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of Defence

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17 October 2016

Dear

Thank you for your email of 21 September 2016 requesting the following information:

"Please can you confirm how proceeds from Alternative Venues hirings are used by the MOD. Where the hiring relates to a Cadet Forces building (be it ACF, SCC or ATC), do those units (either at HQ or unit level) receive any of the proceeds and if so, how is this calculated, what level and by whom are the proceeds paid and are there any restrictions on the use of such proceeds."

I am treating your correspondence as a request for information under the Freedom of Information Act 2000.

A search for the information has now been completed within the Ministry of Defence (MOD) and I can confirm that all information in scope of your request is held and can be found as follow:

Please can you confirm how proceeds from Alternative Venues hiring's are used by the MOD:

Please see Annex A attached. Part Four – Estate Management.

Where the hiring relates to a Cadet Forces building (be it ACF, SCC or ATC), do those units (either at HQ or unit level) receive any of the proceeds and if so, how is this calculated.

As detailed in Annex A the RFCA is required to return a minimum of 20% of the fee to the hosting unit although some RFCAs choose to exceed that minimum in order to better incentivise units to host AV activity.

What level and by whom are the proceeds paid and are there any restrictions on the use of such proceeds.

The RFCA pays the unit share direct to the unit central account therefore through the unit headquarters. The RFCA places no restrictions on the use of those funds; however, the Army has issued direction on how those funds can be spent by reserve units which is in line with their normal handling of public funds and is accountable at Commanding Officer level.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your Freedom of Information request, then you should contact DIO Secretariat in the first

instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 2nd Floor, Zone N, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely,

DIO Secretariat

DEFENCE COUNCIL ORDER

THE RESERVE FORCES' AND CADETS'

ASSOCIATIONS REGULATIONS 2014

The Defence Council, in exercise of their powers conferred by section 117 of the Reserve Forces Act 1996, for the purposes of sections 113, 114 and 115, and with the consent of HM Treasury and all other powers enabling them in that behalf, hereby make the following Regulations:

Part	CONTENTS
1	General
2	Responsibilities.
3	Financial and General Management.
4	Estate Management.
5	Personnel.
Annex	
A	A-1 Reserve Forces' and Cadets' Associations.
	A-3 Administrative Areas of Reserve Forces' and Cadets' Associations.
	Appendix I General Duties of Reserve Forces' and Cadets' Associations.
B	Membership Appointment Procedures.
	Appendix I Qualities required of Members and the Chairman of a Reserve Forces' and Cadets' Association.
	Appendix II Principal Duties of Chairman, Chief Executive and Members of a Reserve Forces' and Cadets' Association.
C	C-1 Defence/Reserve Forces' and Cadets' Associations External Governance Structure (Strategic Level).
	C-2 Defence/Reserve Forces and Cadets Associations External Governance Structure (Working Level).
D	D-1 Council of Reserve Forces' & Cadets' Associations Ministerial Board.
	D-2 Reserve Forces' and Cadets' Associations' Customer Board.
E.	Other Activities.
F.	Reserve Forces' and Cadets' Funding.
G.	Glossary of Abbreviations.

THE RESERVE FORCES' AND CADETS' ASSOCIATIONS
REGULATIONS 2014

PART 1 GENERAL

Citation, commencement and revocation

1.1 These Regulations may be cited as the Reserve Forces' and Cadets' Associations Regulations 2014 and come into force on 30 December 2014.

1.2 These Regulations revoke the Reserve Forces' and Cadets' Associations Regulations 2009.

ORGANISATION

General

- 1.3 Each Reserve Forces' and Cadets' Association (RFCA) is a Central Government body with Crown Status¹. They are established in accordance with the provisions of the Reserve Forces Act 1996 (RFA 96) Part XI and schedule 4. The Regulations that follow are made by the Defence Council, on behalf of the Secretary of State (SofS) for Defence, in accordance with section 117 of those provisions and is the principal document that provides the business framework in which the RFCAs must work.
- 1.4 Within these Regulations:-
- a. References to Reserve Forces are in accordance with the definitions in RFA 96, sections 1 and 2 and schedule 8, paragraph 7.
 - b. Any reference to the masculine is a reference to a person of either sex.
 - c. Any reference to the Ministry of Defence (MOD) shall include the nominated representatives of the Defence Council.
- 1.5 These Regulations lay down the enduring business processes and are to be read in conjunction with HM Treasury's "Managing Public Money" and "Government Financial Reporting Manual (FRM)", RFCA Grant and Grant in Aid Financial Framework (RFCA FF), Service Level Agreements (SLAs), MOD Joint Service Publications (JSPs) and all other relevant guidance from MOD and Other Government Departments (OGDs).

