service person and ensure that all trainees embrace the disciplinary, personal and communal standards that underpin that ethos. It is accepted that there will be a number who, on occasion, fail to achieve the required standards.



193. When a shortcoming is identified, necessary measures are taken to help and encourage the recruit to improve their performance. The management of these measures is known as Remedial Training and it is governed by JSP 822 Vol 2 Defence Individual Training which provides a standardised framework to manage, deliver and record measures of Remedial Training undertaken to address performance shortfalls during initial training. Although Remedial Training can be utilised to address deficiencies of skill, knowledge or physical fitness, the Panel has focussed on the delivery of Remedial Training to address inappropriate behaviour or attitude as a mean to analyse the maintenance of discipline and Service standards within the Training Establishments.

194. JSP 822, Vol 2 identifies that Remedial Training measures to address unacceptable attitude or behaviour during training are separated into 2 categories:

- a. Tier 1 Measures. These are short sharp measures to achieve short-term behavioural change and can be implemented without reference to a higher authority. These can include verbal rebuke, 'wake up' exercises, the immediate repetition of a training activity and minor additional tasks.
- b. Tier 2 Measures. These are more onerous measures which are aimed at addressing longer-term attitudinal or behavioural shortcomings, but which do not merit initiating disciplinary action. These will usually be undertaken outside of the normal training programme. Training Establishments are to issue instructions defining the nature and scope of Tier 2 measures and the procedures for managing them, including who can authorise such measures. The only Tier 2 measures are additional training event(s), additional duties and show parade(s).

195. However, JSP 822 also warns of the dangers and specifies the safeguards required,

"Training that is intended to be robust must not be confused with any form of bullying, harassment or intimidation. Such conduct is wholly unacceptable and contrary to Defence's Values, Standards and Ethos and the DHALI/B intent, and is demonstrably counter-productive in developing resilience. Effective supervisory care, welfare policies and governance and assurance processes will ensure that Robust Training is not confused with, or replaced by, actions or events that either serve a different remedial, corrective or disciplinary purpose, or those that are conducted in a misguided attempt to achieve unsanctioned, unacceptable and unnecessary outcomes."<sup>139</sup>

196. Policy accepts that there is a degree of single Service variation in the application of the direction, but Training Requirement Authorities (TRAs) through their Training Delivery Authorities (TDAs) must ensure that there is a consistent approach to Remedial training across all Training Establishments. TDAs are to also publish instructions on the scale and type of 'wake up' exercises that can be awarded and supervised by non-PT qualified trainers. Policy also requires that all Training Establishments are to publish, for trainers and staff, details of the Remedial Training measures authorised for managing substandard performance. This publication is also to include the purpose and the scale of measures that can be expected for a range of shortcomings and is issued under the oversight of the relevant TDA/TRA to ensure consistency and compliance. Furthermore,

<sup>139</sup> JSP 822 Vol 22 10.2 para 9

each Training Establishment is to make it clear to trainers and trainees, as part of the induction process, how the direction included within JSP 822 will be applied and where they can find written details thereafter. In addition, COs of Training Establishments are to ensure there is a robust system for recording, managing and maintaining routine oversight of Remedial Training records with an auditable trail between local Remedial Training orders or instructions and JSP 822 direction.

197. **ARITC and Soldier Academy Direction on Remedial Training.** Both ARITC and Soldier Academy have policies on Remedial Training, ARITC SOI [REDACTED] and Soldier Academy SOI [REDACTED] respectively<sup>140</sup>. The ARITC SOI wrongly determines the purpose of Remedial Training as a means “to assist the trainee to achieve the required standards of skills, fitness and knowledge by enabling them *to stay focussed and alert to the training being delivered to them*” (emphasis added). The Sldr Ac SOI introduces the language of ‘training interventions’ rather than Remedial Training but reiterates the incorrect purpose of remedial training/training interventions contrary to that detailed in JSP 822. They both talk of ‘activity’ rather than measures. There is reference within both SOIs to an IRTB which discussed the implementation of a specific Remedial Training SOI. No such SOI has been seen by the Panel.

198. The permitted training measures articulated within the ARITC and Sldr Ac SOIs is complicated by the fact that neither SOI articulates Tier 1 and Tier 2 measures and the different situations in which they are employed. The ARITC policy sets out the four types of activity which can be used to encourage trainees to remain attentive during training rather than measures to address unacceptable attitude or behaviour. These include a verbal rebuke, ‘wake up’ exercises, immediate repetition of a training activity and minor additional tasks (the example given being picking up a piece of litter that a recruit has just dropped). These would all be deemed Tier 1 activities under JSP 822.

199. Whereas the Sldr Ac SOI permits a self-reflection essay of up to 250 words. It should be noted that a self-reflection essay does not constitute a Tier 1 activity and would be deemed to be Tier 2. Furthermore, the direction contained within the Sldr Ac SOI is internally incongruent as it states that any activity that may have previously required the awarding of a Tier 2 measure is to be replaced with Minor Admin Action as directed in AGAI 67 – thus negating the inclusion of a self-reflection essay as an acceptable measure.

200. The regimes for assuring remedial training contained within the SOIs is also different. According to ARITC, “The recording of ‘Remedial Training’ is to follow the same procedures as laid out for Minor Admin Action as directed in AGAI 67. Units are to ensure that this activity is routinely checked by the CoC.”<sup>141</sup> Whereas, the Sldr Ac direct the Permanent Staff to use a QR code to record sanctions.

201. Overall, the Panel finds that within the SOIs the articulation of the overarching direction contained within JSP 822 is not only poor by ARITC, but in the case of Sldr Ac is materially wrong. Additionally, there is significant policy divergence between ARITC and Sldr Ac which leaves the Panel, but more importantly the subordinate Training Establishments, unsure of the direction in important policy areas. It is essential that the

<sup>140</sup> WSWM-Exhibit WM79 and WSWM-Exhibit WM76

<sup>141</sup> ARITC SOI 427 para 10 d

SOIs reflect the language used within the overarching JSP and that the intent of Remedial Training is corrected so that it is used as a vehicle to address inappropriate behaviour or attitude rather than keeping a recruit attentive. In the Panel's opinion there is clearly a need for the correct identification of Tier 1 and Tier 2 measures within both SOIs and when they are to be utilised. When considering the use of Tier 2 measures, consideration should be given to the type of activity and the training population of the Training Establishments. In the Panel's opinion, a self-reflection essay seems a disproportionate measure to a cohort who may have an equivalent to 7-year-old reading standard<sup>142</sup>. Finally, the Panel finds that in relation to assurance, there is insufficient direction to the Training Establishments about how internal assurance of remedial training is to be conducted.

**202. Observation 27. Army Recruiting and Initial Training Command (ARITC) Standard Operating Instructions (SOI) [REDACTED] poorly articulates the direction on remedial training in JSP 822.**

**This observation informs Recommendation 4.**

**203. Observation 28. Soldier Academy Standard Operating Instructions (SOI) [REDACTED] – Discipline wrongly articulates the direction in JSP 822. There is significant policy divergence between ARITC and Soldier Academy leaving subordinate Training Establishments unsure of the direction in important policy areas.**

**This observation informs Recommendation 4.**

**204. Training Establishment Direction on Remedial Training.** There is no specific policy direction contained within either JSP 822 Vol 2 or the ARITC or Sldr Ac SOIs which directs how units are to articulate their policy in relation to Remedial Training. Given the direction in JSP 822 vol 4 that the SCD should provide direction on the maintenance of discipline/Service standards, the Panel reviewed and analysed each of the SCDs to assess their efficacy in reflecting the overarching policy and their compliance. Any localised policy was also reviewed.

**205. ATR (W) Direction on Remedial Training.** There was no explicit reference to Remedial Training within ATR(W)'s SCD<sup>143</sup>. It does state that poor performance for either attitude or skills is to be managed in accordance with 'ITG Discipline policy'.

**206. ATR(W) has a specific SOI to cover discipline<sup>144</sup>** which explicitly references training interventions, again utilising the incorrect language. It utilises the wording from the Sldr Ac SOI and thus reflects the same issues. ITG flashcards are issued pan ITG (now Sldr Ac) to all instructors<sup>145</sup>. It should be noted that there is no articulation of the difference between Tier 1 and Tier 2 Measures. There is a QR code on the flashcards for the recording of remedial measures. Platoon Commanders are to ensure that there is a record of remedial measures maintained at platoon level. OCs are to conduct monthly checks to identify any unusual patterns.

<sup>142</sup> WSCE-Enclosure CE1

<sup>143</sup> WSWM-Exhibit WM62

<sup>144</sup> DDATR(W)-Exhibit AM02

<sup>145</sup> DD1ATR-Exhibit Ser Remedial Trg 01

207. Trainees are briefed on the Remedial Measures as part of the Common Military Syllabus<sup>146</sup>. It is not clear whether they are provided with any flashcards or other documents to remind them of the direction on Remedial Measures.

208. **ITC.** As mentioned above, ITC has a single SCD. Within this, reference is made to Remedial Training and directs both staff and trainees to both SOI [REDACTED] Remedial Rehabilitation Training<sup>147</sup> and section 12 of the ITC(C) Leaders Pocketbook<sup>148</sup>. The SOI deals purely with those trainees placed in Slim Company for rehab purposes and does not reference remedial measures.

209. The relevant section in the Leaders Pocketbook<sup>149</sup> deals with Remedial Training in terms of personal, physical or educational development. It does not provide guidance on measures to address unacceptable attitude or behaviour during training. However, under section 8 and corrective discipline, the Pocketbook at para 3 articulates what it calls 'Routine Discipline' which describes 'minor informal rebukes and corrections' which should be corrected immediately. It is likely that this paragraph relates to measures to address unacceptable behaviours as it highlights short physical wake up exercises, a verbal rebuke and picking up litter. However, the language does not reflect the over-arching policy, give guidance on the nature of and purpose of the measures, determine whether a measure is Tier 1 or Tier 2 (or over what time domain and intensity measures can be awarded), nor provide any guidance or direction on how these measures are to be recorded or assured. The ITG flashcards are also issued.

210. ITC has Standing Order [REDACTED] which deals with corrective training. This provides guidance on both Tier 1 and Tier 2 measures. However, in relation to the Tier 2 measures it does not articulate who can award such measures or provide any guidance on what "an additional training serial" might be.

211. ITC direction is that the remedial measures are recorded in a 'Coy Minor Censures Book' and is to be regularly reviewed by Battalion HQ staff, but it does not stipulate by whom or with what frequency. A spot check of the online spreadsheet utilised by Anzio Company<sup>151</sup> does not provide for comments by anyone within Battalion HQ nor that the entries were reviewed from anyone within the Company Chain of Command. In relation to Tier 1 measures awarded, it is also not clear at what time those measures were awarded to trainees so it is impossible for the Chain of Command to assure whether or not an individual was awarded more than 2 measures of press-ups within the 45 minute period.

212. Trainees are briefed by ITC on the Remedial Measures as part of the Common Military Syllabus. It is not clear whether they are provided with any flashcards or other documents to remind them of the direction on Remedial Measures.

213. **ATC(P) Direction on Remedial Training.** The ATC(P) SCD<sup>152</sup> makes no explicit reference to Remedial Training, but instead speaks of discipline more broadly and refers to Annex I to articulate the standards expected of trainees from a behaviour and

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<sup>146</sup> DDSIdrAc-Exhibit JH Ser 2.2

<sup>147</sup> DD2ITB-Exhibit Ser Remedial Trg 01

<sup>148</sup> WSWM-Exhibit WM27

<sup>149</sup> DD1ITB-Exhibit Ser 45.2

<sup>150</sup> DD2ITB-Exhibit AM06

<sup>151</sup> DD2ITB-Exhibit Inter 1.1

<sup>152</sup> WSWM-Exhibit WM61

performance perspective. However, Annex I concerns Unit Health Committees and there is no other annex which may detail this.

214. When the Unit direction was requested, ATR(P) provided ATR(P) SO 3<sup>153</sup> dated 31 Jul 18 Discipline, Administrative Action and Remedial Training deals with providing direction on remedial training. It is grossly out of date. It does not provide any guidance on the form of Tier 1 measures that can be issued nor over what time domain. It states that when Tier 1 measures are awarded, they must be recorded in accordance with a document at a link which does not work. The Panel believe there must be another unit policy providing this direction, but were not provided with proof or access to it.

215. However, it is clear that recording of remedial training wake up exercises is occurring as the Panel have had sight of a record which has been reviewed by the CO.

216. Trainees are briefed on the Remedial Measures as part of the Common Military Syllabus. It is not clear whether they are provided with any flashcards or other documents to remind them of the direction on Remedial Measures.

217. **AFC(H) Direction on Remedial Training.** When analysing AFC(H)'s SCD<sup>154</sup> it became apparent that it was substantially different to the Soldier Academy policy from which it should have taken its lead. Again, it is apparent that the language used does not reflect that of the overarching policy from which it should be taking its lead. A simple example is the use of the term 'training interventions'. Furthermore, three distinct risks with compounding effect have been identified in the AFC(H) policy for Remedial Training.

218. Firstly, the sanctions permitted in AFC(H) policy exceed those directed by ARITC<sup>155</sup> and Sldr Ac<sup>156</sup>. For example, ARITC/Sldr Ac allows a max of 20 press ups in 45 mins; AFC(H) policy allows 60 press ups in 45 mins<sup>157</sup>. Of even greater concern, activities defined by Soldier Academy as 'prohibited activities' including leopard crawling and 'fire and movement' for which 'Administrative or Disciplinary Action may be taken against PS who conduct unauthorised sanctions'<sup>158</sup> are permitted in AFC(H) policy<sup>159</sup>. It was concerning to the Panel that the sanctions that could be imposed on the AFC(H) Junior Soldiers (who are predominantly U18) are more than those that could be given to others undertaking basic training.

219. Secondly, although as highlighted above ARITC and Sldr Ac policy is incongruent as to the mechanism for doing so, the onus to record Remedial Training measures at both is placed upon the Permanent Staff. In the case of AFC(H), the oversight of Remedial Training is non-conformant with both policies in that AFC(H) policy directs the Junior Soldier to write each training intervention in their Junior Soldier record which is to be checked weekly by the PI Comd and monthly by the CO<sup>160</sup>. The Panel find this inappropriate for two reasons. First, it places the obligation to record and report on the

<sup>153</sup> DDHQATR(P)-Exhibit AM01

<sup>154</sup> WSWM-Exhibit WM28

<sup>155</sup> ARITC SOI [REDACTED] 'Discipline'

<sup>156</sup> Soldier Academy SOI [REDACTED] 'Discipline'

<sup>157</sup> WSWM-Exhibit WM43

<sup>158</sup> Soldier Academy SOI [REDACTED] 'Discipline' Slate Card example

<sup>159</sup> WSWM-Exhibit WM43

<sup>160</sup> WSWM-Exhibit WM43

wrong party<sup>8</sup>. Second, AFC(H)'s policy requires review only on a weekly basis by the PI Comd and by the CO monthly. This appears wholly inadequate for the incumbent risk.<sup>9</sup>

220. Thirdly, the Blake Review Recommendation 13 requires that trainees are informed of, "the nature and extent of acceptable sanctions that can be properly imposed and by whom". AFC(H) are non-conformant with this recommendation. This is because while the Junior Soldier 'Red Book' does articulate the remedial measures ('training interventions') allowed by Sldr Ac policy<sup>10</sup>, it does not explain the extent of the sanction (e.g. the number of repetitions) that can be awarded<sup>161</sup>. This lack of information means that Junior Soldiers cannot know whether the training intervention is conformant with policy. In extremis, this knowledge gap could be misused by an unprofessional member of staff.

221. The Panel were so concerned by these findings that it immediately wrote to the AFC(H) Chain of Command, making them aware of what had been found and making recommendations for immediate investigation and review.

222. **Assurance.** The obvious question that the Panel were left with was, why did the assurance regime not identify this? The direction on training interventions is not hidden, it is written in the Training establishment capstone policy that is regularly updated<sup>162</sup>. The Panel have seen two iterations of the AFC(H) SCD and the training interventions are in both, so they are not new. The effectiveness of the assurance regime is considered in detail below. From the CITAT reports reviewed, with the exception of ITC where it was suggested there was confusion over what acceptable 'wake up exercises' were permitted (which still fails to identify the issue outlined above) the Panel did not note any further comment on this issue.

**223. Observation 29. Training Establishments policies on Remedial Training, including Supervisory Care Directives, Standard Operating Instructions (SOI), pocket books and flash cards, are not compliant with the direction contained within JSP 822 (Defence Training and Education) Volume 2.**

**This observation informs Recommendation 4.**

**Observation 30. The AFC (Harrogate) "Junior Soldier Conduct 'Red Book' does not reflect the nature and extent of acceptable remedial measures as described in JSP 822.**

**This observation informs Recommendation 4.**

**224. Observation 31. All trainees would benefit from an easy-to-understand document which articulates the nature and extent of acceptable remedial measures.**

**This observation informs Recommendation 4.**

**Observation 32. The provision of training to all Permanent Staff and trainees/Junior Soldiers on appropriate training interventions and how they are to be recorded and assured is not clear.**

<sup>161</sup> DDAFC(H)-Exhibit Ser 46.1

<sup>162</sup> JSP 822 mandates once a year, all the Trg Est seem to do it every 6 months.

**This observation informs Recommendation 4.**

**225. Observation 33. The Soldier Academy assurance of Training Establishment policies concerning Remedial Training to ensure that they are current and compliant with the overarching policy contained within JSP 822 (Defence Training and Education) is inadequate.**

**This observation informs Recommendation 4.**

### **Fraternisation**

226. Fraternisation is the act of establishing intimate relations between people or groups. The term fraternisation is generally used to refer to establishing relations that are considered unethical, controversial, or problematic<sup>163</sup>. In the context of the Training Establishments, fraternisation is the colloquial term that is regularly used when describing sexual relations between trainees.

227. There are no Army, ARITC or Sldr Ac policies on fraternisation, or where the term is used. In the context of Sldr Ac, the term 'fraternisation' is therefore not used<sup>164</sup>. However, when reviewing the local policies across the Training Establishments they all have, to varying degrees, rules and regulations concerning sexual relations between trainees and defining the rules around accommodation. This is also referenced below when discussing the implementation of the Zero Tolerance policies. However, at this juncture it is useful to discuss the lower level behaviour which could be deemed to be fraternisation, rather than unacceptable sexual behaviour.

228. There is a lack of coherence as to the rules at each Training Establishment as to what interactions are deemed acceptable and not between trainees. Some talk of sexual relations, others prohibit the holding of hands<sup>165</sup>.

