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Rt. Hon. Dr Andrew Murrison MP
Parliamentary Under-Secretary of State
Minister for Defence People, Veterans and Service Families

19th May 2023

Dear Minister

Forces in Mind Trust (FiMT) was founded in November 2011 by a £35 million endowment from the Big Lottery Fund (now The National Lottery Community Fund). Our mission is to enable a successful and sustainable transition of ex-Service personnel and their families to civilian life. Since our inception, we have worked closely with key stakeholders to progress our mission, and we work collaboratively with the Ministry of Defence and charity sector to ensure that the Armed Forces Covenant is delivered consistently and effectively across the UK.

We are pleased now to have the opportunity to comment on the possible extension of the Duty of due regard that is placed on local bodies responsible for delivering healthcare, education and housing services, to central UK Government and Devolved Administration departments.

Before addressing the specific consultation questions we would like to acknowledge the significant progress that has been achieved in the last ten years in relation to the awareness, understanding and support available to the Armed Forces community, and the key contribution that the Armed Forces Covenant has made. This is evidenced both in the Government's annual reports to Parliament on the Covenant, and through the in-depth 'Our Community, Our Covenant' research reports that FiMT has developed and funded, with helpful engagement from the MOD and a wide range of other stakeholders from across the public and charity sectors, academia and the Armed Forces community itself.

Our specific comments are submitted as answers to the four consultation questions posed:

1. What is your perception of the UK Government's and Devolved Administrations' existing levels of implementation of the Covenant principles?

While recognising the importance of capturing perceptions, we would like to focus on the tangible evidence that exists on levels of implementation. In 2016, in partnership with the Local Government Association, FiMT published ['Our Community, Our Covenant: improving delivery of local Covenant pledges'](#) which examined how local authorities were delivering pledges under the Covenant, what was working well and any improvements that could be made. This report identified examples of good practice and created a toolkit which has proved to be particularly useful for local and other public authorities in helping to support knowledge and understanding of what good implementation of Covenant pledges looks like and how to make it happen on the ground.

This original 2016 research found that while 87% of councils considered that they had a good or moderate understanding of the Covenant and 81% of the Armed Forces Community were aware of the Covenant, there was uncertainty about what the Covenant meant in practice. The research also found that 38% of the Armed



Forces Community who had taken part felt that they had been disadvantaged as a result of their service at least once, and nearly a quarter of respondents felt that their council did not fully understand their needs. A further report '[Benefit not Burden](#)' in 2019 focused particularly on pledges that could improve civilian employment opportunities for the Armed Forces Community.

FiMT's most recently published research '[A Decade of the Covenant: A review of delivery and impact of ten years of the Armed Forces Covenant](#)'. This was a UK wide report which shows that challenges still remain, particularly in the current environment within which local authorities operate, and that it can be difficult to allocate significant resources to the delivery of the Covenant pledges. It shed light on how the multi-agency nature of local authorities and public organisations operations can also add a further layer of complexity. The research also revealed other manifestations of disadvantage that require attention, including the need to address the impact of parental deployment on Service children, the impact on the independence of older veterans in their access to adult social care, and the significant challenges that a minority of veterans experience during their transition out of the Armed Forces.

An issue at the heart of implementation of the Covenant is the need to increase awareness of the opportunities associated with the Covenant within councils, public service providers and the Armed Forces community, combined with enabling people and organisations to be more confident about their Armed Forces connection and aware of the actions that are being taken to meet needs.

The evidence shows that further progress is needed. FiMT is currently in the process of commissioning a fourth research project, 'Our Community, Our Covenant and Beyond' which will examine the evolving environment for delivery of the Covenant and wider support for the Armed Forces community and it will include the implications of the new duty. We will continue to be in regular contact with Government officials across the UK on the progress of this project, which will help to provide an evidence-based and strategic view of how the Covenant should be taken forward, developed and evolve in the future.

2. What do you see as (a) the benefits and (b) the costs of extending the Duty of due regard to central UK Government and Devolved Administration departments (not including the Ministry of Defence – see Q3)?

We are still at an early stage of understanding, measuring and evidencing the benefits and costs of introducing the duty of due regard as currently set out in statute. However, if the new duty was to be extended to central UK Government and departments of the Devolved Administrations then we can see that this could have some significant benefits alongside the costs that it would generate.

We envisage two main benefits. Firstly, it would ensure that all central government departments would be required to give consideration to the Armed Forces community when developing new or amending existing policy. Secondly, in doing so it would help to increase awareness and understanding both of the Covenant itself and of the unique needs of serving and ex-Service personnel and their families.

While recognising that the question relates to extending the application of the current duty of due regard rather than the scope of the current duty, we do have concerns regarding the potential, unintended risk of a two-tier Covenant developing as a consequence of its application to solely health, housing and education rather than to all public service authorities and their statutory responsibilities resulting in issues affecting the Armed Forces Community not being considered holistically. In particular we wish to highlight the relevance of an extension to the social care and justice systems.

3. What do you see as (a) the benefits and (b) the costs of extending the Duty of due regard to the Ministry of Defence when delivering comparable services to the Armed Forces community?

We can see some positive implications associated with extending the duty of due regard to the Ministry of Defence when it comes to support for the transition from military to civilian life. For example, the practical application of the Defence Holistic Transition Policy, JSP100, varies within and between the Services and the extension of the duty to the MOD could helpfully provide a greater incentive to ensuring that all serving personnel and their families have equitable access to transition support, both in terms of tangible forms of support as well as those that relate to there being a supportive ethos and culture during the lead up to leaving.

On the costs of extending the duty, whether to central Government and devolved departments or specifically to MOD, we recognise that there might be some modest costs involved. We believe that these would be more than recouped by the effects of reducing the numbers of people who fail to make a successful and sustainable transition to civilian life. Back in 2013 the [Transition Mapping Study](#) developed an economic model which calculated the total cost of poor transition to the UK as a whole as £113 million. While this figure is now out of date, it helps to demonstrate the cost benefits of getting things right, and mitigating costs for wider society, even if some level of additional investment is necessary.

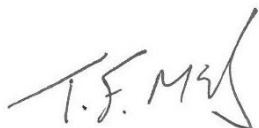
4. Are you aware of any examples of individuals who would have obtained a better outcome if the UK Government or Devolved Administration had been legally required to have regard to the Covenant principles?

As the funder of evidence generation to inform policy and improved support provision it is more appropriate for those charities that are providers of services to respond to this question. We anticipate that our next research project, Our Community, Our Covenant and Beyond, will generate evidence that provides a clearer picture of whether or not an extension of the legal duty would lead to better outcomes in the areas of health, housing and education.

Final comments

I hope that this response is useful. If there are any aspects that you would like to discuss, please do not hesitate to get in touch.

Yours sincerely



Tom McBarnet
Chief Executive (Acting)