



**Foreword  
Secretary of State  
for Defence**

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Last summer's publication of the Command Paper, 'The Nation's Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans', was vital to delivering improved welfare and support for our people.

Well received by the Services, veterans groups and by the public, it set out a number of practical measures to support the Armed Forces community. We shall be publishing the first Annual Report in the autumn charting the progress that has been made. The Command Paper was an important step forward; we must now make permanent the approach it embodied.

Those who serve on our behalf place all that they have on the line for this country. In return, the nation has a commitment to make sure that they have the support they need and deserve, when they need it. I would like to build on the Command Paper for the long term to ensure the principles of no disadvantage and special treatment where appropriate are recognised, understood and upheld at all levels of administration, from policy formation right through to service delivery.

This consultation document is the next step in that process. It sets out our initial thinking on how we might secure consistent and enduring support for the Armed Forces community. The ideas it contains are therefore intentionally broad and wide ranging, they do not represent proposals for a particular course of action. I want to explore these ideas through a public consultation, where everyone can have their say about the best way forward. The responses received will help shape our thinking and deliver real and lasting effect for the Armed Forces community. I encourage you all to join the debate.

A handwritten signature in black ink, appearing to read 'Bob Ainsworth'. The signature is stylized and cursive, with a large initial 'B' and 'A'.

**BOB AINSWORTH**

# Chapter 1: Introduction

- 1.1** Our Armed Forces are second to none. The demands we impose on them in the course of their duty are unique. These obligations set them apart from all others who serve and protect society. Their hardships are also felt by their families, and by many veterans too. The nation has a commitment to ensure that they are fairly treated. This commitment was laid out in last summer's publication of the Command Paper, 'The Nation's Commitment: Cross-Government Support to our Armed Forces, their Families and Veterans'. It was designed to end the disadvantage that military service imposes on Service personnel, their families and veterans, and to set out how we can better support and recognise those who have been wounded in the service of their country.
- 1.2** We require our Armed Forces to follow orders whatever the danger, moving around the country and the world as and when necessary. This mobility requirement makes it harder for Service personnel to exercise life choices, for example to achieve home ownership. Consequently, many serving personnel and their families find it difficult to reconcile life in the Armed Forces with their legitimate expectations. The Command Paper aimed to counter these difficulties, to uphold the Government's moral obligation and, on behalf of the nation, to honour its responsibility towards the Armed Forces. The Command Paper set out the essential starting point that those who serve must not be disadvantaged by virtue of what they do – and this will sometimes call for degrees of special treatment.
- 1.3** Underpinning this were the following enduring principles:
- **As much lifestyle choice as any citizen.** Despite the unique demands of their profession, Armed Forces personnel and their families should be able to manage their lives as easily as anyone else. They must be offered real and sustainable choices to achieve their own balance between the demands of military life, personal development, Service mobility and family stability.
  - **Continuity of public services.** Service mobility risks disadvantaging Service personnel and their dependants in relation to others – for example, in the allocation of school places or in access to benefits and NHS services. They must receive continuity of public service wherever they are based and whenever they are obliged to move.
  - **Proper return for sacrifice.** Servicemen and women accept conditions that impose limitations on how they live their lives, and they can suffer terrible physical and mental injury. Service personnel will receive the treatment and welfare support they need for as long as they require it. That need often extends through life and is equally applicable to families.
  - **The Armed Forces community matters.** The Armed Forces community includes Armed Forces personnel, their families and veterans and is vast – by one definition it totals over 10 million

people. Government departments, where appropriate Devolved Administrations, and other bodies should be taking account of the effect on the Armed Forces community when making policy or considering legislative proposals.

- 1.4 Whilst we are making significant progress on the specific measures to which we committed ourselves in the Command Paper, we also need to ensure that the commitment to upholding the Command Paper principles lasts. We want to promote an enduring shift in the way in which public bodies (and beyond) think about the Armed Forces community, so that their special circumstances and the potential for disadvantage are taken into account at all stages, from when policies are first conceived through to when they are experienced by the individual. This consultation paper seeks views on different options for securing consistent and enduring support for the Armed Forces community.

### What we are already doing

- 1.5 Work carries on at pace across Government departments and the Devolved Administrations to deliver all of the commitments and initiatives set out in last year's Command Paper, and in the Scottish Ministers' commitments paper published at the same time. Key changes that we have delivered already are:

- Compensation for most serious injuries doubled.
- Free further education for Service leavers.
- Access to substantial grants to adapt houses for disabled veterans.
- Retention of places on NHS waiting lists.
- Help for Forces leavers to get on the housing ladder.
- Priority boarding school places for Forces children.
- Fairer treatment when Forces families apply for social housing.
- Help for Forces partners to find work when they move.

- Fairer route to British citizenship for Foreign and Commonwealth Forces children.
- Special advocates to speak up for the Forces in Government departments, and in the Devolved Administrations in Scotland and Wales.

The new Armed Forces Advocates from across Government and the Devolved Administrations are working effectively. They are both driving forward existing commitments, and identifying and correcting other policies that disadvantage the Armed Forces community.

- 1.6 The Command Paper also outlined a number of processes in place to ensure continued delivery. These include:
- The establishment of an External Reference Group chaired by the Cabinet Office to monitor progress and hold departments to account.
  - The publication of an Annual Report on progress.
  - A commitment to a full review of progress after five years.

- 1.7 Taken together, this is a substantial achievement. To look beyond is not to cast doubt on the effectiveness or importance of these steps, but to build on them for the long term.