**229. Observation 34. Soldier Academy do not have an overarching policy which provides clear and simple direction on relations between trainees.**

**This observation informs Recommendation 6.**

### **Zero Tolerance**

230. **Wigston, Gray and Atherton Reports.** Since 2019, three reviews have been undertaken following repeated allegations of unacceptable and unlawful behaviour by serving members of the Armed Forces.

231. The Wigston Review, commissioned in April 2019, was led by Air Chief Marshal Wigston and made 36 recommendations to reduce instances of unacceptable behaviour and better support people when instances occurred. One year on, in 2020, the Gray Review appraised progress on the implementation of the Wigston Review recommendations and made 13 further recommendations to drive forward the MOD's work.

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<sup>163</sup> WSWM-Exhibit WM01

<sup>164</sup> WSWM-Exhibit WM01

<sup>165</sup> WSWM-Exhibit WM62 and WSWM-Exhibit WM63

232. In 2021, the House of Commons Defence Committee published a report entitled "Protecting those who protect us: Women in the Armed Forces from Recruitment to Civilian Life" colloquially known as the 'Atherton' report after the lead, Sarah Atherton MP. The report found that the British Army had failed to provide women with the experience they deserve, and that there were serious problems with the military's handling of sexual assault and harassment. The report also found that the military culture is still too male-dominated, and that women are often treated as second-class citizens.

233. The impact of the reviews has been significant. They have raised awareness of the challenges that women face in the military and have led to positive changes including the introduction of the zero tolerance policies.

234. **New Zero Tolerance Policies.** In 2022, following direction from the then Secretary of State for Defence, Ben Wallace MP, three new policies were published to tackle unacceptable sexual behaviour in Defence.

235. 2022DIN [REDACTED] A zero tolerance approach of Sexual Offences and Sexual Relationships between Instructors and Trainees. This was the first of the 'zero tolerance' policies which came into effect on 29<sup>th</sup> March 2022. It was brought in to ensure those in positions of trust are not able to abuse their authority. The policy requires every allegation of sexual offending or instructor/trainee sexual relationships to be acted upon through prompt, thorough, efficient, and independent investigation. When a person is convicted of a sexual offence or an instructor is found to have engaged in a sexual relationship with a trainee, their discharge is mandatory.

236. 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour A Victim Survivor Focused Approach. This second 'zero tolerance' policy was introduced on 19<sup>th</sup> July 2022 and took effect on 19<sup>th</sup> November 2022. This allowed 4-months during which training could take place to ensure that all Armed Forces personnel understood the policy. The policy underscores the importance of providing support to victims of unacceptable sexual behaviour. It makes clear what acceptable behaviours look like, how members of the Armed Forces are expected to behave and the standards of behaviour they can expect from people that they work with. It also articulates a presumption that anyone in the Armed Forces who is found to have behaved in an unacceptable way that is sexual in nature, will be discharged. The policy makes clear that unacceptable sexual behaviour encapsulates a wide range of behaviours. It goes on to set out some examples which include lewd or suggestive comments and/or gestures of a sexual nature (in person or electronically, including on social media) and unwanted sexual advances.

237. JSP 769 Zero Tolerance to Sexual Exploitation and Abuse. Also introduced in July 2022, this policy applies to all Defence personnel posted overseas on either permanent or temporary duty. It explicitly bans the use of transactional sex workers in the country to which the individual has been sent on behalf of Defence, whether on or off duty. It also applies even if the behaviour is regarded as lawful under the local laws of the country in which the person is deployed. JSP 769 only applies overseas and is not the subject of this inquiry.

238. Defence policy is clear in its intent. As ever, it was for the single Services to implement that policy in the way most appropriate to the nature of its own Service. The Army sought to implement the zero tolerance and unacceptable sexual behaviour policies



through Army General and Administrative Instruction, Vol 2, Chapter 62, Discipline Policy (commonly known as AGAI 62) and Army General and Administrative Instruction, Vol 2, Chapter 67, Administrative Action (commonly known as AGAI 67). Broadly AGAI 62 deals with how to investigate allegations of unacceptable sexual behaviours and AGAI 67 deals with how to action or discipline those who have been found to engage in Unacceptable Sexual Behaviours.

239. **AGAI 62.** AGAI 62 sets out current Army discipline policy to ensure that Service Justice in the Army is conducted in accordance with the law, the principles of natural justice and Service policy. Part 4 of AGAI 62 sets out the investigation of sexual offences or offences in which there may be a sexual element and Unacceptable Sexual Behaviour. It explicitly refers to the relevant Defence level DINs and introduces that anyone within the Army who is found to have engaged in a sexually unacceptable way will be discharged in accordance with AGAI 67.

240. AGAI 62 provides a flowchart at Annex G which explains the Army process for investigating allegations of Unacceptable Sexual Behaviours. Broadly, the Panel finds this flowchart to be useful: a sentiment echoed by those within the Chain of Command at the Training Establishments. However, it has been found that the flowchart does not adequately cover all the situations which have been encountered by the practitioners and requires additional clarification.

241. **Observation 35. The flowchart at Annex G to AGAI 62 does not adequately cover all the situations which have been encountered by practitioners and requires additional clarification.**

**This observation informs Recommendation 10.**

242. **AGAI 67.** AGAI 67 sets out the Army policy regarding administrative action. It is one of two components of the Army's discipline system, the other being the Service Justice System as outlined in JSP 830. The purpose of administrative action is to safeguard or restore the operational effectiveness and efficiency of the Army. The effect of particular conduct and/or performance that may damage operational effectiveness is assessed by applying the Service test. AGAI 67 was amended and reissued in Dec 22 to immediately reflect the change in Defence policy and implement Unacceptable Sexual Behaviour policies. It reiterates the overarching Defence policy contained within the DINs. The guidance at this stage was limited. However, the Panel notes that AGAI 67 has been updated a number of times since this initial update, the latest being May 24. Generally, this policy is clear and useful. As ever, it is but policy and is not designed to cover all eventualities. The Panel would speculate that as the policy becomes more mature and embedded, it is believed that the supporting policy will improve further, and that the organisation will develop the tacit knowledge of how to implement it. A speculation and belief that could also be applied to AGAI 62 above.

243. In relation to an incident related to unacceptable behaviour, JSP 830 the Manual of Service Law, JSP 839 Victims Guide, JSP 831 Redress of Individual Grievances, AGAI 62, AGAI 67 and a number of DINs all provide interrelated and relevant guidance. From a practical perspective, it is found that whilst policy is generally considered to be good, there is limited coherence of the plethora of policies, at multiple levels, which makes it unreasonably difficult for a commander to find, never mind, follow the appropriate policies

following an incident. In the Panel's opinion, there is a lack of coherence or signposting across policies. There is no clear indication within any of these documents which explains how these policies interrelate or which needs to be considered at which juncture. In the Panel's opinion each policy should contain a 'ready-reckoner' which includes a cross-reference handrail to other relevant policies.

**244. Observation 36. There is a lack of coherence or signposting across Army People policies which explains how these policies interrelate or which needs to be considered at which juncture. Specifically, AGAI 62 Discipline Policy and AGAI 67 Administrative Action do not signpost individuals to other relevant policies when dealing with an incident or allegation of unacceptable behaviour.**

**This observation informs Recommendation 10.**

245. The data and statistics around the new Zero Tolerance policies will be discussed in ToR6. Within this Term of Reference, the Panel has sought to focus on how it was brought in and how it has affected the lived experience.

**246. ARITC's approach to, implementation of, and compliance with the Zero Tolerance and Unacceptable Behaviour policies** The ARITC approach to the implementation of the unacceptable sexual behaviour policies and zero tolerance was undoubtedly forward-leaning and also doing so in an area where there was little formal direction from Defence People on behalf of the MoD. It is noted that the General Officer Commanding of ARITC dedicated his monthly Commander's Dial in for Deputy Chief of Staff (DCOS) to brief and to discuss Zero Tolerance with all COs and RSMs directly<sup>166</sup>. In terms of formally articulating the policy, ARITC amended their discipline SOI to incorporate the unacceptable sexual behaviour policy introduction. It is further noted that the zero tolerance and unacceptable sexual behaviours policy is messaged by ARITC in a constant drum beat. All DISCREPs of a sexual nature include the date the Zero Tolerance briefing was received by personnel involved. The Panel observed that all discipline cases of an unacceptable sexual nature are recorded, tracked and analysed by ARITC<sup>167</sup>.

247. In terms of discipline following any allegation of unacceptable sexual behaviour, AGAI 67 is to be utilised. There was a suggestion from multiple sources that ARITC and the General Officer Commanding, had its own retention criteria in these cases as the cohort contained within ARITC had significantly different characteristics than other 2\* formations. However, the Panel saw no evidence to support this suggestion. Further, it was confirmed by DCOS ARITC that AGAI 67 provides sufficient direction and mitigation for Basic Training and the process has sufficient checks and balances in order to be consistent, fair and compliant<sup>168</sup>.

**248. Sldr Ac's approach to, implementation of, and compliance with the Zero Tolerance and Unacceptable Behaviour policies.** Within Sldr Ac, this policy is articulated within the SOI on Discipline. As summarised by the Sldr Ac's Chief of Staff (COS):

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<sup>166</sup> WSJB-Enclosure JB3

<sup>167</sup> WSJB-Enclosure JB3

<sup>168</sup> WSSF-Enclosures SF1 - SF3

“Within Soldier Academy Units sexual relationships between a member of the permanent staff and any Recruit, whether consensual or not, is forbidden. This applies to all staff and all trainees throughout ARITC and includes trainees who have moved onto Initial Trade Training Schools, and not just to relationships within individual Soldier Academy BT units and schools.”<sup>169</sup>

249. Weekly Battle Rhythm meetings and quarterly Command Groups can all instigate policy changes dependent on authorisation from their chain of command. However, in this instance, on 19 Oct 22, Sldr Ac (named Headquarters Initial Training Group at the time) sent out information to be briefed to all ranks. In summary all units were instructed to brief a pre-recorded presentation to all staff. Records were to be kept for audit purposes. This was before the policy was implemented in Nov 22. At the time, ITG units were 93% compliant with complete explanations for those missing (Terminal leave etc). All units were instructed to brief trainees on Zero Tolerance. Additionally, Permanent Staff are provided with continuation training as part of Week zero briefs, Op TEAMWORK<sup>170</sup> days and locally organised ‘in house’ training<sup>171</sup>.

250. Furthermore, Sldr Ac orders its units that the direction relating to sexual relations and zero tolerance is to be published in Unit Part 1 Orders every 6 months and in Unit Standing Orders.

251. Sldr Ac stipulates that any contravention is to be dealt with seriously and is highly likely to result in the instructor being removed from post or suspended and administrative or disciplinary action taken subsequently. In the case of administrative action if proven, the start point for the sanction is to be discharge from the Service in accordance with AGAI 62 & 67. Depending on the level of a disciplinary issue, the issue will be the subject of a DISCREP, particularly if the disciplinary issue involves alleged Unacceptable Sexual Behaviour and/or involves a recruit under the age of 18. Allegations of Unacceptable Sexual Behaviour against a Service person, and particularly one involving a recruit, will be reported to ARITC as a matter of course by the relevant Soldier Academy Commandant. It should also be noted that any incident allegedly breaching Zero tolerance requires the DISCPREP to include the date when related Zero Tolerance training was completed.

### **The Training Establishments’ approach to, implementation of, and compliance with the Zero Tolerance and Unacceptable Sexual Behaviour policies**

252. As outlined above, the implementation and the practice of management of unacceptable behaviours policy by the Training Establishments largely reflects the direction by Sldr Ac. The Panel also sought to understand whether the units’ policies, standing orders and part one orders reflected this direction.

253. **Training Establishment SOIs.** The Panel reviewed a plethora of unit SOIs, Standing Orders and Part One Orders to understand what direction had been provided within the unit on the implementation of the zero tolerance policies.

<sup>169</sup> WSWM-Exhibit WM1

<sup>170</sup> CGS-directed activity to look at outdated thinking and practices within the British Army that may adversely affect the organisational culture.

<sup>171</sup> WSWM-Exhibit WM1

254. In relation to the SCDs, often the issue of zero tolerance was covered either obliquely or under fraternisation. Some specific examples of the Panel findings regarding the SOIs and Standing Orders for each of the Training Establishments are as follows:

- a. AFC(H)'s Standing Orders Section 2B and Annex K<sup>172</sup> –TI's & AGAI 67 Escalation Guidelines for Permanent Staff issuing training interventions, minor sanctions and Major AGAI does not reference zero tolerance, but obliquely refers to fraternisation.
- b. ATR(W)'s SOI [REDACTED] on Discipline<sup>173</sup> refers to both zero tolerance to unacceptable sexual behaviour and sexual relationships between staff and trainees. It refers to the two overarching DINs but does not give guidance on how the unit are to deal with instances of unacceptable behaviour.
- c. ITC has a SOI [REDACTED] (updated May 23) on impropriety between permanent staff and trainees which does not accurately reflect the policies. It is not referenced at all in their SOI [REDACTED] concerning discipline.
- d. ATC(P), when requested to provide a SOI on Discipline, provided ATC(P) SO [REDACTED] dated 31 Jul 18 Discipline, Administrative Action and Remedial Training. It refers to fraternisation and makes no reference to any form of zero tolerance policy. Instead, it states that members of Permanent Staff and trainees failing to adhere to the regulation concerning fraternisation will have disciplinary and/or administrative action initiated against them and will be likely to result in the member of Permanent Staff being removed from post.

**255. Observation 37. Supervisory Care Directives, Standard Operating Instructions and Standing Orders are not providing sufficient guidance on how zero tolerance is to be implemented and enforced (including the mechanisms for such) within the unit.**

**This observation informs Recommendation 5.**

256. Whilst the specific data and statistics will be discussed in Term of Reference 6, the Panel conducted a number of focus groups across the Training Establishments in order to ascertain the lived experience of the zero tolerance policies<sup>176</sup>. What was abundantly clear to the Panel was that all those spoken to within the Training Establishments, both staff and trainees, largely understood the basic tenets of the policies and the reasons behind their implementation. However, the specifics of the policies and what it meant to individual trainees and how it affected them was not always clear. A number expressed concerns that incidents of unacceptable behaviour would not be actioned and many did not always understand the avenues for reporting allegations outside their chain of command – an issue returned to in Term of Reference 3.

257. Disappointingly, in terms of how the policies are briefed to both Permanent Staff and trainees, the Panel found that the original centrally directed education package is still in

<sup>172</sup> DDAFC(H)-Exhibit 60

<sup>173</sup> DDATR(W)-Exhibit Ser Remedial Trg 02

<sup>174</sup> DD2ITB-Exhibit AM07

<sup>175</sup> DDHQATR(P)-Exhibit AM01

<sup>176</sup> SI\_Exhibit 02

use within the Training Establishments. This is not wrong, but nor is it right. This package was designed in short order and to be delivered Defence wide. It was also prepared in advance of the zero tolerance policies coming into force. It is now dated. Furthermore, it does not take account of the very different training audience within the Training Establishments, nor the educational standard of some trainees.

**258. Observation 38. The Zero Tolerance training package is now dated. Furthermore, it does not take account of the very different training audience within the Training Establishments, nor the educational standard of some trainees. When the Zero Tolerance Training package is updated, consideration should be given to simplifying some of the language used to reflect the lowest educational standard (Entry Level 2 English).**

## **Personnel and Training**

259. While it is accepted that a Commander or CO is central to the provision of care and welfare within initial training, a number of key positions must support them in this task. Within Term of Reference 1, the Panel assessed and evaluated pre-employment training and the qualifications required to be an instructor within a training establishment. However, it is essential that all those charged with the delivery of care and welfare understand their responsibilities and have the knowledge and skills to carry out what is required of them. In this section, the Panel will therefore focus on the training of those executing executive responsibility for the provision of care and welfare and also those providing a more direct welfare role.

## **Commanding Officers of Training Establishment Course**

260. The Commanding Officers of Training Establishments (COTE) Course provides up to date Command-level preparation to understand the complexities of the modern initial training environment, including their part in the provision of care and welfare and the challenges specific to commanding a Training Establishment. All commanders of initial training establishments **'AND'** (emphasis as detailed within JSP 822, Volume 4) their nominated deputies or those charged with executing executive responsibility in training units on their behalf, are required to attend the COTE course prior to, or within 3 months of taking up appointment.

261. **Qualification matrix.** As detailed in Term of Reference 1, each of the Training Establishments holds a stand-alone qualification matrix to enable the effective management of staff qualification. None of the unit qualification matrices that were reviewed listed the COTE course or who might hold it.

262. **JPA.** A JPA data cut<sup>177</sup> was taken of all of the COs, and individuals who might have been deemed to have had executive responsibility, or likely to have been a nominated deputy such as the 2IC. What was apparent was that whilst all of the COs have the mandated qualification (bar the CO of ATR(W) who was conducting the course at the time of the data cut), only the OC of Anzio Coy at 2 ITB and the 2IC of 2 ATR(P) have the qualification.

<sup>177</sup> COTE Course Data Cut MISR3003600

**Observation 39. Not all nominated deputies or those charged with executing executive responsibility are completing Commanding Officers' of Training Establishments (COTE) as policy requires.**

**This observation informs Recommendation 3.**

**263. Observation 40. There is no evidence of a mechanism to record and assure that the Commanding Officers' of Training Establishments (COTE) competency has been achieved.**

**This observation informs Recommendation 3.**

**264. Observation 41. Soldier Academy do not have a policy which provides clear and simple direction on who within each Training Establishment requires the Commanding Officers' of Training Establishments (COTE) qualification.**

**This observation informs Recommendation 2.**

### **Welfare Staff**

265. Para 81.047 of AGAI 81 stipulates that COs are responsible for ensuring their welfare office staff are appropriately trained and complete the required employment checks in accordance with AGAI 119: Employment Checks on Personnel in Posts Requiring Disclosure Checks. This should take place ahead of the individual(s) taking up their appointment(s).

266. HQ Army Welfare Service is responsible for the Unit Welfare Officer training course that is mandatory for all UWOs and Unit Welfare staff from the rank of Sergeant. UWOs must attend a five-day residential pre-employment training course (Part 1) followed by a 3-day period of residential continuation/confirmation training after four to six months in post (Part 2). The training is delivered under contract with course loading conducted through HQ Army Welfare Service. The aim of the course is to provide appropriate knowledge, skills, and signposting awareness to enable UWOs to deliver effective first line welfare provision. The course is open to Regular and Army Reserve Welfare Officers, Warrant Officer, SNCOs and equivalent Civil Servants.