RFCAs: Constitution, Composition, Appointments, Duties and Governance

- 1.6 A RFCA has been established for each of thirteen administrative areas. A list of the Associations and the administrative areas they serve is at Annex A. RFA 96 section 112 has assigned two general duties that constitute its prime functions in respect of land and air forces, and reserve naval and marine forces. These are:
- a. To give advice and assistance to the Defence Council, including advice on the use of the resources of its area relevant to Defence.
 - b. To conform to the MOD Departmental Plan.

Additional detail is contained in Annex A, Appendix 1.

- 1.7 Each Association is an autonomous and tri-Service corporate body with a common seal. It is representative of the area for which it is responsible and is linked to the Crown prerogative through the County Lieutenancies. Its

¹ Cabinet Office Propriety & Ethics Team direction DTG 041322 October 2007.

membership is prescribed by means of a Scheme of Association, drawn up and funded by the Defence Council under RFA 96 section 111 and schedule 4. Each five-year Scheme will be reviewed during its final year of operation.

- 1.8 Each Association will appoint a Management Board headed by the Chairman of the Association. All matters relating to the exercise of powers or the performance of duties of the Association will be under its direction. The composition of the Board shall be detailed in the Scheme of Association.
- 1.9 With the exception of regular officers commanding units, each Association is composed of serving members of the Volunteer Reserve Forces and civilians. Members are unpaid for their Association duties, although they may claim Travel and Subsistence expenses when appropriate. Appointment of members will be made in accordance with the Office of the Commissioner for Public Appointments (OCPA) Guidance. Procedures for Membership Appointment are contained in Annex B and shall be incorporated in each RFCA's Scheme of Association.
- 1.10 The Chairman of the Association will be elected by those Members present and voting at its Annual Meeting. His duties and responsibilities, as outlined in regulations 2.15, 2.16 and Annex B, Appendix II, will be confirmed on first appointment by Letter of Authority signed by Director Resources Army (D Res (A)).
- 1.11 Each Association will employ a Chief Executive (CE) (in these regulations referred to as the "CE RFCA"). He and his salaried secretariat will support the Members in discharging the tasks assigned to the Association. The appointment, terms of reference and terms and conditions of employment of the CE RFCA will be subject to Director Resources Army prior written approval of the Association Chairman's formal recommendation.
- 1.12 Ultimate responsibility for membership appointments rests with the Defence Council. Director Resources Army will act on its behalf in this regard and confirm in writing such appointments, each for a five-year term. With the exception of the Chairman and CE appointments, Director Resources Army may delegate the task of approving membership appointments to individual Chairmen of The Council of Reserve Forces' and Cadets' Associations (in these Regulations referred to as the "Council" or CRFCA) and RFCAs. Once confirmed, notification of Chairman and CE appointments is to be passed to Assistant Chief of the Defence Staff (Reserves & Cadets) (ACDS (R&C)). Director Resources Army may ask for or insist on the resignation of a member following consultation with the President of the Association and ACDS (R&C).

The Council of the Reserve Forces' and Cadets' Associations

- 1.13 The Council of Reserve Forces' and Cadets' Associations is a joint committee established under the provisions of RFA 96 section 116 which will provide a strategic level interface between defence customers and the Associations, as well as providing guidance and advice to the CRFCA Board. The Council's

membership is detailed in the CRFCA constitution and consists of appointed Vice-Chairmen for the Services, Association Chairmen, Reserve and Cadet representatives and individually appointed voluntary members with specific expertise and interest in RFCA work. The CRFCA Board, routinely chaired by the elected deputy Chairman and comprising the CE CRFCA, Association Chairmen and Vice-Chairman of the Executive Board (XB) will exercise central direction and oversight of the key business outputs, including internal governance. The XB, chaired by CE CRFCA and comprising the Association CEs, is the principal corporate means by which CE CRFCA and all Association CEs fulfil their responsibilities as Budget Holders and for oversight of the delivery of the RFCA FF and SLAs with the customer Top Level Budget Holders (TLBs).

- 1.14 The Chairman of the Council may have direct access to Ministers, on behalf of the Board Members, on any matter concerning major policy considerations or overall RFCA business in connection with Reserve and Cadet matters. Through the Board, the Council also monitors the adoption of best practices in each Association to ensure efficient management and cost-effective services to MOD. The Council will be supported by a Secretariat, which will be funded by contributions from each of the Associations.

