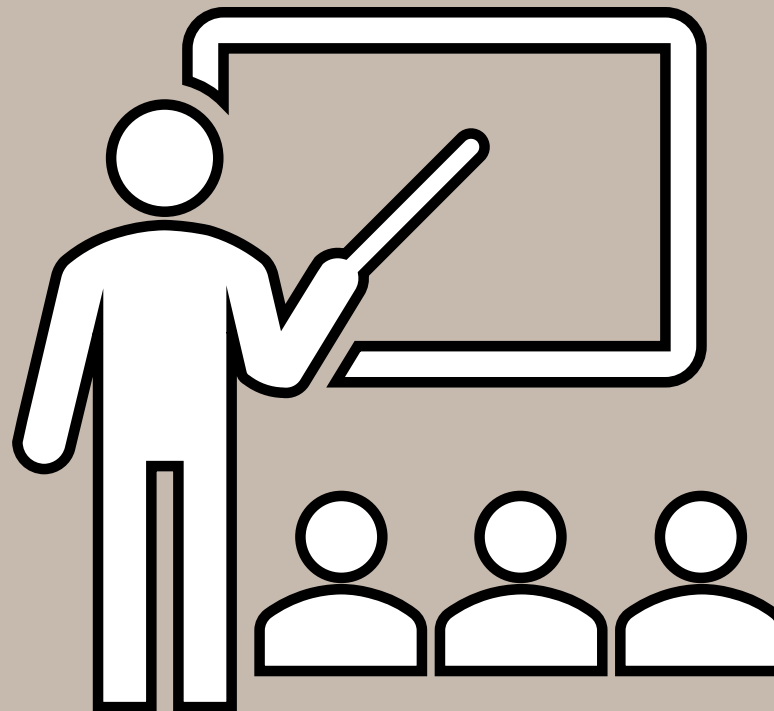


The Armed Forces Covenant

Ministry of Defence, Covenant Team





- (a) the unique obligations of, and sacrifices made by, the armed forces;
- (b) the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces; and
- (c) the principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.



The Covenant Duty

Status: This is the original version (as it was originally enacted).



Armed Forces Act 2021

2021 CHAPTER 35

An Act to continue the Armed Forces Act 2006; to amend that Act and other enactments relating to the armed forces; to make provision about service in the reserve forces; to make provision about pardons for certain abolished service offences; to make provision about war pensions; and for connected purposes. [15th December 2021]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Duration of Armed Forces Act 2006

1 Duration of Armed Forces Act 2006

(1) For section 382 of AFA 2006 (duration of AFA 2006) substitute—

“382 Duration of this Act

- (1) This Act expires at the end of one year beginning with the day on which the Armed Forces Act 2021 is passed (but this is subject to subsection (2)).
 - (2) Her Majesty may by Order in Council provide that, instead of expiring at the time it would otherwise expire, this Act shall expire at the end of a period of not more than one year from that time.
 - (3) Such an Order may not provide for the continuation of this Act beyond the end of the year 2026.
 - (4) No recommendation may be made to Her Majesty in Council to make an Order under subsection (2) unless a draft of the Order has been laid before, and approved by a resolution of, each House of Parliament.”
- (2) In consequence of [subsection \(1\)](#), omit section 1 of the Armed Forces Act 2016.

What is the Covenant legal Duty?



A **legal obligation** on certain public bodies
to **have due regard**
to the **principles** of the Armed Forces Covenant
when carrying out certain functions in the areas of
Healthcare, Housing and Education.

What does 'due regard' mean?

It is about **informed decision-making**, and means **consciously considering** the Covenant when **developing, delivering and reviewing policies and decisions** which may impact the Armed Forces Community.

It means placing an appropriate amount of weight on the Covenant principles when all relevant factors are considered.

It does not mean that any particular conclusions have to be reached or specific public service delivery outcomes achieved.

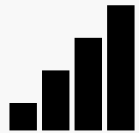
Why do we need it?



To build on the good work and delivery in support of the Armed Forces Community.



Members of the Armed Forces Community are still facing disadvantage in accessing public goods and services.



There remains a disparity in awareness of the Covenant and the issues that the AF Community face around the country.



To improve the Armed Forces' lived experience, by increasing awareness of disadvantages they can face and how they can be resolved.

The Covenant Duty in practice Education



A Service family is re-located to a new area by the Army, in the middle of the school year. The two children are placed in two different schools in opposite directions from their Service Family Accommodation, each a significant distance away.

The non-serving parent has to take both to school. Due to the time this takes, one child gets to school an hour early each morning, and the non-serving parent is finding it hard to maintain their own employment.

- Does this scenario fall within scope of the Covenant Duty?
 - Is the school or local authority within scope?
 - Is home-to-school transport within scope?
 - Are the children & non-serving parent in scope?
 - Have they experienced a disadvantage?
 - If so, has it arisen from Service life?
 - Might special provision be appropriate here?
- Has the school or local authority fulfilled its legal obligation under the Covenant Duty? What would you advise them to do?

The Covenant Duty in practice: Housing

James will soon be discharged from the Navy. He wants to move into social housing back in his home area after his discharge.

However, he's currently deployed to the Falklands, so cannot view the available properties, sign a contract, or collect keys. Also, the council's computer system does not register overseas addresses, so cannot accept his Falklands contact address.

He is therefore unable to progress his application for social housing.

- Does this scenario fall within scope of the Covenant Duty?
 - Is the body providing the service within scope?
 - Is access to social housing within scope?
 - Is James within scope?
 - Has James experienced a disadvantage?
 - If so, has it arisen from Service life?
 - Might special provision be appropriate here?
- Has the local authority fulfilled its legal obligation under the Covenant Duty? What would you advise it to do?

Where do I find out more about the Duty?



The screenshot shows a web browser displaying the 'Armed Forces Covenant Duty toolkit' page. The browser's address bar shows the URL: <https://www.armedforcescovenant.gov.uk/armed-forces-covenant-duty-toolkit/>. The page header includes the Armed Forces Covenant logo, the text 'Armed Forces Covenant Proudly supporting those who serve', a search bar, and social media icons for Facebook, Twitter, RSS, and LinkedIn. A navigation menu contains links for Home, About, Support and advice, Get involved, Latest news, Local authorities, and Contact us. The breadcrumb trail reads 'Home > Armed Forces Covenant Duty toolkit'. The main heading is 'Armed Forces Covenant Duty toolkit', followed by a paragraph: 'The following resources provide information about the legal Duty aspect of the Armed Forces Covenant. Please use these resources to inform yourself or to engage with your wider networks.' Under the heading 'Reference Documents', there are two items: 1) 'Statutory Guidance on the Armed Forces Covenant Duty' by the Ministry of Defence, with a description: 'Statutory Guidance provides comprehensive information on the Duty, and examples of good practice.' 2) A flow diagram and example scenarios, with a description: 'A flow diagram and example scenarios show how to decide if particular circumstances are covered by the Duty.'

<https://www.armedforcescovenant.gov.uk/armed-forces-covenant-duty-toolkit/>



Any Questions?



www.armedforcescovenant.gov.uk

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