267. UWOs are also to attend their Local Authority inter-agency safeguarding children training. To develop specialist skills, Unit Welfare Office staff should attend unit welfare office training, seminars and workshops conducted by Army Welfare Service or Local Authority on issues such as safeguarding children and Domestic Abuse.

268. The qualification is 'lived' for three years after the completion of the Part 2 course. Refresher training (the first three days of Part 1) must be attended by all those continuing in a Unit Welfare Officer role before the three years elapse. Subsequent refresher courses must be attended every three years. If a period greater than three years has elapsed since the completion of Part 2 course both parts of the course are to be re-taken (time between the two parts need not be six months but should not be undertaken back-to-back) to ensure that all involved with welfare provision are suitably trained and informed on the latest policy and processes.

269. In addition to these qualifications, the welfare staff should have the Basic Care of Trainees(CoT) training as detailed in Term of Reference 1 as members of staff within a Training Establishment. In the Panel's opinion, they should also all have Advanced CoT as they all, by the very nature of their roles, have routine contact (and often 1-1 contact) with the trainees however loosely one wishes to define 'routine' contact.

270. **Management of qualifications of Welfare staff.** Para 81.047 of AGAI 81 stipulates that COs are responsible for ensuring their welfare office staff are appropriately trained and complete the required employment checks in accordance with AGAI 119: Employment Checks on Personnel in Posts Requiring Disclosure Checks. This should take place ahead of the individual(s) taking up their appointment(s).

271. **Qualification matrix.** As detailed in Term of Reference 1, each of the Training Establishments holds a stand-alone qualification matrix to enable the effective management of staff qualification. None of the unit qualification matrices that were reviewed listed the welfare staff and/or their qualifications.

272. **JPA.** A JPA data cut<sup>178</sup> was taken of all of the Welfare staff within each of the Training Establishments to confirm what welfare qualifications were held and which of them held a Care of Trainee qualification (either basic or advanced). The results were beyond disappointing. In all but three cases, none of the staff held the CoT qualification on JPA. For those that did, it was only the basic qualification. In respect of AFC(H) none of the welfare staff were qualified and whilst neither the Unit Welfare Warrant Officer nor Well-Being Support Officer had completed the welfare training, the UWO was out of date for his qualification.

273. The Panel has also observed that Subject Matter Experts are employed within welfare departments across the Training Establishments. These are either working as part of the Army Welfare Service or subject to a separate contract of employment, such as the Well Being Support Officer at AFC(H). There is no clarity on what military course qualifications are required in relation to these individuals. This can result in an individual not correctly adhering to Army policy, due to not having received sufficient training in the same.

**274. Observation 42. Not all military and Civil Service Welfare Staff had completed mandatory welfare competencies.**

**This observation informs Recommendation 3.**

**275. Observation 43. There is no evidence of a mechanism to record and assure mandatory competencies for all military, Civil Service, and contractor Welfare staff.**

**This observation informs Recommendation 3.**

**276. Observation 44. There is no clear policy direction on which courses are mandatory for contractors (non-military or non-Civil Service staff) within the welfare departments of the Training Establishments.**

**This observation informs Recommendation 12.**

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<sup>178</sup> SI-Exhibit 1.

## Assurance of Care and Welfare in Initial Training

277. Assurance is a general term for the confidence that can be derived from objective information over the successful conduct of activities, the efficient and effective design and operation of internal control, compliance with internal and external requirements, and the production of insightful and credible information to support decision-making. Put simply, assurance ensures we are doing things correctly and when we are not, it is to highlight that. Assurance provides the chain of command with confidence and confidence diminishes when there are uncertainties around the integrity of information or of underlying processes.

278. Army Assurance is defined as ‘an evaluated opinion on the Army’s governance, risk management, and internal control framework based on evidence gained from review’<sup>179</sup>.

Why is assurance important? It enhances trust in the Army’s ability to operate under delegated authority and to self-regulate, protecting the Army’s freedom to operate. When it comes to the CO of a regiment, the ability to operate under delegated authority and to self-regulate is key – it is at the very heart of mission command. However, the Panel’s findings highlight that in certain areas, particularly when it comes to exercising the duty of care over trainees and the enactment of policy, that trust and empowerment has been somewhat misplaced. The difficulty for the higher headquarters is undoubtedly that the Training Establishments are subjected to very high levels of assurance and audit, all of which have failed to differing degrees to identify the issues exposed by the Panel as part of this Inquiry. In the Panel’s opinion, there is misplaced confidence by the chain of command in relation to the assurance regime. That seemingly unyielding confidence and dogma in the assurance must be challenged and assessed.

279. The term and process audit is often linked to assurance. An audit is a systematic, independent and documented process for obtaining objective evidence and evaluating it to determine the extent to which the audit criteria are fulfilled. The audit provides the evidence to underpin the assurance. If the quality of the evidence or process underpinning the audit is flawed or insufficient, then any subsequent assurance findings will also be flawed.

## Assurance Regime Overview

280. The Defence policy for the governance of assurance is covered in the Defence Operating Model and is aligned to the HM Treasury Orange Book. Defence policy incorporates the Three Lines of Defence assurance model.

281. The Three Lines of Defence assurance model is used by the Army to form the structure for individual assurance frameworks. Army Assurance policy is contained within ACSO [REDACTED], The Army Policy For Assurance, from which ACSO [REDACTED], The Army Policy for Audit and Inspection is derived.

282. JSP 822 Volume 5 provides Defence direction for the Assurance of Training. Within the training system, assurance focusses on the continuous activity of monitoring, evaluating, maintaining, and improving all training and training processes and is provided by a variety of activities including but not limited to audits and inspections. These activities are conducted by stakeholders internal to the training system as well as by

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<sup>179</sup> ACSO [REDACTED]



bodies external to it. The assurance of Defence training is key to ensuring effective, efficient, and safe training is delivered to the right people at the right time to the right standards.

283. Assurance activities provide confidence to all stakeholders that training is effective and meets the Defence requirement; is in accordance with endorsed Defence training policy; is managed with associated risks identified; and meets Defence's Care and Welfare policies and obligations.

284. **1 Line of Defence Assurance (1 LoDA).** These are also called internal audits and is assurance activity conducted as part of quality/performance improvement internal to the organisation. This is in effect assurance carried out by the units themselves – internal management checks. They will form the basis of a unit's self-declaration of compliance/conformity, should inform further assurance work such as 2 LoDA and is a key continuous improvement activity. 1 LoDA must be carried out annually.

285. **2 Line of Defence Assurance (2 LoDA).** This is assurance activity carried out by an organisation external to the unit. Within the Army, there are two elements to this. There is a 2LoDA conducted by the Training Establishments chain of command. In terms of auditing training and welfare, this would primarily be conducted through the G1 Audit process. A training and delivery audit is conducted through a G7 audit. This is conducted against a two-year programme. Then there is a second form of 2LoDA which is independent from the Training Establishments chain of command by CITAT which is conducted against a 4 year programme and is deconflicted against other 2 and 3 LoDA audits.

286. **3 Line of Defence Assurance (3 LoDA).** This is assurance activity conducted by an independent third-party organisation such as Ofsted or the Army Inspectorate and are conducted within their own programme cycles.

287. **Independent Advisory Panel.** These panels are entirely outside of the assurance regime but are often cited as an important source of information and feedback to the Training Establishments which complements the existing assurance framework. Independent Advisory Panels (IAPs) should operate within a Board of Governors concept in the post Dhali-Blake era, acting as a critical friend to drive continuous improvement. It is the provision of an independent, objective perspective sourced from the public, private and charity sectors, unrestrained by concerns of career or rank hierarchy which provides an insight that could otherwise be lost to training delivery and supervisory care regimes. The SOI covering their use, ARITC SOI [REDACTED] states that the role of an IAP is to act as a sounding board and source of advice, challenge, encouragement and support to the Training Establishment chain of command, to act as a source of local feedback and to act as a conduit for external communication for the Training Establishment and promote both the Army and Training Establishment's reputation locally<sup>180</sup>. IAPs provide an annual report.

288. What is important to understand is that whilst each of these LoDA are commonly understood to be layered and mutually supportive, they do not all address the same issues. Indeed, they are distinct in what they look at. So, whilst it might appear that there

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<sup>180</sup> ERJB-Exhibit 4

are multiple levels and layers of assurance, for each issue, which would increase confidence, there is only in effect one level of assurance. If that level or process isn't working correctly then confidence must decrease and the assurance is flawed.

289. Throughout this Inquiry, the Panel has observed and noted practices that they would have expected the assurance regime to have identified. In the Panel's opinion, the assurance regime is currently sub-optimal. The Panel sought to understand the assurance process holistically in order to provide observations and recommendations. The Panel have provided comment, observations and recommendations above in relation to unit practices. It was ever unlikely that 1 LDoA would have highlighted these issues, as these checks are internal and lack independence.

290. 2 LDoA routinely assess the implementation and effectiveness of policies within the Training Establishments. Coupled with external 3<sup>rd</sup> party Ofsted inspections, these assessments are supposed to spread good practice and identify potential improvements to policies and to their implementation. Accordingly, the Panel concentrated their holistic review on the efficacy of 2 LDoA.

## 2 Line of Defence Activity

291. **G1 Audit (G1A)**<sup>181</sup>. The two main Army policies that govern the G1A process are ACSO [REDACTED] (audit and inspection specific) and ACSO [REDACTED] (G1A Specific). ACSO [REDACTED] provides the overall direction on how G1As are to be conducted and is usually published in June directing the process for the following year. The G1A Question Set is then finalised in November and published on ARMS for the following year. There are currently 27 SPS Auditing Teams across the 4 (2\*) Divisions – (1(UK) Div, 3(UK) Div, Regional Comd and Fd Army Tps), who are responsible for conducting the G1As. 317 G1As were conducted in 2023. There are two levels of G1As – Full and Light. This intensity is decided and confirmed between the Unit and the 1\* CoC Formation it belongs to. A Full G1A takes place over two days and covers all the questions on the G1A Question Set. A Light G1A takes place over one day and covers all the legislative and critical policy questions. The intensity is usually considered taking into account the Comd's Risk appetite, the Formation Forecast of Events, the past G1A results or any changes to the Formation CoC. There are no specific SOIs for the conduct of the Audit – the Formation and Auditing Team discuss and agree on a programme for the G1A. On completion of the G1 Audits, the Auditing team submits the results of their findings (against the Question Set) on ARMS. These reports are then sent to the Units and their 1\* CoC. G1As for each unit (that needs an audit) are completed annually between January and December.

292. A G1 Audit Team usually comprised of an OF3 (Staff Officer Grade 2 (SO2) SPS), OR9 (Visiting Warrant Officer (VWO) Class 1), OR8 (VWO2) and in exceptional cases, another OR8 (VWO2 Reserves). All personnel in the team must attend the SO2 SPS/VWOs Course and the Skills Evaluation Course conducted by Defence Academy. The SO2 SPS also must complete the Lead Auditors course conducted by Regional Comd.

293. When the Panel reviewed the G1 Audit reports<sup>182</sup> in respect of each of the Training Establishments between 2021-2023 one thing is very quickly apparent: the quality and

<sup>181</sup> This is the audit of personnel policy and practice conducted at unit level.

<sup>182</sup> DDASCO-Exhibit 1.1 - DDASCO-Exhibit 6.3

quantity of the information in the reports was poor. Often in response to questions, the answers were left blank or replied with 'no comment'. The G1A assessments are conducted as per the question set. However, the auditors are not subject matter experts, nor are they required to be according to policy. However, this means that the auditors are not able to make any assessment on any technical understanding or activity or level of practice when making the assessments. Furthermore, the limitation the auditors have is that they have to stick to the questions provided to them. They are not able to go beyond the questions set by the policy makers. In the Panel's opinion, the auditors are hamstrung to only be able to make an assessment that is paper deep and assess compliance on the face of it rather than a true assessment on the practice in place. For example, as was seen above in relation to the VRM and other welfare issues, the G1 Auditors only have limited knowledge of the PAPMIS and Welfare Systems with no formal Welfare training thus are unable to assess whether the process is working.

**294. Observation 45. Those conducting G1 Audits are not subject matter experts in all the areas that they are auditing such as Vulnerability Risk Management.**

**This observation informs Recommendation 13.**

295. Furthermore, in the Panel's opinion, there are questions over the management and follow-up after a G1 Audit. In cases of non-compliance or non-conformance (when this is actually identified), this is recorded on ARMS by the auditing team on completion of the audit. These non-conformance / non-compliance points are then reflected in the G1A Report which is submitted both to the Formation CO and the Formation 1\* HQ. An Action Plan is then drafted by the unit and submitted to the SPS Branch (Auditors) and the 1\* HQ on how the issues are going to be rectified/improved. Follow up Liaison Visits can (upon request from the unit) / will (for severe non-compliance / non-conformance cases) then be arranged with the unit to assess whether the issue(s) has/have been acted upon and whether they have been corrected.

296. It would appear that the only record of non-compliance/conformance on a particular issue over a number of G1 Audits is that the first question on G1As is – has the issues from the previous year been rectified? If the same issues persist, this is addressed to both the CO and the 1\* Formation. However, it is not clear what action is taken. There is no centralised management system that tracks non-conformance/compliance.

**297. Observation 46. There is no centralised management system that tracks non-conformance/compliance with G1 Audits.**

**This observation informs Recommendation 13.**

298. It is noted that there are not any formalised reporting ramifications, such as the mandatory reporting objective concerning diversity and inclusion, for a CO or anyone in command for failing to make improvements or work towards continual improvement. If a CO, or anyone in command, was being graded and placed within an Order of Merit according to their ability to do the basics well, it is expected that different behaviours would be seen as there would be a genuine focus by the Chain of Command on striving to make improvements or work towards continual improvement.

**Observation 47. There are no mandatory reporting objectives for doing the basics well; unlike the mandatory diversity and inclusion objective.**

**This observation informs Recommendation 3.**

299. **CITAT.** CITAT is a small team with a vast portfolio of organisations that it is required to audit, advise and assist. CITAT provides an additional ‘independent’ layer of 2 LoDA and focusses primarily on compliance and conformity with the requirements as directed in JSP 822 but does encompass other Defence, Army and governing body direction as is relevant. By any standards, this is a significant undertaking. The CITAT do highlight some of the issues. However, Training Establishments are only assured against a 4 year programme. No other assurance regime adequately covers or assesses the requirements as directed in JSP 822. This can mean that bad practices or mistakes can go unhighlighted for 4 years. The team conduct an audit, on average over a 5-day period. Again, there is a question of how much depth can this team go into given their vast portfolio of requirements and limited time. It is unsurprising that many issues have gone unidentified.

**300. Observation 48. Combined Individual Training Assurance Team (CITAT) have limited resource and only assure against a 4-year programme.**

**This observation informs recommendation 13.**

301. Furthermore, when issues and risks are identified by CITAT, these are held at the very lowest level, that of the unit. In the Panel’s opinion, given the sensitivity of the training environment, the risk should be held higher. When a risk is identified the unit place it on the Quality Improvement Action Plan (QIAP): it is a risk about an issue, not an improvement. There is no centralised platform for the sharing of risks and issues. There is no centralised platform for the holding to account of the chain of command by the chain of command in relation to rectifying these issues or managing these risks. This is true both within Field Army and Home Command – CITAT has a remit over units within both organisations. A simple example identified above, the 2022 CITAT report in to ATC(P) identified that the supervisory care directive does not reference the prohibition against under 18s conducting armed guard duties. The 2023 supervisory care directive has not rectified this issue.

**302. Observation 49. There is no centralised platform for the sharing of risks and issues identified by CITAT.**

**This observation informs Recommendation 13.**

303. **Independent Advisory Panels (IAPs).** Each training establishment is mandated to have an IAP<sup>183</sup>. They were intended to operate within “a Board of Governors concept in the post DHALI era”; acting as a critical friend to drive Continuous Improvement”<sup>184</sup>. Although not technically part of the assurance regime, the Panel nevertheless conducted a review of the efficacy of the IAPs. The Panel reviewed each of the IPA reports over the requisite period<sup>185</sup>. It is clear from those reports and the interaction between the IAPs and the local chain of commands, that the individuals who make up the IAPs are skilled, experienced and care deeply for the work they do and the establishment they work alongside. This cannot be questioned and is applaudable. However, the doctrinal role of

<sup>183</sup> ERJB-Exhibit 4

<sup>184</sup> ERJB-Exhibit 4

<sup>185</sup> DDAFC(H)-Exhibit Ser 25.1.1, DDAFC(H)-Exhibit Ser 25.1.2, DDSpBn-Enclosure QIAP 1, DDSpBn-Enclosure QIAP 2, DDSpBn-Enclosure QIAP 3, DDITC-Enclosure QIAP 1, DDATR(W)-Exhibit Ser 25.1

the IAP is problematic. Reading the reports, it is difficult to say that the panels are truly critical. Those issues that they raise undoubtedly make a difference to the lived experience, discussing accommodation or food as an example, but they are not truly critical. They do not raise issues of real tangible importance, such as those exposed within a climate assessment nor by the focus groups conducted by the Service Inquiry panel. But how can they be truly critical when one of their purposes is to try and promote both the Army and Training Establishment's reputation. In the Panel's opinion, this requirement means that the IAP can never be truly critical of the Training Establishment. Furthermore, IAPs are supposed to have terms of reference in place. This is not always the case, such as within ATC(P) which was highlighted by the CITAT report of 2022<sup>186</sup>.

304. **Command culture concerning assurance.** The Panel have found that the Chain of Command place too much reliance on the assurance regime and that the basics are not being done well. When highlighted, the Panel have repeatedly been rebuffed with comments concerning the efficacy of the assurance regime and that this would have been highlighted were it truly an issue. This is unsurprising as both internal and external assurance regimes have failed in many instances to identify the issues which would usually rightly (but in this case wrongly) lead the chain of command to believe that everything is fine and risk is being suitably managed. Whilst paperwork and policies are being loosely assured, the practices, procedures and detail are not – a gulf is clearly emerging. Going forward, the chain of command should be more curious.