THE RESERVE FORCES' AND CADETS' ASSOCIATIONS
REGULATIONS 2014

PART 2 RESPONSIBILITIES

Secretary of State

2.1 The SofS is accountable to Parliament for the activities and performance of the RFCAs. He has ultimate responsibility for determining the policy, resources, framework, delegations and freedoms within which an Association shall operate, acting where so directed by RFA 96 through the Defence Council. His responsibilities include:

- a. Approving the RFCAs' strategic objectives and the policy and performance framework within which the RFCAs will operate.
- b. Providing information about the RFCAs to Parliament as required.
- c. Determining the amount of public funding to be paid to the RFCAs, and securing Parliamentary approval.
- d. Carrying out responsibilities specified in the founding legislation.
- e. Appointments to Boards, approval of terms and conditions of Board Members, appointment of the Chief Executives through Schemes of Association, and the implementation of the Quinquennial Review of the Schemes of Associations.
- f. Placing the annual report and accounts in the libraries of both Houses of Parliament.

Defence Council Representatives

2.2 The Assistant Chief of the Defence Staff (Reserves and Cadets) and Director Resources Army will act on behalf of the Defence Council and be responsible with regard to the RFCAs for the following:

- a. ACDS (R&C)
 - (1) Defence and tri-Service Policy.
 - (2) Interpreting Government Policy.
 - (3) Representative for interests of the Chief of the Defence Staff and Ministers.
 - (4) Advice to Ministers.
 - (5) Regulations.

- b. Director Resources Army
 - (1) Senior Financial Officer (SFO) responsible for the RFCA FF, which outlines funding arrangements for Grant and Grant in Aid (G-in-A).
 - (2) Forwarding the RFCAs' audited combined Annual Report and Accounts and any report by the auditor to Minister and the Libraries of both Houses of Parliament.
 - (3) CRFCA and RFCA Membership Appointments in accordance with 1.10 above.
 - (4) Personnel Matters (with reference to Army Land Forces Director - Assistant Chief of Staff (Army LF-ACOS)).

Governance of Associations

- 2.3 The structure of Governance (Annex C) will consist of two parts:
- a. **CRFCA Ministerial Board (CRFCA MinB).**² The SofS shall be advised by the CRFCA MinB, which will meet annually under the Chairmanship of Min (Res). The prime purpose of this body will be to enable Min (Res), on behalf of the Defence Council, to be kept informed on matters affecting the Volunteer Reserve and Cadet Forces. The Terms of Reference and membership are detailed in Annex D.
 - b. **RFCAs' Customer Board (RFCAs' CB).** A Customer Board, chaired by ACDS (R&C) and with Director Resources Army as Vice-Chair, shall be established for the purpose of enhancing visibility of the overall activities and costs of the Associations in the execution of those duties and tasks assigned to them. ACDS (R&C) will be chairperson and Members will comprise Output Owners (those customers paying for a service) and Supplier (CRFCA on behalf of the RFCAs). The Terms of Reference and membership are detailed in Annex D.
- 2.4 In-year matters may be conducted through bilateral meetings between the CRFCA MinB Chairman and recognised principal representatives of the RFCAs. The management and monitoring of the RFCA FF and SLAs will take place on a bilateral basis between the CRFCA and Output Owners.

MOD Cadets and Youth

- 2.5 The MOD sponsored Cadet Forces are at the core of MOD's Youth Policy. The RFCAs are represented by CRFCA on the MOD Youth and Cadets Council, which has been established to provide overarching direction for Cadets, Partnership Youth and Curricular Activities.

² As at Nov 14, the CRFCA MinB is in abeyance due to the governance in place under FR20.

- 2.6 The RFCAs operate as the regional focus for the provision of cadet services and coordination for joint cadet activity and also (where able) to act as regional champions for MOD's cadet and youth interests, promoting relationships with regional government, local authorities and community leaders to encourage cooperation, support and funding.
- 2.7 Detailed responsibilities for the RFCAs' support to cadets are contained in the single Service Cadet regulations.
- 2.8 Associations provide no formal services to the Marine Society and Sea Cadets (MSSC), although there are some MSSC facilities on the Volunteer Estate (VE) which the RFCAs support. Contact by each Association is confined to liaison. In common with the Army Cadet Force (ACF), Air Training Corps (ATC) and Combined Cadet Force (CCF), appropriate members of the Sea Cadet Corps (SCC) are on certain committees or sub-committees and are members of the Association.