### What outcome are we seeking?

***Our vision for the future is a nation where, as a matter of routine, all services are provided to the Armed Forces community in a way which prevents that community being subject to disadvantage, and provides special treatment where appropriate, including for those injured in Service; and where all those responsible for directing and delivering those services get the encouragement, guidance and recognition they need to make that happen.***

- 1.8 This means making permanent the core principles (of no disadvantage and special treatment where appropriate) embodied in the Command Paper. Ensuring adherence to these principles at all levels of administration – central, devolved and local – will be key. The principles are not

contested; the challenge is for them to filter through to policy makers and to those responsible for service delivery. The approach must be seamless from the Minister's office to the service experienced on a daily basis by the individual.

1.9 The challenge can be illustrated with reference to examples, many related to mobility. The mobility associated with military service has, in the past, resulted in significant gaps in outcomes for Service personnel and their families, particularly in terms of access to public services:

- Some English local health authorities have applied a minimum two year residency criteria to assess eligibility for IVF treatment. This created a disadvantage – now being addressed by the Department of Health working with these authorities – for Service personnel and their families who could not satisfy the requirement to live in the area for a certain length of time due to frequent relocation. The problem did not arise from a deliberate attempt to exclude Service families, but from **a lack of awareness of their circumstances.**
- Accompanying spouses or civil partners of Service personnel posted overseas may, in some locations, have difficulty obtaining employment and thus maintaining their National Insurance contribution record for state benefit purposes. The Government has agreed to award Class 1 National Insurance Credits in these circumstances. This will be implemented in 2010 and will protect the eligibility of Service spouses and civil partners to a State Pension and to National Insurance contribution-based benefits such as Jobseeker's Allowance and Employment and Support Allowance. However, correcting this problem may not prevent something similar happening in the future, **unless consideration of the implications for the Armed Forces community is built into the policy-making process at an earlier stage.**

1.10 Comparable issues arise in ensuring consistent and enduring support to our

veterans, whose needs may be different from the population generally. We must ensure that they have proper access to the public services and specialist support they require. For example:

- Access to social housing can be more difficult for veterans. Local connection is often a factor in the allocation of social housing, but until last year (in England and Wales) Service personnel were prevented from establishing a local connection with the area in which they were serving. That could impinge on their access to social housing when they left the Armed Forces. In this case policy choices were made concerning the position of Service personnel, but **they were not choices we would make today, and no mechanism was in place to review the position.**
- One of the commitments made in the Command Paper was that Armed Forces Compensation Scheme payments would be disregarded in the means test for grants for housing adaptation. This was a case where **the case for special treatment had not previously been given sufficient weight in setting the rules.**

1.11 In the light of the demands placed on the Armed Forces community and the sacrifices they make, we want to ensure that they receive fair treatment that recognises fully the limitations placed on them due to military service. There are two parts to achieving this. One is to prevent disadvantage arising in the first place. We are therefore seeking to ensure that in planning, commissioning and resourcing services, public bodies will consider how to deliver their service in such a way as to minimise or remove the disadvantages faced by the Armed Forces community, both now and in the future.

1.12 The other element of the vision concerns the point of delivery. Policies are of little value if they are not understood or not observed by those who bear frontline responsibility for dealing with the Armed Forces community. A huge variety of bodies are involved at this level, from

Government departments administering benefits applications to medical practitioners or housing officers. Some of the approaches discussed in this paper may influence both the policy level and the delivery agencies; others will be specific to one or the other.

- 1.13** The potential benefits of taking some of the approaches laid out in this paper include:
- Ensuring the principles in the Command Paper are maintained into the future;
  - Ensuring delivery organisations apply these principles uniformly;
  - Ensuring that future legislation and policy take account of these principles;
  - Raising awareness and understanding of, and wider commitment to, these principles;
  - Giving intended beneficiaries a general recourse if these principles are not being applied; and
  - Providing a mechanism to make it easier for the Armed Forces community to make a specific complaint and have individual issues resolved.

### **Nature of the consultation**

- 1.14** This consultation paper sets out a number of different options, in two broad areas: making the principles in the Command Paper consistent and enduring, and providing a new route for recourse. The options are not necessarily mutually exclusive. It may be that a mix of measures provides the best solution. Nor does the inclusion of any option reflect a preference for that course of action. This paper is intended to explain our current thinking and seek views on both individual options, and on how they might be combined to deliver consistent and enduring support to the Armed Forces community.
- 1.15** Where the options relate to devolved matters in Northern Ireland, Scotland and Wales we will work with the Devolved Administrations who are responsible for a number of areas such as health, housing, education, skills and transport, in determining how best to take forward the principles of achieving equal or similar

levels of support for the Armed Forces community. In these areas the Devolved Administrations will wish to consider the responses to this consultation in respect of devolved matters and determine a way forward that is appropriate for them, in consultation with their strategic partners. The UK Government will work with them to deliver a solution which supports the Armed Forces community across the UK.

- 1.16** It is usual practice for formal consultations to be accompanied by an Impact Assessment. This consultation paper is intended to be an early part of the debate. We have no preconceptions about the route to be taken, which will depend on the work to be done over the next few months to determine the scope, benefits and possible costs of all options. Therefore an Impact Assessment is not considered to be appropriate at this stage.
- 1.17** Under the New Burdens Doctrine, the Government is committed to ensuring that new burdens falling on local authorities are fully funded. Should further work on any of the options discussed in this paper indicate that they are worth pursuing, but will place new burdens on local authorities, the Government will assess the nature of those burdens and ensure that they are fully funded.

### **Consultation questions**

- 1** Where should we focus future work on implementation of the Command Paper's principles (of no disadvantage and special treatment where appropriate)? At the central UK Government and Devolved Administration level, or at the local level? How do we strike a balance between the two?
- 2** Having reviewed the various options discussed in this paper, are there others which should be given consideration?