305. **Observation 50. The Army 2 Line of Defence Assurance regime is not providing adequate assurance of the Training Establishments. The Panel has found a plethora of issues that should have been identified by the Army 2 Line of Defence Assurance regime and subsequently rectified.**

**This observation informs Recommendation 13.**

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<sup>186</sup> ERJB-Exhibit 13

**TOR 3: Establish how Army Values and Standards, particularly Social Misconduct policy, are inculcated into Junior Soldiers/Trainees, particularly those under 18. This should cover Individual Training Requirements, Equality Diversity and Inclusion training, and any other relevant education, for example consent and treating others with respect. The SI Panel should examine how Values and Standards are enforced and provide comment on what specific training is delivered (and at what stage). If considered relevant, any differences between the training received by Junior Soldiers/Trainees and that received by the PS should be highlighted.**

## Overview

306. Service in the British Army involves a mutual contract of self-sacrifice and fair treatment which is summarised in the Armed Forces Covenant<sup>187</sup>:

“The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. [...] In return, [...] [t]hey deserve our respect and support, and fair treatment.”

307. The British Army’s Values and Standards are central to this mutual contract. The values describe the character and spirit required of our people, whilst the standards define our actions and behaviours. These non-discretionary principles define the behaviours expected of all members of the British Army, whatever the circumstances. The values and standards set us apart from other occupations. The Army holds its people to these higher standards because they are essential to building the mutual trust that allows teams to thrive.

308. Here we will look at how we educate and train our people to understand and consistently enact these values and standards. There are two elements to this. Firstly, there is the inculcation and how individuals are taught those Values and Standards. Secondly, once understood, how are they enforced to ensure we retain and uphold those Values and Standards. This Term of Reference will deal with both these elements sequentially.

## Values and Standards

309. The values and standards of the British Army state that the British Army’s values are the moral principles which define who British soldiers are and what the British Army stands for as an organisation. Standards are the authoritative benchmarks against which we judge our conduct. “Our purpose is clear: we protect the UK, fight the UK’s enemies, prevent conflict and deal with disaster. This is underpinned by unlimited liability and exemplary values and standards”.<sup>188</sup> Every individual has a value set but these values and standards form the basis upon which members of the British Army commit themselves unreservedly to the protection of the Nation. Our values and standards set us apart from other occupations and, often, from our enemies. Whilst they have been refined

<sup>187</sup> Armed Forces Covenant

<sup>188</sup> Although relating to the Army Act 1955 and not the current Act the introduction remains clear and pertinent.

over time, they remain constant, non-discretionary principles that define the behaviours expected of all members of the British Army, whatever the circumstances.

310. The Values are: Courage; Discipline; Respect for Others; Integrity; Loyalty; and Selfless Commitment. The Standards are: Lawful; Acceptable Behaviour; and Professional.<sup>189</sup> The Values and Standards of the Army are established, upheld and sustained by an amalgam of leadership by example, education, training and regulation.

### **Unacceptable Behaviours**

311. For the Army, the term ‘unacceptable behaviours’ cover a spectrum of conduct from the unlawful to that which is inconsistent with the Army’s core values. It includes all sexual and violent offences, as well as bullying, harassment, discrimination (BHD).

312. Social Misconduct. Social misconduct is defined in policy<sup>190</sup> and is the term that collectively describes the social behaviours that undermine team cohesion, trust, and loyalty between commanders and those they command. Due to the British Army’s overriding operational imperative, the social behaviours required are more demanding than those required of society at large. Examples of social misconduct would include unwelcome sexual attention, misuse of rank and taking advantage of subordinates. Allegations of social misconduct will be dealt with under the Army’s Administrative Action process.

313. It should be noted that unacceptable sexual behaviours will not be discussed as part of this Term of Reference as the Panel addressed this as part of Term of Reference 2. Further, bullying, harassment and discrimination is the subject of Term of Reference 4 and will therefore be addressed under that term.

### **Inculcation**

#### **Individual Training Requirements**

314. As stated in ACSO [REDACTED] Individual Training Requirements para 1: “The Individual Training Requirement (ITR) maintains the minimum standard of individual military knowledge, skills, experience, and behaviours (KSEB) required of a competent soldier. These individual military KSEB, first taught during Basic Training, form the foundation upon which collective and pre-deployment training is built. Completing the ITRs is fundamental to maintaining a consistent level of preparedness across the Army, supporting the generation of Force Elements at Readiness”.

315. The ACSO goes on to explain that the standards articulated in the ITR are drawn from the Role Performance Statement for the generic soldier as their starting point. These standards are first attained during basic training and are reinforced and maintained through delivery of ITRs once personnel reach the Field Force. Since their introduction in April 2022, all trained Army personnel, including all Permanent Staff at Training Establishments, are required to complete Individual Training Requirements annually.<sup>191192</sup>

<sup>189</sup> Values and Standards of the British Army AC 64649

<sup>190</sup> AGAI Vol 2 Ch 67 Administrative Action, Part 1, Annex B

<sup>191</sup> ACSO [REDACTED] (Jul 23) refers.

<sup>192</sup> Replacing MATTs, Basic Close Combat Skills, and the Soldier First Syllabus packages.

The ITR comprises three parts: core health and fitness, core education and core combat skills; each containing several modules.

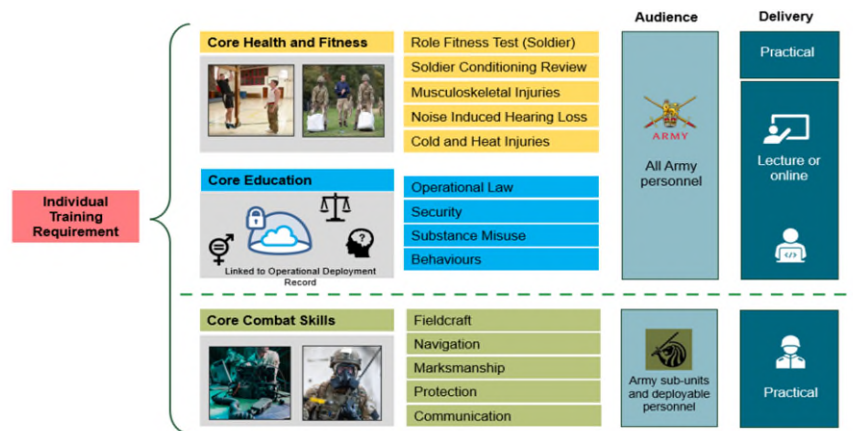


Figure 3.1 Individual Training Requirements

316. Of relevance to this Inquiry and this Term of Reference is the core education part which comprises operational law, security, substance misuse and behaviours. All four subjects can be delivered by lecture or via an online learning package hosted on the Defence Learning Environment.

317. Whilst all Permanent Staff as competent soldiers conduct ITRs, ITRs are not conducted in Basic Training by the trainees due to the content being taught for the first time in this training environment and is taught to standard delivered within the ITRs or higher<sup>193</sup>. This makes sense as given the acknowledged difference between the society from which we are drawn and ourselves, we need to teach our new joiners about our standards before we enforce them.

### The Common Military Syllabus (Future Soldier)

318. As part of the Integrated Review in March 2021, the British Army outlined a plan for its most radical transformation in 20 years, called Future Soldier. The Common Military Syllabus (Future Soldier) (CMS (FS)) is the basic training for all soldiers that has been designed to assist the British Army in implementing Future Soldier. As the term implies, the same syllabus is delivered to trainees regardless of capbadge, age or where their training takes place, including at AFC(Harrogate). The course aims to build character, mental and physical resilience, basic military skills as well as instilling the Army's core values and standards<sup>194</sup>.

319. The CMS is owned, designed and assured by the G7 branch within Soldier Academy<sup>195</sup>. Recent structural changes in the Soldier Academy HQ have enabled Training Delivery Authority (TDA) functionality to be incorporated into the HQ. HQ ARITC Trg Ops are also involved in aspects of the management of the CMS, having held the Training Delivery Authority until the advent of the Soldier Academy. The Training

<sup>193</sup> WSCW-Enclosure CW1

<sup>194</sup> WSWM-Exhibit WM1

<sup>195</sup> DDSIdrAc-Exhibit JH 2.1



Requirements Authority – what we need the soldier to be able to do in terms of being a basically trained soldier – is managed by the Professional Development Branch under D Pers. The Training Establishments then enact the training as the Training Provider.

320. The CMS (FS) is broken down into 33 tasks, as articulated within the Role Performance Statement, which trainees must achieve to continue to initial trade training<sup>196</sup>. It is the minimum standard of individual military KSEB required of a competent soldier. These individual military KSEB, first taught during Basic Training, form the foundation upon which collective and pre-deployment training is subsequently built.<sup>197</sup>

## Overview of Relevant Lessons

321. Task 1.1 on the Role Performance Statement covers Discipline. Trainees receive several lessons including 'Apply the values of the British Army', 'Apply the standards of the British Army', 'Apply Diversity and Inclusion policy of the British Army', and 'Uphold Military Ethos and contribute to the Army Organisational Culture Framework (AOCF)'. They also cover compliance with Military Law and the Service Justice System, recognising the effects a breach of criminal law can have on a military career, recognising key elements of the service justice system, recognising minor and major administrative action processes, awareness of behaviours regarding sexual consent and indecent imagery, challenging unacceptable behaviours using the active bystander approach, applying procedure for conflict management and grievances and acting within criminal, service and civil law<sup>198</sup>.

322. Lessons covering these topics take various forms including centralised briefings, instructor lead sessions and online training. To ensure that trainees know what is expected of them, most of these lessons now take place in the first three weeks of training in the new CMS (FS)<sup>199</sup>.

## Panel Observations of the CMS (FS)

323. After conducting introductory visits to all Sldr Ac Regular Basic Training Establishments and spending three days with 1ATR watching trainees undertaking the new CMS (FS), an overall observation was that the new trainees were treated with great care and empathy from the training staff. The CMS (FS) course is relatively novel. It is noted that the syllabus schedules lessons on Values and Standards into the first few weeks. This raises questions as to whether there would be memory fade by the end of the course and therefore a need for refresher training before departure to Phase 2.

**324. Observation 51. As the CMS (FS) is relatively novel, it should be allowed to embed before assessing the impact of the course and efficacy in the inculcation of Values and Standards.**

## Values and Standards Training

<sup>196</sup> DDSldrAc-Exhibit JH Ser 2.2

<sup>197</sup> WSCW-Enclosure CW1.

<sup>198</sup> DDSldrAc-Exhibit JH Ser 2.2

<sup>199</sup> DDSldrAc-Exhibit JH Ser 2.2

325. The key objective of Basic Training Values and Standards training<sup>200</sup>, is that the trainees can demonstrate appropriate behaviours by applying the values and standards expected of personnel within the British Army.

326. The training starts with an overview of what the Values and Standards are and how they should be used to demonstrate the appropriate behaviours expected of a British soldier. Particular themes emphasised as part of the training include the understanding of the historical foundations of the British Army ethos, the agreement between military and civil society in the military covenant (and the reputation risk to the Army of Values and Standards fails) and an introduction to and explanation of the Service test (particularly important when it comes to how those values and standards are subsequently enforced).

327. Trainees are then encouraged to identify where and when the values and standards have been observed both good and bad. Training Teams encourage discussion on why a certain value has been demonstrated or why not and how this might be improved. It is a large part of embedding culture and behaviours into the trainees for through life development into the Field Army. Training Teams have the option to deliver this training in person or via computer-based interactive learning on the DLE.

**328. Observation 52. Although this lesson can be delivered through DLE, in the Panel's opinion, it should always be instructor led as this enables a far more engaged and interactive approach to the lesson. This enables a better explanation of what the Army expects with respect to each Value, both in barracks and on operations and the examination of scenarios which will foster the development of each Value in barracks and on operations.**

### **Active Bystander**

329. The Wigston Review made a recommendation that training was developed by Defence in relation to being an active bystander. This is because it was believed that bystander education equips people with the knowledge, skills and confidence to intervene; to challenge inappropriate behaviour; to call it out; and to report it. Accordingly, a DLE package was developed. It is mandatory for Civil Service personnel and is an option for Army personnel as part of a range of training options within Individual Training Requirement Behaviours Part 2. It is not mandatory for trainees within the Training Establishments, nor taught as part of the CMS<sup>201</sup>.

330. The Panel observed as part of their data collection and analysis for Term of Reference 6 that more bystanders are reporting unacceptable behaviours than would have been expected<sup>202</sup>. As active bystander training is not part of either CMS (FS) nor are trainees required to conduct the Individual Training Requirement, it may be beneficial to include active bystander training at an earlier stage of a soldier's career.

**331. Observation 53. Active Bystander training is not taught as part of the CMS (FS).**

**This observation informs Recommendation 7.**

<sup>200</sup> DDSIdrAc-Exhibit JH Ser 5.1 and 5.2

<sup>201</sup> WSRT-Enclosure RT3

<sup>202</sup> WSPD-Exhibit PD1

## Equality, Diversity and Inclusion Training

332. At Defence level, JSP 763 The MOD Behaviours and Informal Complaint Resolution Policy and JSP 831 Redress of Individual Grievances: Service Complaints, are key in the tackling of unacceptable behaviours. The Army's overarching Diversity and Inclusion policy is AGAI 75 – Inclusive Behaviours. All Army service personnel are mandated to conduct Individual Training Requirement Behaviours Part 1 and Part 2 annually. This of course would not be relevant to the trainees at the Training Establishments who do not conduct Individual Training Requirements<sup>203</sup>. Initial Diversity and Inclusion Training is still mandated at the Training Establishments as part of Phase 1 training due to AGAI 75<sup>204</sup>.

333. This training is in the form of a policy brief and accompanying discussion, with training objectives that deal with the application of the Diversity & Inclusion policy of the British Army. There is also an outline of the Army's expectations on the attitude of all Army personnel towards Diversity & Inclusion. Furthermore, there is a discussion of collective responsibility for addressing inappropriate behaviour and attitudes with respect to equality and diversity. What is key is that this, like all other aspects of training concerning Values and Standards and unacceptable behaviours, is through Army-life training not only by virtue of ITRs, but also as interventions on all career courses.

## Sexual Consent and Indecent Image Training

334. As part of the CMS (FS), Consent training is delivered by the RMP in order that individuals are aware of their own behaviour with regards to sexual consent and indecent imagery. As part of this training, trainees examine what constitutes a sexual offence and learn to identify situations to be wary of. They analyse how Service personnel can fall foul of the law with relation to the use of electronic media and the possession/distribution of certain digital media and have it explained to them what can be classified as indecent imagery. In the Panel's opinion, this is a well-thought through and engaging brief. Despite its scripted nature, it was useful and interactive.

335. As part of the consent training trainees are informed of whom they may call in the event of an incident. The Army has provided legal assurances that trainees will be informed of their right to call the civilian police with complaints of criminal misconduct and are to be given specific training that they could call civilian emergency services to report crimes. The contact number for the civilian emergency services is not currently one of the points of contact details provided.

**336. Observation 54. Consent training, dealing with consent in sexual relations, does not provide the contact number of civilian police in the event an individual wishes to call the civilian police with a complaint of criminal misconduct.**

**This observation informs Recommendation 8.**

## Respect for Others Training

337. Until the contract expired in December 22, Respect for Others Training was delivered to units by an external provider. The common premise is the use of actors to

<sup>203</sup> WSCW-Enclosure CW1

<sup>204</sup> DDSIdrAc-Exhibit JH Ser 15.1

play a workplace vignette that raises questions about aspects of behaviour that include Bullying, Harassment and Discrimination, but also lower-level exclusion and disrespect. Once the 'scene' has been played, a facilitator leads discussion with the audience, including use of voting to consider responses. The actors remain in character to answer questions and deliver reflection / monologues. It is highly interactive.

338. The general feedback for the package was very positive, and the Panel understands that regular enquiries are still received from units wishing to host training. Where there was criticism, it was that over the life of the five year contract some of the audience may have seen the same package more than once, which means it can lose its impact.

339. However, in the Panel's opinion, dedicated experiential training dealing with values and standards is deemed highly useful as a meant to inculcate values and standards.

**Observation 55. Experiential Diversity and Inclusion training is not part of the CMS (FS).**

**This observation informs recommendation 7.**

**Right to Call Civilian Emergency Services Training**

340. The Army has made repeated legal assurances<sup>205</sup>, including to Emma Norton of the Centre for Military Justice, that trainees will be informed of their right to report complaints of criminal misconduct to the Civilian Police. Moreover, this information will be provided in two ways. First, that trainees would be given specific training that they could call civilian emergency services to report crimes. Second, that they would be provided with a welfare card that included the civilian emergency services number.<sup>206</sup> In none of the training serials that the Panel attended was the right to call the civilian police explained. The Panel has found no evidence that welfare cards containing the civilian emergency services number are issued to trainees in the event that a recruit wishes to make a complaint of criminal misconduct.

**341. Observation 56. Despite repeated legal assurances to the contrary, in none of the training serials that the Panel attended was the right to call the civilian police explained.**

**This observation informs Recommendation 7.**

**342. Observation 57. Despite repeated legal assurances to the contrary, the Panel found no evidence that welfare cards containing the civilian emergency services number are issued to trainees in the event that a recruit wishes to make a complaint of criminal misconduct.**

**This observation informs Recommendation 7.**

**Enforcement**

343. The Army's Values and Standards are regulated and enforced by the Army's discipline system. The Army's doctrine of discipline is founded in its doctrine of command

<sup>205</sup> At the 2018 inquest into the death of [REDACTED] and in the matter of LoR – R (Lewis) v MoD

<sup>206</sup> These obligations are separate and additional to the direction provided in 2020DIN [REDACTED]

which places the responsibility for maintaining discipline on commanders. In order to fulfil their disciplinary responsibilities, commanders are granted appropriate authority.

344. Commanders in the Army are also granted statutory powers under Service law, that is the Armed Forces Act 2006 (AFA 06), in order to support their disciplinary role. JSP 830, The Manual of Service Law clearly sets out the reasons for this:

“The object of military law is twofold. First, it is to provide for the maintenance of good order and discipline among members of the Army and in certain circumstances among others who live or work in a military environment. This it does by supplementing the ordinary criminal law of England and the ordinary judicial system with a special code of discipline and a special system for enforcing it. Such special provision is necessary in order to maintain, in time of peace as well as war, and overseas as well as at home, the operational efficiency of an armed force. It is for this reason that acts or omissions which in civil life may amount to no more than breaches of contract (like failing to attend work) or, indeed, mere incivility (like being offensive to a superior) become in the context of army life punishable offences. The second object of military law is to regulate certain aspects of Army administration, mainly in those fields which affect individual rights. Thus, there is provision relating to enlistment and discharge, terms of Service, forfeitures of and deductions from pay, and billeting. Often in practice, however, the term "military law" is used with regard to its disciplinary provisions rather than its administrative ones.”

345. The Army's Values and Standards are maintained through both of the two components of the Army's discipline system, the Service Justice System and administrative action.