Associations

- 2.9 In addition to the two general duties assigned by RFA 96 (outlined at para 1.6 above), the Defence Council has assigned to Associations specific duties in respect of the RFCAs. These are listed under broad headings (not in priority order):
 - a. Advice and Assistance.
 - b. Volunteer Estate and Infrastructure.
 - c. Employer Engagement/Support.
 - d. Recruiting Support.
 - e. Cadets and Youth.
 - f. Establish and Maintain Links with the Civilian Community
- 2.10 The execution of the duties listed above ensures that members are well prepared to fulfil their advisory and support obligations. Routinely assigned tasks will be managed and delivered under the auspices of the RFCA FF and SLAs. Expansion of these assigned tasks will be agreed at the annual CB for subsequent consideration and approval at the CRFCA MinB.³ Other standing tasks are detailed in Annex E, which may be superseded by the introduction of additional SLAs.
- 2.11 In order to assist in the successful projection of the Armed Forces' image in society (Community Engagement), the task of maintaining links with the civilian community and providing a Defence footprint throughout the United Kingdom underpins all the RFCAs' key business outputs and is essential for

³ As at Nov 14, the CRFCA MinB is in abeyance due to the governance in place under FR20.

their successful delivery in support of Defence Policy. This vital role is carried out mainly by the voluntary membership and without such involvement the RFCAs would be unable to acquire the necessary links, information and knowledge needed to discharge the duties placed upon them.

- 2.12 Each Association shall execute these duties and tasks in the manner best suited to the region for which it is responsible. CE CRFCA, through contact with the single Services (sS) will ensure that RFCAs are acquainted with, and conform to, requirements for Volunteer Reserve and Cadet Forces within the Management Plans of the Royal Navy, Army and Royal Air Force. Associations will conform to these requirements, drawing on relationships with local commanders to adapt such requirements to meet regional imperatives.
- 2.13 The provisions of RFA 96, section 112 enable the Defence Council to task Associations to undertake duties in support of Defence in addition to those listed above. Where additional tasking would be in the interests of good efficiency for Defence customers, it will be implemented subject to:-
- a. Consultation with the RFCAs to confirm feasibility for the membership.
 - b. Provision of any increased resources that may be necessary.
- 2.14 While an Association as a whole is subject to such liability as is pertinent to a corporate body, the individual members, including those forming the joint committee known as the CRFCA, are under no pecuniary liability for any act properly done by them as members of the Association or CRFCA in carrying out the duties assigned to them by the Constitution of the Association. Associations are advised to make themselves familiar with the provisions attaching to a corporate body.

RFCAs Chairman

- 2.15 The regional RFCAs Chairman is appointed for one year at a time, with re-election or the selection of a successor forming part of the business at the Association's Annual Meeting. Under the terms of a personal Letter of Authority issued by Director Resources Army on behalf of the Defence Council, the Chairman is responsible for the effective and efficient running of the Association. On matters specific to that Association, the Chairman may have direct appeal to Ministers through either of the Defence Council Representatives, on behalf of his Association, as a remedy of last resort when all other dialogue has failed.

CE RFCAs

- 2.16 Whilst general responsibility for the management of RFCAs funds rests with, and will be exercised by the Association Board, personal accountability rests with the CE as the Budget Holder of funds allocated to the Association through the CRFCA on behalf of Defence customers (Annex F). The

Association Board may also separately give him specified responsibilities for any private funds belonging to the Association. Under the terms of the RFCA FF and SLAs, the CE will be specifically responsible for routinely assigned tasks.

Chairman of the CRFCA (Chairman CRFCA)

- 2.17 The Chairman CRFCA chairs Council meetings and represents Council interests on high-level MOD Boards or Committees and in dealings with senior political and military leadership of the MOD, and of the single Service Commands, as well as with influential external audiences. He is selected by the CRFCA Board, with the approval of Director Resources Army, on behalf of the Defence Council. His detailed responsibilities are defined in the CRFCA Constitution. In these duties he is supported by the Council secretariat, under CE CRFCA, and an elected chairman who routinely acts as chairman of the CRFCA Board on his behalf.