346. **Service Justice System (SJS) action.** Disciplinary action, under the SJS is action taken (to uphold good order and military discipline) by commanders using their statutory powers. It encompasses Service custody, Summary Hearing (SH), Court Martial (CM) and appeal. The statutory SJS process is in JSP 830 and involves investigation; charge; trial; conviction and sentence; review; and appeal. Sentences range from admonition and restriction of privileges to, in the most serious cases, imprisonment. The Armed Forces Act 2006 makes any offence under civil law of England and Wales an offence under Service law. Disciplinary action is a distinct and formal process, which is officially recorded and may result in Service personnel receiving criminal records and prison sentences.

347. **Administrative Action.** Administrative Action is action taken to safeguard or restore the Operational Effectiveness and efficiency of the Army by commanders using their command authority. The effect of particular conduct and performance that may damage Operational Effectiveness is assessed by applying the Service test. Evidence of a failure to comply with the Army's values and standards will always be considered when deciding whether or not the Service test has been breached. Through the process of the administrative report, sanctions may be applied to restore current Operational Effectiveness and safeguard it in the future. The administrative process involves investigation; reporting; determination; sanction and review. It is entirely separate from

the Service Justice System. Administrative Action may result in a range of outcomes from a censure (no disc entry) to, in the most serious cases, termination of Service. It is taken in accordance with the procedures set out in AGAI 67. It should be noted that AGAI 62 does not replace Service policy but it gives further guidance on the Army context of discipline issues.

348. **Remedial Measures.** As detailed at length in Term of Reference 2, trainees can additionally be subject to remedial training, including verbal rebuke and minor sanctions. When a shortcoming is identified, necessary measures are taken to help and encourage the recruit to improve their performance. The management of these measures is known as Remedial Training and it is governed by JSP Vol 2 Defence Individual Training which provides a standardised framework to manage, deliver and record measures of Remedial Training. Further detail on how these measures can be, and are, utilised to enforce the Values and Standards of the Army is found in Term of Reference 2.

### Enforcement at Training Establishments

349. It is acknowledged that as new joiners to the Army, it would be unconscionable to discipline trainees within the Training Establishments for not upholding Values and Standards before having taught them what those standards are. Accordingly, whilst there are the measures outlined above as to how to enforce our standards, the approach in which this is done is more nuanced than it would be within the Field Force.

350. Both ARITC and Sldr Ac SOIs on discipline (SOI [REDACTED] and [REDACTED] respectively) deal with recruit discipline and provide an overarching policy for recruit discipline in order to ensure that the foundations of the highest levels of Values and Standards are instilled in all trainees. These policies make it clear that trainees must have been taught the relevant discipline lessons before anything more than a verbal rebuke can be used. In exceptional circumstances Administrative Action can be used from attestation but can only be done so in consultation with Sldr Ac. It makes it clear that collective punishments are prohibited and that all remedial measures and Minor Administrative Action must be recorded correctly and must be fair and proportionate. It is clear that when it comes to a failure to uphold Values and Standards, administrative action or remedial measures are likely to be the most appropriate method of enforcement. Furthermore, it is apparent that there is an escalation process within the discipline process for trainees.

Escalation	Purpose
Training Interventions	Training Interventions are to ensure that the Recruit achieves the required standard whilst in training. These can be combined with Administrative Action, or in isolation. If failings are persistent, use AGAI 67, Pt 2, Minor Administrative Action. Training Interventions are to deal with poor standards as and when they occur.
Minor Administrative Action	AGAI 67 Part 2: Used to deal with more serious, persistent failures of standards through Minor Administrative Action.
Major Administrative Action	Major Administrative action can be taken for more serious breaches of the service test. See Para 7 to SOI [REDACTED]

Figure 3.2 Recruit Discipline Process

351. The way Minor Administrative Action is applied at the Training Establishments is dependent upon where in the training cycle the recruit is.



Phase	Foundation	Transformation	Warrior
SE CMS 18	Week 1- 4	Week 5 - 8	Week 9 -12
SE CMS 21	Week 1- 4	Week 5 - 9	Week 10 -14
JE Long	Term 1	Term 2	Term 3
JE Short	Weeks 1- 6	Weeks 7 - 13	Weeks 14 - 21
Reserves	CMS (R) 18/21		
	Training Interventions and MAA*		
	2 x Training Interventions for same failing per week = Show Parade		
Report Back / Muster Parade (Show Parade)	Max 1 per failing: Show to Sect Comd at PI Office at any time.	Max 3 per failing: Show to Coy Duty NCO outside Accn at 2000hrs	Max 5 per failing: Show to Piquet Offr on Parade Square at 2100hrs
Extra Tasks / duties	Not applicable to Recruits		
	2 x Show Parade for same failing per week = Work Parade in free time at weekend		
Extra Work (Work Parades) *	Max 1 per failing: Max 2hrs per work parade	Max 2 per failing: Max 2hrs per work parade.	Max 3 per failing: Max 2hrs per work parade.
Withdrawal of Privileges	Coy HQ to authorise ONLY		
Formal Interview (Warnings)	Warnings escalated from Sect Comd (2 weeks review max) – PI Comd (2-4 weeks review max) – Coy Comd (as long as required) for each aspect of failure. Record on AGAI 67, Pt 2, Annex D: Formal Interview. Must be time and conditions based (Improvement shown) to be removed from warning. Rcts on warnings must be raised at Regimental RRB.		

Figure 3.3 Application of Minor Administrative Action to trainees

352. The articulation of this policy differs within the Training Establishments and, as with many observations made by the Panel within Term of Reference 2, could benefit from a standardisation of local policy across the Training Establishments.

**353. Observation 58. Soldier Academy do not standardise the recruit discipline process within the Training Establishments.**

**This observation informs recommendation 6.**

354. Although subject to military law from day one, it takes time for trainees to accept and understand this. In the Panel's opinion the fact that military discipline is therefore applied on a sliding scale, taking into account the level of knowledge/skill and experience as well as the offence, is both sensible and appropriate. In general, the approach that in weeks 1-7 remedial measures should take primacy and for those who do not respond, consideration to utilising minor Administrative Action is given is appropriate. Thereafter, the general approach is that from weeks 7-26 a recruit can be dealt with using the most appropriate action.

**TOR 4: Examine the Chain of Command's (within Training Establishments) knowledge and training relating to bullying, harassment and discrimination policy and how this is enacted. The SI Panel should examine how the Chain of Command deals with allegations relating to bullying, harassment and discrimination within their specific establishment.**

## Overview

355. Bullying, harassment and discrimination has been an issue that the Army has been trying to tackle for some time. It is particularly relevant at Training Establishments where the power differential between the trainers and those being trained is so acute. Previous reviews and inquiries have provided recommendations to ensure that everyone is aware of the steps that they can take.

356. The Blake Review investigated bullying and harassment in detail. One of its recommendations was,

"A single booklet should be issued to, and signed for by, trainers and trainees when introduced in the induction course. The contents of such a booklet should seek to explain concisely:

(i) what is meant by bullying and harassment;

(ii) examples of the type of conduct that is considered inappropriate or unacceptable;"<sup>207</sup>

357. Death at RMAS 2019 Service Inquiry recommended,

"ARITC are to provide instruction to all military and civilian instructors and trainees to inform them of signs or concerns of abuse or Discrimination, Bullying and Harassment, and that it is their duty to report it through the chain of command immediately, or to the military / civilian police where appropriate."<sup>208</sup>

## Bullying, Harassment and Discrimination

358. **Bullying.** The Advisory, Conciliation, and Arbitration Service (ACAS) guidance describes bullying as unwanted behaviour from a person or a group that makes someone feel uncomfortable, including feeling frightened (intimidated) or less respected (degraded) or upset (humiliated). Bullying may take many forms (e.g. obvious or subtle; a 'one-off' or sustained behaviour) and the perception of bullying can differ from person to person. Bullying can have a very serious impact on an individual. In some circumstances the bullying conduct can also amount to a criminal or Service offence. For example, if force is used in an initiation ceremony and this causes harm, this may amount to battery. Where the bullying behaviour amounts to conduct that can also be construed as harassment, then the person who is being bullied may be able to make a complaint (of harassment) to an employment tribunal.

359. **Harassment.** Harassment is defined in the Equality Act 2010 as unwanted conduct related to a relevant protected characteristic that has the purpose or effect of violating

<sup>207</sup> Blake Review Recommendation 13

<sup>208</sup> Death at RMAS 2019 Service Inquiry Recommendation 34



someone's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Sexual harassment is a specific type of harassment. Sexual harassment occurs when a person employed by MOD is subjected to unwanted conduct of a sexual nature and that conduct has the purpose or effect of violating their dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

360. **Discrimination.** Generally speaking, unlawful direct discrimination occurs where someone is treated less favourably than another person because of a protected characteristic. Often it will be an individual themselves who possesses the protected characteristic in question but direct discrimination can occur when someone is treated less favourably because someone associated with them (for example a relative) possesses the protected characteristic. It may also occur if someone is treated less favourably because of a mistaken belief that they have that characteristic, e.g. a belief someone has a particular sexual orientation. Indirect discrimination may occur when there is a policy or rule in place that appears to operate neutrally but the rule or policy causes particular disadvantage to a group of people who share a protected characteristic. Discriminatory treatment (as well as other unacceptable behaviours) does not have to occur at work. It may occur away from the workplace and outside usual hours, for example in a work-organised sporting event, in Service accommodation or in the Mess.

## Enacted

361. Defence has a comprehensive bullying, harassment, and discrimination policy designed to foster an inclusive and respectful environment that allows everyone to thrive. It clearly articulates the behaviours expected, establishes clear procedures for reporting incidents and encourages individuals to come forward without fear of reprisal.<sup>209</sup> The Army actively promotes awareness and education to prevent bullying, harassment, and discrimination. Support mechanisms including confidential reporting channels and welfare resources are available for those affected.

362. There are plethora of Defence and Army policies that apply in this area. The principal policies are:

- JSP 763: The MOD Behaviours and Informal Complaints Resolution Policy
- JSP 831: Redress of Individual Grievances: Service Complaints
- AGAI 67 Annex K – how shortcomings are addressed.

363. From a practical perspective, it is found that whilst policy is generally considered to be good, there is limited coherence of the plethora of policies, at multiple levels, which makes it unreasonably difficult for a commander to find, never mind, follow the appropriate policies following an incident.

364. In relation to an incident related to bullying, harassment and discrimination, JSP 830 the Manual of Service Law, JSP 839 Victims Guide, JSP 763 MOD Behaviours and Informal Complaints Resolution Policy, JSP 831 Redress of Individual Grievances, AGAI 62, AGAI 67 and a number of DINs all provide interrelated and relevant guidance.

<sup>209</sup> JSP 763 Behaviours and Informal Complaint Resolution and JSP 831 Redress of individual grievance.

However, there is no clear indication within any of these documents which explains how these policies interrelate or which needs to be considered at which juncture.

**365. Observation 59. There is a lack of coherence or signposting across Army People policies which explains how these policies interrelate or which needs to be considered at which juncture. Specifically, AGAI 62 Discipline Policy and AGAI 67, Annex K, do not signpost individuals to other relevant policies when dealing with an incident or allegation of Bullying, Harassment and Discrimination.**

**This observation informs Recommendation 10.**

### **Trained**

**366. Permanent Staff.** Mandatory annual training programmes equip personnel with the knowledge and tools to recognise and address inappropriate behaviour through the Core Education part of the Individual Training Requirement, more specifically the Behaviours Part 1.

**367. Trainees.** As was highlighted under Term of Reference 3, trainees do not conduct Individual Training Requirements. Bullying, Harassment and Discrimination training is conducted as part of the CMS (FS) under the first task of the Values and Standards of the British Army. Furthermore, as part of their lesson on identifying procedures for conflict management and dealing with grievances in the workplace, trainees are instructed with the mechanisms to complain and highlight practices of bullying, harassment and discrimination.

### **Implemented**

**368.** Both ARITC and Sldr Ac deal with the issue of Bullying, Harassment and Discrimination within their SOIs on Discipline ([REDACTED] and [REDACTED] respectively). They link this topic to ill-treatment, but clearly state that this includes allegations of this type. Both SOIs refer the reader to JSP 763 for comprehensive guidelines for dealing with allegations.

**369.** In addition to the individual requirements outlined above, each of the Training Establishment SCDs reference Bullying, Harassment and Discrimination. Furthermore, 'Week Zero' courses for all Permanent Staff run within the Training Establishments cover a review and update on Bullying, Harassment and Discrimination policy and direction. Furthermore, localised publications such as the Leaders Pocket Book at ITC and the Red Book at AFC(H) covered the issue of Bullying, Harassment and Discrimination.

### **Blake Review Recommendations**

**370.** It was noted during Term of Reference 3 that there was a lack of signposting for support services, including Speak Out, within the Training Establishments which would enable trainees and Permanent Staff to report incidents of Bullying, Harassment and Discrimination. This point will not be reiterated here, but the recommendation included in that Term of Reference must be implemented in that regard.

**371.** During the Panel's visits to the Training Establishments, we looked for evidence that Blake Recommendation 13 requiring Bullying, Harassment and Discrimination leaflets to be issued to all trainees had embedded in the organisational culture. At that time, the

Panel did not see evidence that this was taking place. The Panel therefore made some interim recommendations to GOC ARITC as below:

**372. Observation 60. During the Panel's visits to the Training Establishments, we looked for evidence that Blake Recommendation 13 requiring Bullying, Harassment and Discrimination leaflets to be issued to all trainees had embedded in the organisational culture. At that time, the Panel did not see evidence that this was taking place.**

**This observation informs Recommendation 7.**

373. In order to assess how the Chain of Command deals with allegations relating to bullying, harassment and discrimination within their specific establishment, the Panel concentrated their review on Climate Assessments and the findings of the Focus Groups that were conducted.

374. **Climate Assessments.** The Panel found that in the Climate Assessments, the percentage of those who felt that they had experienced bullying, harassment or discrimination over the last 12 months was marginal. In a large number of cases, the minority of respondents who had experienced an incident had felt that they could report it.

375. **Focus Groups.** The Panel found that collectively, the participants did not raise any issues concerning bullying, harassment or discrimination and that the methods in which issues could be reported were well understood. The responses chimed with the findings of the climate assessments.

376. Overall, the Panel has found that Bullying, Harassment and Discrimination policies were understood by both the Permanent Staff and the training audience. However, there is no room for complacency and embedding the Blake recommendations in the organisation culture is crucial to continuing to tackle unacceptable behaviours.

**TOR 5: Examine the Chain of Command (within Training Establishments and ARITC) knowledge and understanding of their responsibilities following any incident and thereafter. This should include, but not be limited to, the understanding, awareness and application of the relevant policies by members of the Chain of Command and PS (explicitly to include comment on Defence Instructions Notices 2014DIN [REDACTED], JSP 839: code of practice on ‘Services to be provided by the Armed Forces to the Victims of Crime’ and any other relevant policies/procedures for those accused of a criminal offence).**

## Overview

377. An ‘incident’ can be a wide range of things, but in effect means an instance of something happening, an event or occurrence. In the context of this Term of Reference, and given the overarching theme of this Inquiry, the Panel are focussing on an incident relating to unacceptable behaviour. What constitutes unacceptable behaviours was dealt with in both Term of Reference 2 and 3 and will not be reiterated here. However, with any incident, a number of follow-on effects and actions should occur. When considering an incident of potential unacceptable behaviour, there are several affects and/or effects on key individuals and actions by key individuals that must take place.

378. Loosely it can be said that an incident of unacceptable behaviour will affect and effect both the victim and alleged offender (using that term colloquially rather than in any weighted context). Of course, others may also be affected. Then there are those within a Training Establishment who, by their position or role and their responsibilities, must act in response to the incident, which includes ensuring the welfare of anyone involved or affected by an incident.

379. In the context of this Term of Reference, the Panel will seek to understand the relevant policies governing how key individuals within the Chain of Command act following any such incident, before determining how these policies are known and understood. At a Training Establishment there are even greater obligations on the chain of command because of the vulnerable nature of the training cohort and due to likely interest from Ministers and potentially the Press. As signposted above, we will look in more detail at the most pertinent policies.

## Defence Policy

380. In 2014, Defence Instructions Notice 2014DIN [REDACTED] Guidance to Commanding Officers and victims when dealing with allegations of serious criminal offences including sexual offences was published. ‘The 2014 DIN’ set out the enhanced support available to “victims of the most serious crime, persistently targeted victims and vulnerable or intimidated victims”. It also codified the actions that a Commanding Officer must take and the issues that must be considered when allegations of serious crimes have been made. Furthermore, it signposts sources of assistance and welfare support.

381. JSP 839 Victims’ Services was subsequently published in November 2015<sup>210</sup> to provide guidance on how people should comply with their obligations under ‘The Armed Forces Code of Practice for the Victims of Crime’ to deliver appropriate entitlements to

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<sup>210</sup> And updated in 2023.

victims<sup>211</sup>. The JSP also contained the 2014 DIN as an annex. It is specifically aimed at: victims of crime, Commanding Officers, Victim Liaison Officers, Service Police, Service Prosecuting Authority, Military Court Service, and The Military Corrective Training Centre.

382. Both the 2014 DIN and the JSP 839 are very clear and written with the victim/survivor and those in key appointments in mind. They inform the victim of crime what they are entitled to and tell those with responsibilities such as the commanding officer and the victim liaison officer what their obligations and responsibilities are towards the victim of a crime. However, the Panel found the 2014 DIN very difficult to find.

383. Given that 2014DIN [REDACTED] has been referenced in several recent policies<sup>212</sup>, the Panel found it incredibly difficult to access. It does not come up in a search of the Defence Instructions and Notices (DIN) active archive. However, it is available through the archived DINs database and link can also be found in the body of the text of the latest JSP 839<sup>213</sup>. It is unreasonable to expect people to know to look in either of these places.

**384. Observation 61. Currently, JSP 839 Victims' Services does not explicitly supersede 2014DIN [REDACTED]. In the Panel's opinion any content from the DIN should be incorporated into JSP 839 and that policy should stand alone.**

## Army Policy

385. The most relevant policies which provide guidance to members of the Chain of Command as to how to manage and deal with any incident would be AGAI 62 Discipline Policy and AGAI 67 Administrative Action. The Panel reviewed all of the policy versions of these documents over the relevant period under investigation as part of this Inquiry, including the extant versions issued in May 2024.

386. AGAI 62 has a specific section within Part 2 The Discipline Process. This details actions to be taken upon a discipline incident, under which a potential incident of unacceptable behaviour would also fall. However, there is no significant reference to either JSP 839 or the 2014 DIN within not only this section, but the AGAI more broadly. Nor is there a re-articulation of the guidance contained within those documents. Instead, there is a footnote within the brief section under victim support which states, "For full details on support to victims see Policy Letter 14/2015 – The Victims Code and 07/2016 – The duties of a VLO". It is not clear to the Panel what policy letter this refers to, nor where to find it.

387. AGAI 67 again fails to make any reference to the Victims' Code or the mandated actions required by the Chain of Command when dealing with an incident of any behaviour that involves a victim, let alone an incident of unacceptable behaviour.

388. In the Panel's opinion, unless practitioners happen to be aware of the over-arching Defence policy, then they are unlikely to know of its existence because it is not referenced within the Army policy which guides the Chain of Command, and others, on how to effectively manage and handle incidents of unacceptable behaviour, nor is it replicated

<sup>211</sup> JSP 839 Para 1.2 refers.

<sup>212</sup> Including both ZT policies.

<sup>213</sup> JSP 839 1.2 refers.

within that policy. In earlier Terms of Reference, the Panel made recommendations to clarify both AGAI 62 and AGAI 67 to include reference to these important policies.

### **Training Establishment Policy**

389. The Panel reviewed, amongst other documents within the higher Chain of Command Training Establishment documents, specifically both the ARITC and Sldr Ac Discipline SOIs (SOI [REDACTED] and [REDACTED] respectively) to ascertain whether they referenced the Victims' Code, JSP 839 or DIN 2014. It would appear that neither ARITC nor Sldr Ac have policies that refer to the Victims' Code.

390. The Panel also reviewed relevant Training Establishment policies and noted that there was also no reference to the Victims' Code or other Defence policy.

391. However, although less than ideal, ARITC, Sldr Ac and the Training Establishments are not to be criticised for this, as in the Panel's opinion, it is a broader Army failing, and not a failing attributable to the Training Establishments themselves. However, in the Panel's opinion, it would be of significant benefit if the Chain of Command within ARITC, Sldr Ac and the Training Establishments themselves reissued their own policy to make explicit reference to the policies as not only would this assist their staff in handling incidents appropriately and providing the correct support of those involved, but would be a display of best practice.

**392. Observation 62. Neither ARITC Discipline SOI 427 nor Sldr Ac Discipline SOI 117 provide explicit reference and guidance on the Chain of Command's obligations following an incident; particularly Defence Instructions Notices 2014DIN [REDACTED] Guidance to Commanding Officers and victims when dealing with allegations of serious criminal offences including sexual offences and more specifically, JSP 839: Code of practice on 'Services to be provided by the Armed Forces to the Victims of Crime'.**

**This observation informs Recommendation 6.**

**393. Observation 63. Training Establishments discipline policies and Supervisory Care Directives do not include explicit reference and guidance on the Chain of Command's obligations following an incident including Defence Instruction Notice 2014DIN [REDACTED] Guidance to Commanding Officers and victims when dealing with allegations of serious criminal offences including sexual offences and more specifically, JSP 839: code of practice on 'Services to be provided by the Armed Forces to the Victims of Crime'.**

**This observation informs recommendation 6.**

### **Pre-Employment Training**

394. While the 2014 DIN and JSP 839 are clearly written and easy to understand, in the experience of the Panel they are not well known, even by those in key appointments. This may be because they are not explicitly referenced within any of the higher Army policy, nor that of the higher Headquarters of the Training Establishments policy as detailed above. As a result of this, the Panel focused its attention on awareness and understanding of these policies, and that naturally led to what people are taught because

if Defence policy is not referenced within Army policy, how are people to know of it unless they are specifically taught it as part of their training.

395. Pre-employment training tells people what they need to know in addition to their core soldiering skills to competently undertake a role. It can be undertaken before a role is assumed, but often will be done within three months of taking up appointment. The training is developed, designed, and delivered in accordance with policy<sup>214</sup> and differs in length and delivery depending on the requirement. Although the requirement for Pre-Employment Training was dealt with in depth in Term of Reference 1, it is useful to provide a precis at this juncture and how it is relevant within this Term of Reference.

396. Appointment as an instructor, a commanding officer, sub-unit commander, adjutant and welfare officer all come with bespoke pre-employment training which educates people on their obligations and responsibilities in role. As the policy<sup>215</sup> makes clear, when someone within the Regiment makes an allegation of a crime or unacceptable behaviour, these key roles<sup>216</sup> have crucial responsibilities.

397. The pre-employment training for those in key appointments is as follows: – broken down by key appointment Instructors/CO/SUC/Adj/UWO. For each course, the Panel reviewed the course training objectives and associated documentation including external validations. These set the high-level requirements that the course deliverer must meet. The training objectives were then compared with the course programme and content – what was actually delivered on each course. The course content will regularly be updated, but it must still meet all the high-level requirements. The Panel findings are captured below.

398. **Instructors.** As described previously in Term of Reference 2, Training Establishment instructors require the DTc (or equivalent) and CoT. JSP 839 is not covered on either of these courses.<sup>217</sup>

399. **Commanding Officers.** Training Establishment COs are required to undertake both the Commanding Officers Designate Course (CODC) and COTE.

400. CODC is a 9-day course provided by the General Staff Centre for Lieutenant Colonels selected for employment as COs<sup>218</sup>. The Training Requirement Authority is Professional Development, Personnel Directorate.

401. The Panel found that the training requirement does reference JSP 839<sup>219</sup>. Within the training objective, 'Outline the principles of administering discipline in unit' it also captures the requirement to "Ensure that any victim of a crime in the unit is appointed an appropriate person to act as their VLO / VSO."<sup>220</sup>

402. The Panel then reviewed all versions of the presentations that had been delivered on the CODC. In the June 2021 version, the Victim's Code was included in the course

<sup>214</sup> JSP 822 Defence Direction and Guidance for Training and Education (V5 Sep 22).

<sup>215</sup> JSP 839, 2014DIN [REDACTED]

<sup>216</sup> Less instructors

<sup>217</sup> WSCM-Enclosure CM1

<sup>218</sup> Training Authorisation Document dated Jun 19 refers.

<sup>219</sup> It is known as A75 in the documentation.

<sup>220</sup> Role Performance Statement Commanding Officer Ver 3 dated 3 Feb 21 Task No 6.6 refers.

content although it does not seem that JSP 839 was specifically mentioned<sup>221</sup> and in the view of the Panel, it did not have the prominence that it deserved. Subsequently, the course content has evolved over time and what is now delivered is precisely what a CO needs to know. It emphasises the importance of JSP 839<sup>222</sup> and provides a handrail on a page to return to when an incident occurs.

403. **COTE.** The 2-day COTE course is required for Commanding Officers of Phase 1 and 2 Training Establishments to complete within 3 months of taking up Command<sup>223</sup>. The course, delivered via lectures and discussions, gives an insight into key training issues and policy related to Care and Welfare in Initial Training, making use of a variety of guest speakers including representation from Talent, Skills, Learning and Development and Ofsted.<sup>224</sup> Neither JSP 839, nor the Victim's Code more broadly is taught on the Commanding Officer of Training Establishment course.<sup>225</sup> The TRA for the COTE course is Talent, Skills, Learning and Development, CDP<sup>226</sup>.

404. In the Panel's opinion, both JSP 839 and the Victim's Code should be included within the course because JSP 839 is even more important when managing what is arguably the most vulnerable cohort within the Army.

**405. Observation 64. JSP 839, nor the Victim's Code more broadly is not taught on the Commanding Officer of Training Establishment course.**

**This observation informs Recommendation 11.**

406. **Sub-Unit Commanders.** The Sub-Unit Commanders' Management course is pre-employment training for all Majors appointed to sub-unit command. The course lasts five days and at the time of writing was being delivered remotely. The Training Requirement Authority is Prof Dev, D Pers. JSP 839 is not included in the course design. Nor are the obligations to victims such as appointing a Victim Liaison Officer. However, it should be noted that within the delivery of the course the Legal and Discipline Brief from APSG does reference JSP 839 and explains the Victim's Code.

407. **Adjutants.** The All-Arms Adjutants' Course lasts 10 days – 5 days delivered by Army Personnel Centre (Glasgow) and 5 days delivered by the Defence College of Logistics, Policing and Administration. The Training Requirement Authority is Prof Dev, D Pers. The course design includes the requirement to understand the Armed Forces Code of Practice for Victims of Crime. The latest version of the course<sup>227</sup> added the requirement to '2.2.8 Manage alleged sexual offenders' but did not include JSP 839 as a requirement of the course. In terms of what is actually taught, pre-reading includes the Victim's Code. A presentation by APSG does mention the requirement for Victim Liaison Officer but does not reference JSP 839. The legal brief includes the Victim Witness Care Unit.

**408. Observation 65. Insufficient attention is drawn to JSP 839 on the All Arms Adjutant's Course.**

<sup>221</sup> Instead the following policies were referenced, The Criminal Justice (Armed Forces Code of Practice for Victims of Crime) Regulations 2015 (16 Nov 15) and APSG Policy Letter 14/2015

<sup>222</sup> which may well be the first time the audience has been aware of the policy

<sup>223</sup> JSP 822 Vol 4 page 8

<sup>224</sup> 2023DIN [REDACTED] DCTS Training Delivery Programme as submitted by [REDACTED]

<sup>225</sup> WSKS-Enclosure KS1.

<sup>226</sup> WSKS-Enclosure KS1

<sup>227</sup> Version 3.1 (May 22)



**This observation informs Recommendation 10.**

409. **Welfare Staff.** HQ AWS is responsible for the UWO training course that is mandatory for all UWO and UWWO. The detail of this course was covered in Term of Reference 2. The aim of the course is to provide appropriate knowledge, skills, and signposting awareness to enable UWOs to deliver effective first line welfare provision.<sup>228</sup>

410. Within the course design of the UWO, there is no reference within the Training Objectives of support to victims or JSP 839. This is unusual considering the very nature of the role is the provision of first line welfare provision and any welfare staff would be expected to be central in the management of victims and/or others in the aftermath of any incident. In terms of what is actually taught, there is equally no reference to JSP 839 or the Victims' Code.

**411. Observation 66. Within the course design of the Unit Welfare Officer course, there is no reference within the Training Objectives of support to victims or JSP 839.**

**This observation informs Recommendation 12.**

412. Having found that JSP 839 and/or The Victim's Code is rarely mentioned, let alone mandated, during pre-employment training, the Panel asked itself whether it was reasonable to expect JSP 839 to be included in pre-employment training? After all, not every policy or every eventuality can be included. Given the prevalence of incidents of unacceptable behaviours across the Army, it is, unfortunately, reasonable to expect that such an allegation will occur during any 2-year tenure and therefore this topic should be included in pre-employment training for these roles.

413. The Panel has found that in isolation, the Defence and Army policies are very good and have been written with the user in mind (whether that be a victim/survivor or someone in a key appointment). However, JSP 839 remains largely unknown by those people whom it is designed to assist. Moreover, the plethora and density of policies makes them not particularly user friendly for practitioners. An issue exacerbated in the case of JSP 839 by the lack of training, resulting in practitioners missing the direction (not for want of trying). This could have significant impact on those involved, particularly victim/survivors and to the reputation of the Army.

414. Within Term of Reference 2, the Panel made recommendations that policy handrails should be included within AGAI 62 and AGAI 67 that included reference to the Victims Code and JSP 839 specifically. The Panel reiterates the importance and necessity of those recommendations in light of the findings.

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<sup>228</sup> AGAI 81 81.047 b.

**TOR 6: Establish if there has been an increase/decrease in incidents since the implementation of 2022DIN [REDACTED] Zero tolerance to Sexual Offences and Sexual Relationships Between Instructors and Trainees & 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour and consider possible reasons for any change.**

415. As detailed in Term of Reference 2, in 2022, new policies were published to tackle unacceptable sexual behaviour in Defence. These were the 2022DIN [REDACTED] A zero tolerance approach of Sexual Offences and Sexual Relationships between Instructors and Trainees, 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour A Victim Survivor Focused Approach, and JSP 769 Zero Tolerance to Sexual Exploitation and Abuse. They were introduced to change behaviour following repeated allegations of unacceptable and unlawful behaviour by serving members of the Armed Forces. The effects of these policies, and the potential outcomes for anyone to be found to be in breach of them was articulated in Term of Reference 2 and will not be reiterated here.

416. In this Term of Reference, the Panel will analyse the relevant data and statistics in relation to the first of those two policies, namely 2022DIN [REDACTED] Zero tolerance to Sexual Offences and Sexual Relationships Between Instructors and Trainees & 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour. The Panel has timebound their analysis to 12 months from the implementation of the policies, thus all data captured below relate to incidents from November 2022 up to the end of November 2023.

## Overview

417. While the Army sets itself a higher standard, it is important to recall that it does not operate in a vacuum from British society. It is unfortunately the case that the overall number of child sexual abuse offences reported in the UK has risen by 267% between 2013 and 2020 with over 83,000 cases reported in the year ending March 2020. Many were committed by under 18s.

418. In 2021 Ofsted was asked by the Government to carry out a rapid review of sexual abuse in schools and colleges providing the national context of behaviours across schools<sup>229</sup>. Conclusions included:

- Sexual harassment happens so frequently in schools that it is becoming normalised.
- 90% of girls and 50% of boys are sent sexually explicit images a lot or sometimes.
- 92% of girls, and 74% of boys, said sexist name-calling happens a lot or sometimes.
- Teachers underestimate the scale of the problem, as one girl put it, 'It shouldn't be our responsibility to educate boys'.<sup>230</sup>

<sup>229</sup> <https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges>

<sup>230</sup> <https://www.gov.uk/government/publications/review-of-sexual-abuse-in-schools-and-colleges/review-of-sexual-abuse-in-schools-and-colleges>

### Convictions for criminal sexual offences pan-Army.

419. It is possible to compare the data on criminal sexual offending over the period. This shows a decline in convictions pan-Army for sexual offending over the period 2021 to 2023. This includes convictions under the Sexual Offences Act 2003, all offences that relate to Indecent Images of Minors, offences against Section 33 of the Criminal Justice and Courts Act (revenge pornography) and extreme pornography.

Year	Total
2021	48
2022	41
2023 (to 19 Nov 23)	27

**Figure 6.1 Pan-Army Convictions for Sexual Offending from 2021 - 2023**

420. Of these convictions, a small number were employed at the Regular soldier Training Establishments at the time of the offence, but such low numbers are too statistically small for the Panel to draw conclusions or make observations.

Year	Total
2021	2
2022	3
2023 (to 19 Nov 23)	4

**Figure 6.2 Army Convictions for those employed within Training Establishments for Sexual Offending from 2021 – 2023**

421. From the data available, it is also possible to draw conclusions as to the ‘average’ perpetrator of criminal sexual offending. The data on pan-Army perpetrators of sexual offending over this period shows that all the perpetrators were male; 49% were OR2 (LCpl); and, 52% were aged between 21-30 years old.

Gender	Total
Male	116
Female	0

**Figure 6.3 Pan-Army Convictions for sexual offending broken down by gender from 2021 – 2023**

Rank Bracket	Total	%
OF3+	2	2%
OF0 – OF2	0	0%
OR8 – OR9	4	3%
OR6 – OR7	16	14%
OR4	21	18%
OR3	16	14%
OR2	57	49%
<b>Total</b>	<b>116</b>	<b>100%</b>

**Figure 6.4 Pan-Army Convictions for sexual offending broken down by rank from 2021 – 2023**

Age Bracket	Total	%
16 – 20	12	10.34%
21 – 30	60	51.72%
31 – 40	33	28.45%
41+	11	9.48%
<b>Total</b>	<b>116</b>	<b>100%</b>

**Figure 6.5 Pan-Army Convictions for sexual offending broken down by age from 2021 – 2023**

### Unacceptable Sexual Behaviour

422. Since the introduction of the Zero Tolerance policies in Nov 22, there have been 68 Administrative Action cases against Army Service Personnel which have reached a confirmed outcome. It is acknowledged that there were likely to be further cases which had not yet reached a conclusion, and thus fell outside of the time frame of analysis.

423. From the data available, it is possible to draw conclusions as to the ‘average’ perpetrator of unacceptable sexual behaviour. The data on pan-Army perpetrators of unacceptable sexual behaviours over this period shows that 93% of the perpetrators were male; 40% were OR2 (LCpl); and 31% were aged between 21-30 years old and 31% were aged between 31-40. This is particularly important given the statistics provided within Term of Reference 1 concerning the male/female ratios within Training Establishments.

Rank Bracket	Total	%
OF3+	3	3%
OF0 – OF2	8	12%
OR8 – OR9	5	8%
OR6 – OR7	13	19%
OR4	8	12%
OR3	4	6%
OR2	27	40%
<b>Total</b>	<b>68</b>	<b>100%</b>

**Figure 6.6 Pan-Army Concluded cases of Unacceptable sexual behaviour broken down by rank from Nov 2022 – Nov 2023**

Age Bracket	Total	%
16 – 20	18	27%
21 – 30	21	31%
31 – 40	21	31%
41+	8	11%
<b>Total</b>	<b>68</b>	<b>100%</b>

**Figure 6.7 Concluded cases of Unacceptable sexual behaviour broken down by age from Nov 2022 – Nov 2023**

424. The Panel had a hypothesis that the victims of unacceptable sexual behaviour would predominantly be female and of a lower, or equivalent rank, to the perpetrator. However, due to the way in which cases are recorded, the victim data is rarely captured centrally. As a result, it is impossible to draw any substantive conclusions regarding victims. It is also accepted that as the Panel's analysis was limited to the first 12 month period since the inception of the unacceptable sexual behaviours policies, the data set would be relatively small to provide any tangible evidence.

**425. Observation 67. The Army does not centrally capture data on victims of unacceptable sexual behaviours such as their rank, gender, and ethnicity; this prevents trend analysis.**

**This observation informs recommendation 10.**

### **Unacceptable Sexual Behaviours Outcomes**

426. In accordance with 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour A Victim Survivor Focused Approach, unacceptable sexual behaviours are to be investigated under Major Administrative Action. However, it is recognised within both the DIN and AGAI 67 that there may be some instances where, with the agreement of the victim(s), the behaviour can be addressed through informal resolution. Accordingly, the Panel sought evidence and data from both the formal and informal resolution of unacceptable sexual behaviours.

### **Formal Resolution**

427. In the year since the USB policy was introduced, only 14 cases of the 68 reported have resulted in formal resolution under Major Administrative Action and with a sanction being awarded. Of the 14 cases, none of these related to a Service Person who was serving within ARITC at the time of incident. Interestingly, despite the policy name of zero tolerance to unacceptable sexual behaviours, and the presumption being Termination of Service, the Panel found a range of sanctions. The sanctions that were awarded in those 14 cases are outlined below.