CE CRFCA

- 2.18 CE CRFCA, through the XB, is personally responsible for coordinating the corporate delivery of business outputs. He represents the Associations through his attendance on both the Reserves Steering Group and the Youth and Cadet Council. He is also, as Accounting Officer for the CRFCA, responsible for safeguarding the public funds for which he has charge; for propriety and regularity in the handling of those public funds and ensuring that a high standard of financial management is maintained within the RFCAs. The CE CRFCA will delegate formal responsibility for the management of individual RFCAs budgets to their respective CEs. In addition, he will ensure that financial systems and procedures promote the efficient and economical conduct of business as well as safeguarding financial propriety and regularity throughout the RFCAs; taking fully into account, in framing and reaching decisions and in their execution, the possible consequences to the Exchequer. He should act in accordance with the terms of the RFCAs FF / SLAs, in addition to instructions and guidance in Managing Public Money, the FReM and any other instructions that may be issued by MOD, HM Treasury and the Cabinet Office.
- 2.19 As set out in para 3.21 below, the CE CRFCA is the Consolidating Officer for RFCAs accounts and will be responsible for presenting the Annual Report to the CB Chairman. The Annual Report will outline the performance of the RFCAs against the business objectives laid down in the RFCAs FF / SLAs and report any issues that have affected, or may affect, the successful delivery of the Service requirement. It will also include the financial statement and balance sheet.

THE RESERVE FORCES' AND CADETS' ASSOCIATIONS
REGULATIONS 2014

PART 3 FINANCIAL AND GENERAL MANAGEMENT

Financial Management

The Ministry of Defence Accounting Officer

3.1 The Permanent Under Secretary (PUS), as MOD Accounting Officer, is responsible to the SofS and accountable to Parliament for the payment of public funds to the CRFCA for the RFCAs. In addition, he is responsible for ensuring that these funds, including the conditions attached to them, are within the terms of the Vote, and that Parliamentary authority has been granted. The MOD Accounting Officer is also responsible for satisfying himself that the financial and other management controls applied by MOD are appropriate and sufficient to safeguard public funds; and that those being applied by RFCAs conform to the requirements of propriety and good financial management. PUS will also endorse the appointment of the CE of CRFCA as Accounting Officer and may withdraw the endorsement if he believes the incumbent is no longer suitable for the role.

3.2 In particular PUS will ensure that:

- a. The CRFCA and RFCAs' strategic aim(s) and objective(s) support the MOD's wider strategic aim(s) and current Public Spending Agreement (PSA).
- b. The financial and other management controls applied by MOD to the CRFCA and RFCAs are appropriate and sufficient to safeguard public funds and for ensuring that the CRFCA's and RFCAs' compliance with those controls is monitored ("public funds" include not only any funds granted to the CRFCA and RFCAs by Parliament but also any other public funds generated by approved activities, for example Exercise Executive Stretch, or falling within the stewardship of the CRFCA and RFCAs).
- c. The internal controls applied by the CRFCA and RFCAs conform to the requirements of regularity, propriety and good financial management.
- d. Public funding is within the ambit and the amount of the Request for Resources, and that Parliamentary authority has been sought and given.

Non-Public Funding & Receipts

3.3 An Association is authorised to receive and account for sums of money from private sources either for general or for specific purposes in accordance with the provisions of the MOD Guide to Repayment (JSP 368). When not received for a specific purpose, such sums will be available for the purposes of

any of the Association's powers and duties or as directed by the RFCA FF and SLAs. Public funds are to be kept distinct from any private or Regimental funds, and from any account of funds arising from private subscriptions. Public funds are not to be used for the audit costs of any private or Regimental funds.

Public Funding

- 3.4 The CRFCA will receive funds from the MOD (Annex F) to enable it to carry out the responsibilities set out in the RFA 96. Public funds are disbursed to individual RFCAs through the CRFCA. The CRFCA funding will be through a Grant in Aid, under delegated authority issued by Director Resources Army and approved by HM Treasury, and grant payments from Defence business output owners. Funds are allocated via:
- a. Grant in Aid (G-in-A). The Grant in Aid is for general administrative expenditure requirements, which are detailed in the RFCA FF drawn up by Director Resources Army on behalf of the SofS, in consultation with the CRFCA and the individual Associations.
 - b. Grant. Payments for specific outputs are funded through grants and details are specified in SLAs.
- 3.5 The CE CRFCA will ensure that funding arrangements with the appropriate MOD Budget Holder are secured by the RFCA FF and SLA. These will detail the conditions under which monies will be provided to the CRFCA for each Association and the management of that funding. The timing of payments must enable CRFCA and an Association to pay all its expected bills as they arise. Grant in Aid payments will not be made to the CRFCA in advance of need. The CE CRFCA will delegate formal responsibility for the management of individual RFCAs budgets to respective CEs.
- 3.6 The RFCA FF and SLAs do not convey any legal powers or responsibilities but provide with these regulations a broad, business framework within which the RFCAs will operate, particularly:
- a. The conditions under which public funds are allocated to the CRFCA for the RFCAs.
 - b. How the CRFCA and RFCAs are to be held to account for the management of public money.

The management of the agreements will rest with the Defence customer output owner. The CRFCA, the SofS (or his representative, Director Resources Army) or the output owner, may propose amendments to these documents which shall be reviewed at least once every five years, or when there is a change in the CE CRFCA, whichever is sooner.

PLANNING, REPORTING AND ACCOUNTING

Planning Procedures

The Corporate Plan

- 3.7 The CRFCA shall submit annually to the CB a draft corporate plan aligned with the Departmental Planning Round (currently 4 years ahead). The Council will have agreed with MOD customers and other stakeholders the issues and outputs to be addressed in the plan and the timetable for its preparation. The plan will reflect the RFCAs' statutory duties assigned by these regulations and, within those duties, the priorities set from time to time by output owners on behalf of the SofS. In particular, the plan will demonstrate how the RFCAs contribute to the achievement of MOD's PSA targets. The plan will be refreshed annually.
- 3.8 The plan will set out:
- a. The RFCAs' key objectives and associated key performance targets for the four forward years, and its strategy for achieving those objectives.
 - b. Alternative scenarios to take account of factors which may significantly affect the execution of the plan but which cannot be accurately forecast.
 - c. Other matters as agreed between MOD customers and the CRFCA.
- 3.9 The main elements of the plan – including the key performance targets – will be agreed between the CB (para 2.3b) and the CRFCA in the light of MOD's decisions on policy and resources taken in the context of the Government's wider expenditure decisions.

The Business Plan

- 3.10 The first year of the Corporate Plan, amplified as necessary, will form the Business Plan. The Business Plan will be produced annually by the CRFCA and will include key targets and milestones for the year immediately ahead. It will be linked to budget information so that resources allocated to achieve specific objectives can be easily identified by MOD customers.

Management Plan

- 3.11 Each Association shall prepare, and update annually, a Management Plan, which will underpin the Corporate and Business Plans prepared by the CRFCA. This plan should take account of the MOD Departmental Plan and supporting Plans insofar as these impinge upon the responsibilities of the RFCA, as outlined in RFA 96 Part XI and these Regulations. MOD (ACDS (R&C)) and the relevant staff of TLBs/HLBs will furnish CRFCA and RFCAs with the requisite documents, briefings and material in sufficient time to permit such plans to be constructed.

- 3.12 The CRFCA and the Associations will also send to MOD customers such other information about current or proposed activities as is from time to time required or that the CRFCA and the RFCAs believe is necessary.

Publication of Plans

- 3.13 In preparing their Plans, the CRFCA and the Associations shall comply with any instructions or guidance laid down in the RFCA FF / SLAs issued by the appropriate MOD Budget Holder. The corporate and business plans, subject to any commercial considerations, will be published annually.

Reporting Procedures

- 3.14 The CRFCA will operate management information and accounting systems which enable it to review, in a timely and effective manner, its financial and non-financial performance against the budgets and targets set out in its agreed Corporate and Business Plans, RFCA FF and SLAs.
- 3.15 The CRFCA will take the initiative in informing MOD customers of change in external conditions which make the achievement of objectives more or less difficult, or which may require change to the budget or objectives set out in the corporate or business plans.
- 3.16 The RFCAs' performance helping to deliver outputs, including the achievement of key objectives, will be monitored and reviewed by MOD output owners on a regular basis through the RFCA FF / SLAs. The process for the formal approval of performance and the Annual Report and Accounts is outlined in paragraphs 2.3 and 2.4 of these regulations.
- 3.17 The RFCAs' performance against key targets (RFCA FF and SLAs) will be reported in the CRFCA's annual report and accounts.

Accounting & External Audit Procedures

- 3.18 The Chairmen and CEs of the CRFCA and each Association will ensure that records and an effective framework of internal controls are maintained relating to their respective accounts. Any case of attempted, suspected or proven fraud is to be reported immediately to the appropriate MOD Budget Holder.
- 3.19 As a Central Government Body, the CRFCA and RFCAs are required to prepare their annual report and accounts in accordance with HM Treasury directions issued under the Government Resource and Accounts Act 2000 and contained in the Government FReM, Department Yellow Book and any instructions issued by the appropriate MOD Budget Holder. The annual report and accounts, signed by the Chairman and CE of each Association, will cover the period from 1st April to 31st March each year. The CE CRFCA has been designated as the RFCAs Consolidation Officer by HM Treasury and the report and accounts will be consolidated by the CRFCA and submitted for

incorporation within the MOD accounts. Copies of the annual report and accounts will be placed in the Libraries of both Houses of Parliament.