Sanction	Total Cases
Termination of Service	8
Forfeiture of Seniority	1
Reduction in Rank	3
Censure (Discipline Entry)	2
<b>Total</b>	<b>14</b>

**Figure 6.8 Concluded Formal Resolution cases of Unacceptable sexual behaviour from Nov 2022 – Nov 2023**

428. In relation to the cases where Termination of Service was awarded, the Panel sought to understand the type of unacceptable sexual behaviour which led to the sanction.

Type of Case	Total
Sexual Touching	5
Sexual Touching/Unacceptable Sexual Comments	1
Unacceptable Sexual Comments	1
Inappropriate Nudity/Unacceptable Sexual Comments	1

**Figure 6.9 Types of Unacceptable Sexual Behaviour Leading to a sanction of Termination of Service from Nov 2022 – Nov 2023**

429. When proven, unacceptable sexual behaviour will trigger a presumption of discharge, however, the individual circumstances of every case must be considered before a decision to discharge is confirmed. There may be mitigating features in a certain case meaning that the presumption should not apply. Conversely, the behaviour may be so serious that the mitigating features are irrelevant or there may be aggravating features which indicate that discharge is the correct action to take. The zero tolerance DIN provides a non-exhaustive list of mitigating and aggravating features.

430. It is evident from the sanctions being awarded that decision makers enforcing a zero tolerance policy are making a more nuanced decision based on the facts of the case<sup>231</sup>. It would appear that Deciding Officers use the Termination of Service sanction in the most egregious cases. In the view of the Panel, this more nuanced approach is appropriate given the wide range of activities which can be deemed to have been unacceptable sexual behaviour.

431. However, the Panel does have some concerns regarding the factors which are considered when awarding a sanction. Of the 6 mitigating factors listed within the DIN, 3 require the perpetrator to engage in the investigative process, express remorse and be willing to engage in training in order to learn about appropriate behaviours. It is not clear from the 6 cases above where Termination of Service was not awarded whether or not these mitigating factors were considered in the decision of the Deciding Officer. However,

<sup>231</sup> Zero Tolerance means that the Unacceptable Sexual Behaviour will be investigated and, if found proven, on the balance of probability, an appropriate sanction will be awarded. The start point is termination of service and it is policy compliant for other sanctions to be awarded under 2022DIN [REDACTED]. Within training establishments, 2022DIN [REDACTED] is likely to have greater relevance than elsewhere in the Army and it directs that there is no discretion and that termination of service is mandatory.

it would not be a significant leap to assume that where a perpetrator is facing Termination of Service, they may display a willingness to engage, express remorse and accept training in a manner that is disingenuous simply to avoid the harshest sanction. In the Panel's opinion, there should be a qualification on these mitigating factors where a Deciding Officer gives serious consideration as to whether or not the Perpetrator's actions following the allegation of unacceptable behaviour are genuine and/or are not given undue weight when considering the sanction.

432. Further, in the Panel's opinion, it is notable that when it comes to sanction when following the formal resolution route, that there is no view of the victim as to the appropriate sanction. It is possible therefore that when a victim has made what is arguably a brave decision to pursue the formal resolution route knowing it could result in the Termination of Service of a colleague, that their engagement in the process, their assessment of the seriousness of the perpetrator's behaviour as it relates to them is not sought or weighed in the balance as part of the Deciding Officer's decision as to what sanction to award. It is questionable as to whether the award of sanction truly follows a victim-centric approach. There is no option for a victim to provide a Victim Personal Statement in which the impact on them of the behaviour is considered once it is found to have occurred.

**433. Observation 68. The views of the victim are not sought when determining sanction in unacceptable sexual behaviour cases which follow the formal resolution route and result in Major Administrative Action.**

**This observation informs Recommendation 10.**

### **Informal Resolution**

434. As stated above, there will be situations where an incident of unacceptable sexual behaviour can be dealt with informally. Informal resolution will only be appropriate for behaviours where there has been a genuine error, the impact on the victim and the unit is minor, and there is no trend of unacceptable sexual behaviour by the Service Person. Informal resolution can only be with the agreement of the victim. Of note is that if the victim is willing to allow informal resolution the Chain of Command must determine whether this is appropriate and if it is deemed it is not the Major Administrative Action process must be applied. Any informal resolution must be recorded using the Formal Interview process under Minor Administrative Action.

435. The data recorded following the first year of the zero tolerance policies indicates that of these unacceptable sexual behaviour cases, c80% were dealt with informally. 54 out of the 68 cases of unacceptable sexual behaviour have been dealt with under the Army's informal resolution process whereby the Service Person was subject to Minor Administrative Action (iaw AGAI 67 Part 2) and awarded a Formal Interview. In all cases, the Chain of Command went with the wishes of the victim.

436. A total of 14 of those 54 cases were made against a Service Person serving within ARITC at the point of allegation. All cases involved a Trainee/Junior Soldier as the perpetrator and victim. All were dealt with via informal resolution. None of the Service Personnel involved were either removed from appointment, suspended or assigned out of the organisation. The Panel agrees that the policy provides mitigating

criteria/circumstances which can be applied in these types of cases, including where a Service Person is young, inexperienced and still under training. As a result, it is unsurprising that all cases within ARITC were dealt with via Informal Resolution, due to there being no cases against Permanent Staff members. This accords with the Panel's findings in the earlier Terms of Reference concerning the inculcation and enforcement of Values and Standards. When it comes to applying those Values and Standards to the Training Establishment audience, a more nuanced approach is required.

### **Victim-centric approach**

437. The Zero Tolerance DIN explains that the purpose of the policy is to support people who are victims of unacceptable sexual behaviour as Defence wants to ensure that victims of unacceptable sexual behaviour trust that they can report such behaviour, that their report will be listened to, and that they will be supported throughout any investigation. Defence must ensure that victims have the confidence that their complaint will be investigated in an appropriate and sensitive way and that appropriate action will be taken against any person displaying unacceptable behaviour. The policy has taken a victim-centric approach.

438. On the face of it, the above data relating to informal resolution is evidence that the victim-centric approach is working as intended. However, the Panel has concerns that a victim in unacceptable sexual behaviour cases is likely to feel self-induced pressure to ask for informal resolution because of the potential consequences for the perpetrator if formal resolution is followed. As we are all well aware, as will be the victim, Termination of Service has far more wide-reaching consequences; they are losing their vocation, possibly their housing and friendship network, and for those with school-aged children, losing the place(s) at their child(ren)'s education establishment. There will also be pension implications. There is also the impact on spouses who have often given up their career to 'follow the flag'.

439. Furthermore, the request of the victim as to which avenue to pursue often comes from the same Chain of Command as the perpetrator which could lead to a misplaced belief of bias.

440. It is suspected that victims on average are more likely to be female, more junior and potentially younger than their perpetrators. As stated above, the Panel has not been able to test this supposition as victim data is rarely captured. But irrespective, by their very nature a victim is deemed to be in a vulnerable position. There is a concern that given the consequences and presumption of termination of Service that formal resolution implies, there is a reticence of victims to follow this route. In the Panel's opinion, it takes exceptional bravery on the behalf of the victim to raise concerns of unacceptable behaviour, particularly as often this is initially raised to their Chain of Command, but often that of the perpetrator as well. To then go further than this and say that they wish to seek formal resolution where Termination of Service is a very real outcome, may be a step too far for many victims. The policy is asking much of a vulnerable person to determine whether or not they truly believe that the behaviour they were subjected to was so egregious that they wish to follow a process with a presumption of Termination of Service, and all that encompasses.



441. The Panel acknowledges that the policy states that the victim's view as to whether or not to follow formal or informal resolution is but one consideration in the decision, but in the Panel's opinion, the Chain of Command are not giving due consideration to the wider considerations as articulated in the policy. Questions remain in the Panel's mind of whether the burden of the decision as to which route to follow places too much pressure on a victim and whether the Chain of Command are placing too much reliance on this view and not enough on the wider considerations.

**Observation 69. Whilst the Zero Tolerance policy states that the victim's view as to whether or not to follow formal or informal resolution is but one consideration in the decision, there is concern that the Chain of Command are not giving due consideration to the wider considerations as articulated in the policy.**

**This observation informs Recommendation 10.**

### **Zero Tolerance – Instructor/Trainee Sexual Relationships**

442. The Panel also sought to understand the data on instructor/trainee sexual relationships, particularly given the remit of the Inquiry in relation to Training Establishments. This proved far more difficult as due to the number of cases involved being low, the exact number of cases where an individual had their Service terminated could not be disclosed due to GDPR. However, it was confirmed to the Panel that no case resulted from a Service Person serving within the ARITC.

443. It was also confirmed that in cases of alleged instructor/trainee sexual relationships, policy mandates Termination of Service where an instructor has had a consensual sexual relationship with an individual under their tuition, and that there is no ability to deviate. As such, the Panel concluded that in cases where it was determined that an instructor had had a sexual relationship with a trainee, discharge from the Service would ensue.

### **Conclusion to Term of Reference 6**

444. The first part of the Term of Reference is simply answered. Prior to the implementation of the Zero Tolerance policies, there was no uniformity of approach as to how incidents of unacceptable behaviour would be dealt with. As such, there was no data with which to compare.

445. The second part of the Term of Reference required the Panel to consider possible reasons for change. It is not possible for the Panel to say what is causing the change in statistics. The efficacy of the policy cannot be judged by the number of personnel discharged, or the number of issues reported to the Chain of Command and dealt with informally. It is about behavioural change, specifically 'changing the level of tolerance'<sup>232</sup>, the aim of the Unacceptable Sexual Behaviour policies is to create an environment where these incidents do not happen, which can only be measured in longitudinal studies such as sexual harassment surveys, which are delivered by Defence.

446. Of the Unacceptable Sexual Behaviour cases currently concluded, 20% were reported by a third party (rather than the victim). While the Panel would prefer that there were no cases to report, it is heartened to see that our people are prepared to be 'active

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<sup>232</sup> Wigston Review pg 18

bystanders' when they see unacceptable behaviour. It is clear from the Focus Groups conducted that the understanding of the Zero Tolerance policies is very good. They have had significant impact on the organisation. It has started conversations across the enterprise at all ranks and that should bring about change more quickly. At the end of our inquiry, the Panel concurred with the Wigston Review, 'It will require concerted effort and persistent attention; success will be measured in years not weeks.'<sup>233</sup>

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<sup>233</sup> Wigston Review pg 18

**TOR 7: Consider and note other factors identified in the course of the Inquiry which may assist units to implement any identified improvements to their safeguarding practices, inculcation of Values and Standards and the management of post-incident procedures.**

447. The Panel have sought throughout the report to note where appropriate other factors it deemed relevant to assist units to implement any identified improvements to their safeguarding practices, inculcation of Values and Standards and the management of post-incident procedures. However, in these particular areas, the Panel would refer back to its findings and recommendations in Terms of Reference 2, 3 and 4.

448. Instead at this juncture, the Panel would seek to highlight two intentional omissions. These relate to vetting and the handover of personnel between organisations.

449. The Army Inspectorate Review of Army Soldier Basic Training 2023<sup>234</sup> and follow up to the DHALI-Blake Reports highlighted that despite multiple policies surrounding disclosure checks, serious issues remain with instructors arriving at post without the correct DBS in place. This contravenes both legal requirements and military policy and is further exacerbated by a sluggish application process. The findings of the Army Inspectorate are supported by this Panel's findings whereby evidence was produced across the Training Establishment's that this remains a significant risk and an issue that is being locally managed. However, given the detailed articulation of the issue by the Army Inspectorate the Panel did not provide further comment.

450. The Panel are aware from historic Service Inquiries that the handover of personnel<sup>235</sup> between organisations remains a perennial issue within the Army, particularly between Phase 1 and Phase 2 training. This is of concern particularly as there maybe safeguarding issues. However, as this Panel's identified remit was limited to that of Phase 1 Training Establishments, it did not seek to investigate this matter further.

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<sup>234</sup> Army Inspector – Basic Training Review 2023

<sup>235</sup> Handover of Personnel is the phrase used to describe the administration of recruits (SP in BT) and trainees (SP in ITT) during transition between Basic Training to Initial Trade Training and onto the Field Army. ARITC SOI [REDACTED] refers [WSSF-Exhibit SF4]

### Section 3 – APSG SI – TRG ESTB Recommendations.

3. The following recommendations are made, noting that progress may have been made in resolving these issues in the period between the editing and the publication of this report.

a. **Recommendation 1. Instructor Selection.**

**Recommendation.** Following Personnel Directorate review and direction on instructor selection criteria, APC are to provide guidance in the Career Boarding Manual to those selecting for soldier instructor appointments (similar to the direction given to those selecting RMAS instructors).

b. **Recommendation 2. Mandatory Qualifications.**

**Recommendation.** Soldier Academy (Sldr Ac) are to implement policy which stipulates the necessary training and qualifications required for every role within a Training Establishment.

In doing so, they are to:

- Provide clear and simple direction on the criteria to determine what roles are considered to be recruit facing (Obs 2).
- A review of all job specifications to ensure mandatory training is included (Obs 4).
- Clear and simple direction on who attends the Commanding Officers of Training Establishments (COTE) course (Obs 41).

c. **Recommendation 3. Unit Assurance.**

**Recommendation.** Soldier Academy are to review and assure the mandatory competencies of all staff working within the training establishments (military, civilian and contractors) (Obs 6).

In doing so, they must:

- Ensure all permanent staff hold mandatory competencies for Care of Trainees and Defence Trainee Course (Obs 5).
- Ensure all military and civilian staff mandatory competencies (Obs 42).
- Ensure all civilian contractors have completed PREVENT (Obs 17).
- Ensure competencies for those completing the Sldr Ac Initial Trainer Course are correctly awarded (Obs 8).
- Ensure all COs of Training Establishments and nominated deputies completed Commanding Officers of Training Establishments (COTE) (Obs 39 and 40).
- Consider providing a standardised staff qualification matrix (Obs 7 and 43).
- Consider implementing the requirement for an OJAR objective (Obs 47).

d. **Recommendation 4. Remedial Training.**

**Recommendation.** Army Recruiting and Initial Training Command (ARITC) must review and assure all remedial training policy and practice to ensure it complies with JSP 822 Volume 2. In doing so, they should:

- Review ARITC SOI [REDACTED] – Discipline, and Soldier Academy SOI [REDACTED] – Discipline, particularly the language used, clarification of Tier 1 and Tier 2 measures, the appropriateness of the permitted activities, and the circumstances when they can be used and direction on internal assurance of remedial training (Obs 27 and 28).
- Review all Training Establishment policy (from Supervisory Care Directives to SOIs to pocket books and flash cards) (Obs 29 and 33).
- Update the AFC(H) Junior Soldier Conduct ‘Red Book’ to include the nature and extent of acceptable remedial measures (Obs 30).
- Consider issuing all recruits with a document which articulates the nature and extent of acceptable remedial measures (Obs 31).
- Ensure all Permanent Staff and Recruits/Junior Soldiers are trained on the appropriate training interventions and how they are to be recorded and assured. (Obs 32).

e. **Recommendation 5. Supervisory Care Directive.**

**Recommendation.** Soldier Academy is to review Supervisory Care Directives (SCD) to ensure consistency and coherence so that the “Training Establishments” SCD process” fulfils all supervisory care requirements and are compliant with overarching policies including JSP 822, AGAI 57 and the Zero Tolerance policies.

In so doing they should:

- Consider providing units with a standardised Unit Supervisory Care Directive which a unit’s Commander’s Risk Assessment can inform and amend as necessary (Obs 13).
- Review supervisory care ratios for effective duty of care particularly during standdown periods (Obs 15).
- Assure supervisory staff to student ratios across the Training Establishments to satisfy themselves that supervisory staff posts are appropriate (Obs 16).
- Ensure PREVENT refresher training is articulated in SCDs and enacted (Obs 18).
- Ensure SCDs adequately articulate that Under 18s are not to carry out Armed guarding duties (Obs 19).
- Assure that SCDs and Training Establishment practices are conformant with AGAI 57 (Obs 24, 25).
- Ensure Zero Tolerance policies are appropriately captured in SCDs (Obs 37).

f. **Recommendation 6. ARITC/Sldr Ac SOIs.**

**Recommendation.** Army Recruiting and Initial Training Command (ARITC) and Soldier Academy are to revise policies relating to Supervisory Care Directives and

discipline to provide better direction to the Training Establishments. In so doing they should:

- Revise SOIs [REDACTED] and [REDACTED] (Obs 12).
- Reassess the policy for assuring SCDs (Obs 12).
- Provide clear and simple direction on relations between recruits (Obs 34).
- Standardise discipline policy across the Training Establishments (Obs 58).
- Revise SOIs [REDACTED] and [REDACTED] including addition of the Victims' Code as articulated within JSP 839 in discipline policy (Obs 62).

Signpost the Victims' Code as articulated within JSP 839 in Training Establishment Supervisory Care Directives and discipline policies (Obs 63).

**g. Recommendation 7. Improvements to the Common Military Syllabus (Future Soldier).**

**Recommendation.** The syllabus, lived experience and policies of the Common Military Syllabus (Future Soldier) are to be improved in the following ways:

- All recruits must be taught that they always have the right to call civilian emergency services to report crimes; a record must be made and maintained of that training; it must be included in SOPs and training materials (Obs 56).
- Welfare contact details must include the civilian emergency services number and must be issued/available to all recruits; this must be included in SOPs (Obs 57).
- Bullying, Harassment and Discrimination booklets must be issued/available to all recruits; this must be included in SOPs (Obs 55).
- Implementing current direction so that sanitary products are made easily and readily available to all Servicewomen (Obs 9).
- Reviewing contractual provision for the removal of sanitary disposal units within units to ensure it is sufficiently covered (Obs 10).
- Ensuring and assuring that all signposting provides up-to-date contact details for support services, both internal and external, in areas frequented by recruits (Obs 26).
- The language used in the induction briefs could be reviewed to ensure it is appropriate for the educational standard of the recruits (Obs 20).

Consideration could also be given to including the following training within the CMS(FS):

- Active bystander training (Obs 53).
- Experiential Diversity and Inclusion training (Obs 55).