- 3.20 The National Audit Office (NAO) has the right of access at all reasonable times to any documents relating to RFCAs' accounts. A person who holds or has control of these documents shall give the NAO any assistance, information or explanation which they require in relation to those documents⁴.
- 3.21 Each Association must appoint an external auditor prior to their Annual Accounts being forwarded to the CRFCA for consolidation. The auditor is not to be a person concerned in any way with keeping the accounts of the Association, nor be a Member of the CRFCA or any Association. The auditor must have the same qualifications as those required for appointment as a company auditor, as described in Part II of the Companies Act 2006. The appointment must be approved by the MOD. The Defence Council may direct at any time that the auditor shall be changed at the end of the year for which he has been appointed, but taking cognisance of the contractual arrangements under which the auditor is appointed.
- 3.22 On consideration of the auditor's report, should the Defence Council decide that a charge cannot be allowed against the public grants of an Association, the charge must be met from money other than that voted by Parliament.

Internal Audit

- 3.23 The CRFCA, on behalf of the RFCAs, shall establish and maintain arrangements for internal audits for all Grant in Aid, Grant and other financial activity in accordance with HM Treasury's Government Internal Audit Standards (GIAS).
- 3.24 The Army Independent Assurance Committee (AIAC) will arrange for periodic reviews of internal audit in accordance with the GIAS to ensure the CRFCA's and RFCAs' compliance with the RFCA FF. Other MOD Budget Holders may conduct additional reviews to determine quality assurance and compliance with SLAs. In addition, MOD reserves a right of access to conduct independent compliance reviews or internal audit (controls) in the CRFCA and RFCAs, to be carried out by Defence Internal Audit (DIA).
- 3.25 The CRFCA will forward to the MOD's appropriate budget holder an annual report on fraud and theft suffered by the RFCAs; notification of any unusual or major incident as soon as possible; and notification of any changes to the CRFCA's Fraud Policy and Fraud Response Plan. Fraud Policy and the Fraud Response Plan should follow the Statement on Fraud by PUS.

⁴ In accordance with Section 8 of the Government Resources and Accounts Act (GRAA)

General Financial Matters

- 3.26 Contracts entered into by Associations are not Government contracts, but the payments made under contracts will normally be defrayed from funds voted by Parliament.
- 3.27 In accordance with RFA 96, section 114(6), unless with the prior approval of the relevant MOD Budget Holder, investment income derived from public funds may only be applied for the purpose for which the overall funds were allocated, and applying the same rules of propriety and regularity.
- 3.28 There is no delegated authority to incur expenditure or generate receipts in relation to activities which may be considered novel or contentious, repercussive, or which raise issues of financial principle. The matter is to be referred to the appropriate budget holder if an Association is unsure whether expenditure or receipts fall into any of these categories.
- 3.29 The prior approval of the appropriate MOD Budget Holder shall be sought before gifts are made from public funds, and a record kept of all gifts and offers of hospitality made or received, whether or not they were accepted.
- 3.30 An Association must seek the approval of the Defence Council and the Treasury before forming or taking part in the forming of a company. It will charge any company, whether or not formed by an Association or by the CRFCA, interest, rent or other costs or charges for the use of publicly-funded assets, in accordance with the provisions in JSP 368.
- 3.31 An Association is not to register for VAT without prior approval of the appropriate MOD Budget Holder.

Delegation of Powers to Units and Security of Funds

- 3.32 An Association may delegate in writing to a commanding officer of a unit, in person, as its agent, such powers of local administration, and such portions of their assigned funds, as it may deem advisable. It will not thereby be in any way relieved of liability for the proper administration of all funds entrusted to it. Similarly, the responsibility of the Association for public property entrusted to it will remain unaffected, although commanding officers and others may be authorised to requisition, receive and hold such property on its behalf.
- 3.33 Unit Commanders will keep the Association fully informed of all investigations instituted under their authority into losses of public funds of the Association, and where appropriate the Association will be invited to give evidence and to hold a watching brief at any Service Boards of Inquiry or Regimental Inquiries.
- 3.34 An Association remains responsible for the public funds entrusted to it and must normally accept full responsibility for losses at a Unit. Where such losses arise from defalcations by or negligence on the part of regular or reserve

Service personnel or MOD civilian employees, the Association will not be required automatically to meet the losses incurred by a unit. Each case will be considered on its merits in the light of the facts revealed by the Board of Inquiry or from other available evidence. Where the Defence Council is satisfied that an Association has exercised reasonable supervision and control, and the RFCA has made good the loss at the unit, the Association will be reimbursed by the appropriate MOD Budget Holder.