**h. Recommendation 8. Consent Training.**

**Recommendation.** Provost Marshall (Army) is to amend the Consent Training package to make clear to Service Personnel they have the right to report crimes

directly to civilian emergency services and to include appropriate telephone numbers for such civilian emergency services (Obs 54).

i. **Recommendation 9. Conformance with AGAI 110.**

**Recommendation.** Soldier Academy are to assure that all Soldier Academy Training Establishment policies, procedures, and practices, including the Supervisory Care Directives, conduct Unit Health Committee and Vulnerability Risk Management (VRM) meetings, is in conformance with AGAI 110, Vulnerability Risk Management, and the Dhali-Blake and Death at RMAS 2019 SI recommendations (Obs 22).

In so doing they should:

- Direct Commanding Officers of Training Establishments to review their policies, procedures, and practices, including the conduct of Unit Health Committee meetings, to ensure full conformance with AGAI 110, Vulnerability Risk Management, and the Dhali-Blake and Death at RMAS 2019 SI recommendations (Obs 21).
- Ensure Training Establishments are conducting additional training to all Permanent Staff on AGAI 110, Vulnerability Risk Management (Obs 23).

j. **Recommendation 10A. Changes to Army policy.**

**Recommendation.** When reviewing Army people policy, consideration should be given to the following amendments:

- Refining the flow chart at AGAI 62 Discipline Policy, Annex G to provide additional clarity for the practitioners, to include:
  - A pathway for the outcome of referral to Service Police to be 'No case to answer'.
  - A pathway for the question 'Does the alleged misconduct have a sexual element?' to be answered 'No'.
  - A pathway for instances where there is not a victim.
- Making clear that even if the victim agrees the behaviour can be addressed informally, the Deciding Officer can reach a different conclusion as per AGAI 67 Administrative Action.053. (Obs 35).
- Including cross-reference handrails in AGAI 62 Discipline Policy and AGAI 67 Administrative Action to signpost individuals to other relevant policies when dealing with an incident or allegation of unacceptable behaviour (Obs 36).
- Including cross-reference handrails in AGAI 62 Discipline Policy and AGAI 67, Annex K to signpost individuals to other relevant policies when dealing with an incident or allegation of Bullying, Harassment and Discrimination (Obs 59).
- Inclusion of a requirement to seek evidence of the impact on the victim when determining sanction in unacceptable sexual behaviour cases which follow the formal resolution route and result in Major Administrative Action (Obs 68).
- Clarifying the Unacceptable Sexual Behaviour policy to be more explicit so that commanders should not be constrained by the view of the victim when

determining whether to follow the informal or formal resolution route under AGAI 67 (Obs 69).

k. **Recommendation 10B. Changes to Army policy.**

**Recommendation.** When reviewing Army people policy, consideration should be given to the following amendments:

- The AAAC should have more prominent signposting to JSP 839 Victim's Services (Obs 65).

l. **Recommendation 11. Chief of Defence People policy.**

**Recommendation.** On the next review of Commanding Officers of Training Establishment course, consideration should be given to signposting to JSP 839 Victim's Services (with relevant link available) (Obs 64).

m. **Recommendation 12. Welfare.**

**Recommendation.** Welfare provision is to be improved by:

- Providing in policy clear and simple direction on which courses are mandatory for contractors (non-military or non-Civil Service staff) conducting trainee-facing welfare support within the Training Establishment (Obs 44).
- Ensuring specific linkage to serials on JSP 839 Victim's Services and the guidance contained therein is included in the Training Needs Analysis for the Unit Welfare Officer's Course (Obs 66).

n. **Recommendation 13. Assurance of Training Establishments.**

**Recommendation.** The Army 2 Line of Defence Assurance (2LDoA) regime of Training Establishments should be reviewed to ensure its effectiveness in meaningfully developing self-sustaining internal controls. In so doing the following should be considered:

- Further training for those conducting G1 Audits (Obs 45).
- Implementing a centralised management system and conducting systemised assurance checks of the 1\* Formations to ensure and assure that action plans are being submitted and implemented (Obs 46).
- Combined Individual Training Assurance Team (CITAT) resourcing and assurance programme to enable a true deep dive assurance (Obs 48).
- Creating a centralised platform which enables the tracking, sharing and assurance of risks and issues identified by Combined Individual Training Assurance Team (CITAT) (Obs 49).
- Asking the Army Inspector to conduct a review of Army's 2 LDoA within Training Establishments and make recommendations as to how it can be improved (Obs 50).



## Section 4 – Convening Authority Comments

1. **Convening Headquarters.** Headquarters Land Warfare Centre.
2. **Commander.** Major General C B K Barry CBE, Director Land Warfare.
3. **Timelines.** I am content that the staffing of this detailed and extensive Service Inquiry report has been done thoroughly and in an expeditious manner.
4. **Affected Persons.** I note that this report has drawn from the experiences of a wide range of people affected by the issues identified during the inquiry. I appreciate the care taken by the Panel to ensure those individuals have been afforded appropriate support.
5. **Findings of the Inquiry.** I have reviewed the Service Inquiry report in detail. I am satisfied that the seven terms of reference have been met and that the panel has correctly identified the three overarching themes:
  - a. That there is a variance in quality and the disconnect between the well written Defence / Army level policy verses the less well written and frequently contradictory unit policy.
  - b. That the basics are not being done well, policy is not being adhered to nor implemented effectively.
  - c. That the many internal and external assurance regimes, many of which are ineffective, have engendered overconfidence within units and false confidence in the maintenance of standards to higher headquarters.
6. **Recommendations of the Inquiry.** I have carefully considered the Panel's 13 Recommendations and 69 Observations, and I endorse them.
7. The priority for training establishments must be the care and welfare of trainees. For many, this will be the start of a career within the Army and their time in training will forge their perspective of the organisation they have just joined. Having the right people, with the right outlook, approach, experience, and qualifications to train people is essential. Societal and generational change will also have an impact and the Army's ability to recognise that and adapt accordingly is critical. This must be reflected in our assurance, training, policies, and directives which have to be clear, effective, and continuously reviewed. There is also a requirement for properly resourced support and welfare provision. We can't afford to stand still and improving our approach will only be achieved by ensuring all the requirements across the themes and recommendations are quickly and effectively implemented.
8. **Summary.** As the Convening Authority for this Service Inquiry (SI), I am grateful to the President and their Panel for the thoroughness of their Report.



CBK Barry CBE  
Major General  
Director Land Warfare

21 Jan 25

## Section 5 – Reviewing Authority Comments

1. I have reviewed the Service Inquiry (SI) report into how the Army's training establishments handle complaints of unacceptable behaviours. My observations are below.

### Context

2. Following several allegations of unacceptable behaviours in the training establishments, my predecessor as Hd APSG directed a Service Inquiry (SI) to investigate how incidents were managed. This SI is important to the Army because in 2022 an organisational cultural change programme commenced to drive out unacceptable behaviour to improve inclusivity and make the Army an organisation where everyone can thrive.<sup>236</sup> This SI will assist the Army in measuring the effectiveness of new policies and initiatives to reinforce the change programme.<sup>237</sup>

3. The Training Establishments are fundamental to organisational change. It is here where trainees are taught the Army's Values and Standards for the first time, and it is vital that the more experienced Training Staff role model the correct behaviours. Additionally, it is imperative that anyone in the Army who falls short of Values and Standards, are dealt with appropriately using discipline and administrative action policies. Therefore, it is essential that the Training Establishments adopt the right approach so that as trainees develop into trained soldiers (and officers<sup>238</sup>) and then promote through the ranks, they clearly understand the standard of behaviour expected.

4. This SI has enabled the Army to better understand policy, process and behaviours within the training establishments and has made recommendations for improvement, which will not only drive improvement here but will also assist the Army realise its cultural change ambitions.

### Service Inquiry

5. On 30 June 2023, Director Land Warfare Centre, Major General CBK Barry CBE convened a SI to investigate the circumstances surrounding how the Army Training Establishments manage complaints of unacceptable behaviors. The findings of the inquiry are distilled into 69 observations, which led to 13 recommendations. As the Reviewing Authority for this SI, I am grateful to the President and Panel for their thorough investigation and report that satisfies the Terms of Reference (TOR).

## RECOMMENDATIONS OF THE SERVICE INQUIRY

### Findings of the Inquiry

<sup>236</sup> The programme started in 2022 with the launch of Operation Teamwork; the following year a 5 year plan was published entitled '2023 – 2028 The Army's Plan for Improving our Organisational Culture'.

<sup>237</sup> Of note are two Defence Information Notes that were both published in 2022. The first forbids sexual relationships between instructors and trainees (2022DIN [REDACTED] Zero tolerance to Sexual Offences and Sexual Relationships Between Instructors and Trainees); the second adopts a zero-tolerance approach to unacceptable sexual behaviour, which mandates all allegations of unacceptable behaviour be investigated and personnel who are found to have behaved inappropriately are subsequently to be discharged (2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour).

<sup>238</sup> This SI investigated and made recommendations for the Training Establishments responsible for training soldiers. However, some lessons are as applicable to the Royal Military Academy Sandhurst, which trains officers.

6. I endorse the Convening Authority's analysis of the findings of the Inquiry. I fully support the comments concerning the importance of improving assurance, training, policies and directives and welfare provision in the training establishments to ensure that the care and welfare of trainees is of the highest standard. I am confident that the recommendations will address the issues identified during the SI.

### Management of the recommendations

7. **Ownership.** Each recommendation has been allocated an accountable sponsor with the authority to effect the required changes. Recommendation 10 is in two parts, 10A and 10B, as the recommendations are linked. Recommendations 1 and 6 require an action from two different departments necessitating the need for two sponsors. Therefore, the 13 recommendations result in 16 actions, which are allocated as follows:

- a. **Soldier Academy: 6** (recommendations 2, 3, 5, 6, 7, 9).
- b. **Army Recruiting and Initial Training Centre: 2** (recommendations 4 and 6).
- c. **Army Headquarters Directorate of Personnel:**
  - Professional Development: 2** (recommendations 1 and 10B).
  - Personnel Policy (Conditions): 1** (recommendation 12).
  - Army Personnel Support Group: 1** (recommendation 10A).
- d. **Army Personnel Centre: 1** (recommendation 1).
- e. **Provost Marshal (Army): 1** (recommendation 8).
- f. **Headquarters Home Command: 1** (recommendation 13).
- g. **Talent, Skills, Learning and Development: 1** (recommendation 11).

8. It merits clarification that the Army Initial Training Centre (AIRC) was previously known as the Army Recruiting and Initial Training Centre (ARITC). Army restructuring has separated the recruiting function from training to improve both the recruiting and training operations. However, this will not detract from the organisational learning as the recommendations aligned to the ARITC have been completed and closed and AIRC has seen this SI report.

9. All 13 recommendations, their associated progress to completion and supporting evidence is recorded on the Defence Lessons Identified Management System (DLIMS). Progress is monitored and assured by the APSG Lessons Fusion Cell, which demands sight of evidence to show that recommendations have been appropriately actioned. The Army's Personnel Directorate Organisational Learning team will also communicate the lessons to the appropriate Defence and Army audiences.

10. **Progress to closure.** All recommendations have been endorsed and accepted enabling them to be addressed and implemented. 12 have already been actioned and

closed, and the remaining recommendation (recommendation 12) will be completed by Autumn 25.

11. I acknowledge the discomfoting nature of the SI process as behaviours, processes and procedures are examined. This scrutiny is important, as the Army is accountable to the government and general public for its actions. The sign of a professional and well-led organisation is an ability to embrace such scrutiny and strive for continuous improvement.

### **SUMMARY**

12. The SI recommendations have been endorsed and have been appropriately tasked for implementation. Noting the progress made in actioning the recommendations, particularly by the Soldier Academy, I am confident that this SI will drive continuous improvement not just in the Training Establishments but also throughout the Army as it strives to deliver cultural change to eradicate unacceptable behaviours.

M Emmett MBE  
Brigadier  
Head Army Personnel Services Group and  
Single Service Inquiries Coordinator (Army)

## Annex A: Convening Order

OFFICIAL - [REDACTED]

From: Brigadier EJR Chamberlain


**Single Service Inquiry Coordinator (Army)  
Army Personnel Services Group**

Home Command  
IDL 427  
Ramillies Building  
Marlborough Lines  
Monxton Road  
Andover  
Hampshire  
SP11 8HJ

Telephone: [REDACTED]

Military: [REDACTED]

MODnet: [REDACTED]

Reference: APSG/SI/Handling of Complaints

Major General CBK Barry CBE  
Director Land Warfare Centre  
Imber Road  
Warminster  
Wiltshire  
BA12 0DJ

25<sup>th</sup> April 2023

*Dear General Chris,*

**SERVICE INQUIRY – ARMY TRAINING ESTABLISHMENTS' HANDING OF  
COMPLAINTS OF UNACCEPTABLE BEHAVIOURS**

As Head Army Personnel Services Group (APSG) I hold the Statutory Authority of the Army's Service Inquiry Coordinator (SSIC(A)). Consequently, in accordance with Armed Forces (Service Inquiries) Regulations 2008 I have directed that a Service Inquiry (SI) is to be convened to establish the circumstances surrounding how Army Training Establishments manage complaints of unacceptable behaviours. I request that you assume the responsibility of the Convening Authority for this Inquiry.

1. The conduct of this SI will be in accordance with the guidance provided in Joint Service Publication (JSP) 832 and Army Command Standing Order (ACSO) [REDACTED]. I have enclosed the Convening Order along with Terms of Reference for the SI, which I would ask that you review and return to me once you are content.
2. The purpose of the SI is to:
  - a. Establish the facts of the matter.
  - b. Determine any causal, contributory, aggravating or other factors.
  - c. Examine and assess each training establishment in the 12 months immediately preceding and following the introduction of Zero tolerance to unacceptable behaviours, in order to determine what changes may be required to prevent recurrence of causal, contributory, aggravating or other factors.

OFFICIAL - 1 [REDACTED]

OFFICIAL [REDACTED]

d. Identify recommendations that will prevent and minimise future recurrence.

3. A request has been made to the Land Operations Command to initiate a trawl. The President is [REDACTED], panel member one is [REDACTED] and one further panel member will be in situ in due course.

4. The Service Inquiry President will provide you monthly progress reports and will present the final report for your review and signature no later than 01 March 2024.

*Taser ev,*

*Edellance*

Copy to:

LWC – DCOS  
APSG – DACOS Pers Svcs  
APSG – SO1 SI  
APSG – SO2 Legal  
File

2  
OFFICIAL - [REDACTED]

## Annex B: Terms of Reference

### TERMS OF REFERENCE FOR A SERVICE INQUIRY INTO ARMY TRAINING ESTABLISHMENTS' HANDLING OF COMPLAINTS OF UNACCEPTABLE BEHAVIOURS.

1. The Panel is to investigate the circumstances as to how Army Training Establishments manage complaints of unacceptable behaviours.

2. The Panel may be required to examine complex and multifaceted issues, some of which are currently under investigation by other agencies. The Panel will not examine any matters directly related to those issues until such time as the investigations have been concluded. Further direction may be given by the SSIC(A) in due course.

3. The Panel is to report on all relevant matters and, where the Panel thinks it appropriate, to comment on such matters, express opinions and make recommendations. In particular the Panel is to investigate and establish the following:

a. **ToR 1.** Establish and provide an overview of the current organisation of ARITC and provide an overview of the training pathway of a Recruit/Junior Soldier until the time they are assigned to their Initial Trade Training/Unit. Specifically, this should include:

(1) An overview of ARITC including the relevant organisational and C2 structures for directing, implementing and provision of oversight for policy changes.

(2) Reference to Basic Training and an overview of the Recruits pathway for reporting for duty to passing out.

(3) Reference to Army Foundation College (Harrogate) and an overview of the Junior Soldier pathway from reporting for duty to passing out.

(4) Key appointments with relevant roles and responsibilities within each Training Establishment.

(5) Provide detail on the male/female ratio within each training establishment, and the relevant Company's (both across the Junior Soldiers/Recruits and Permanent Staff (PS)).

b. **ToR 2.** Examine and assess the command culture at each training establishment in the 12 months immediately preceding and following the introduction of [REDACTED] Zero tolerance to Sexual Offences and Sexual Relationships Between Instructors and Trainees & 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour. This should include, but not be limited to:

(1) Commanding Officer Directives, Standing Orders or other relevant policies, such as standards and discipline, child safe-guarding, supervisory care, fraternisation (including concerning interactions and

relationships) between male and female Recruit/Junior Soldiers and the presence of the opposite sex in accommodation) and welfare.

(2) If there were, or are, any similar sub-unit/platoon of the relevant sub-unit/platoon directives/policies in place.

(3) Assess how any policies, directives, standing orders were promulgated, understood, applied, and enforced across the training establishments for both Junior Soldiers/Recruits and PS.

(4) Assess how any changes to policies, directives and standing orders were promulgated, understood and applied across the training establishments for both Junior Soldiers/Recruits and PS.

(5) Comment on any training the PS had received into those directives, policies and standing orders.

c. **ToR 3.** Establish how Army Values and Standards, particularly Social Misconduct policy, are inculcated into Junior Soldiers/Recruits, particularly those under 18. This should cover Individual Training Requirements, Equality Diversity and Inclusion training, and any other relevant education, for example consent and treating others with respect. The SI Panel should examine how Values and Standards are enforced and provide comment on what specific training is delivered (and at what stage). If considered relevant, any differences between the training received by Junior Soldiers/Recruits and that received by the PS should be highlighted.

d. **ToR 4.** Examine the Chain of Command (within training establishments) knowledge and training relating to bullying, harassment and discrimination policy and how this is enacted. The SI panel should examine how the Chain of Command deals with allegations relating to bullying, harassment and discrimination within their specific establishment.

e. **ToR 5.** Examine the chain of command (within training establishments and ARITC) knowledge and understanding of their responsibilities following any incident and thereafter. This should include, but not be limited to, the understanding, awareness and application of the relevant policies by members of the Chain of Command and PS (explicitly to include comment on Defence Instructions Notices 2014DIN [REDACTED], JSP 839: Code of Practice on 'Services to be provided by the Armed Forces to the Victims of Crime' and any other relevant policies/procedures for those accused of a criminal offence).

f. **ToR 6.** Establish if there has been an increase/decrease in incidents since the implementation of 2022DIN [REDACTED] Zero tolerance to Sexual Offences and Sexual Relationships Between Instructors and Trainees & 2022DIN [REDACTED] Zero Tolerance to Unacceptable Sexual Behaviour and consider possible reasons for any change.

g. **ToR 7.** Based on the evidence, the Service Inquiry panel should consider and note other factors identified in the course of the Service Inquiry, and make such findings and express opinions to support recommendations to assist units to implement any identified improvements to their safeguarding practices, inculcation of Values and Standards and the management of post-incident procedures.