- 3.35 An Association's claim for reinstatement or compensation under the circumstances set out in this part is to be submitted to the Board of Inquiry, accompanied by the appropriate form(s) in respect of ordnance issued stores and details in a separate schedule of Association property.

General Management

Compensation Claims

- 3.36 An Association's claim for compensation in respect of Association property, including furniture and normal office equipment, is to be submitted to the appropriate MOD Budget Holder and supported by a copy of the list put forward to the Board of Inquiry.
- 3.37 Compensation is not admissible from public funds for the loss of, or damage to, private or personal property, including furniture and cars, belonging to RFCA and staff members, MOD staff (civilian or military), messes or canteens, except where this is due to the negligence of MOD, its servants or agents. It should be made clear to the owners of such property, when left in Associations or MOD buildings, that they should insure it against loss and damage, unless they are willing to accept the risks themselves.
- 3.38 An Association is indemnified by MOD against all losses to official equipment and property from whatever cause as a result of damage to a building owned by, or occupied with the sanction of MOD, where such equipment or property is kept in the building for official purposes. Where the building is let for non-official purposes such as income generation, arrangements should be made to ensure that the hirer or other non-official user indemnifies MOD fully against any loss or damage that may occur to the building equipment or property as a result of such non-official use of the building, equipment or property. If such property or equipment is kept in other building or retained by individuals for official purposes, the Association will not be indemnified, but a charge for insurance cover will be admitted against the Association's funds. The Association shall take reasonable precautions against fire, flood and other similar perils and shall provide such equipment that it considers necessary to safeguard its buildings equipment and property.

Third Party Claims

- 3.39 A Report is to be made of any incident which may give rise to a possible claim against either the MOD or a member of the Reserve Forces, in accordance with the appropriate Service or MOD Regulations. Reports, information and

claims in respect of damage to property, land or buildings, arising as a result of authorised training or other officially organised activities of Volunteer Reserve Force units and personnel are to be sent immediately by the Association to the appropriate MOD Budget Holder.

- 3.40 Reports, information and claims in respect of death or injury to persons or animals, whether arising from training or not, and reports, information and claims in respect of any occurrence not relating to training which results in loss of, or damage to, property caused by fire, theft or otherwise, are to be sent immediately by the Association to the appropriate MOD Budget Holder.
- 3.41 No claim arising out of an incident to which the Association is party, is to be dealt with by any authority other than the MOD, except in the circumstances outlined in the next paragraph. The Association and Volunteer Reserve Force units are therefore forbidden to enter into any correspondence or discussion with any person or persons in connection with an occurrence likely to give rise to a third party claim or to do anything that might be interpreted as an admission or liability. Any substantive claim for compensation from an individual claimant or a solicitor is to be sent to the appropriate MOD Budget Holder. **NO ACKNOWLEDGEMENT OF ANY KIND IS TO BE ISSUED BY THE ASSOCIATION OR UNIT.** Oral enquiries and other requests for information are also to be referred to the MOD without comment.
- 3.42 The Association is not indemnified by the MOD in respect of claims by third parties arising out of defects in, or the condition of, non-Crown buildings or property owned or occupied by them, other than rifle ranges including indoor miniature rifle ranges. Responsibility for the disposal or settlement of all such claims will rest with Associations, who should consider effecting suitable insurance to cover the risks involved. The cost of such insurance is chargeable to the Association's funds.

Traffic Accidents

- 3.43 The procedures for the investigation and settlement of claims arising from traffic accidents involving MOD vehicles are in Defence Movements and Transport Regulations (JSP 800, Vol 5).

Legal

- 3.44 Matters likely to give rise to legal implications that may be novel, contentious or of general interest to all Associations are to be referred to the appropriate area of MOD. In such cases Associations should not seek independent legal advice without MOD authority.
- 3.45 An Association is fully at liberty to obtain legal advice on any matter not falling within the terms of the above paragraph, and subsequently may enter into legal proceedings. If a Grant in Aid to cover costs or penalties is to be sought, then full details must be sent as soon as possible to Director Resources Army for prior agreement to such proceedings.

Security of Information and Personnel

- 3.46 Associations are to consult their Regional Forces Division Headquarters on questions relating to the physical security of information and personnel. Procedures for the safe storage of documents, arms, ammunition and explosives are laid down in the Defence Manual of Security (JSP 440) and its appropriate Service Supplement.

Disclosure of Information

- 3.47 The CRFCA will set up a formal agreement with the Directorate of Defence Communications (DDC) on what will be allowed regarding the disclosure of information. The CE CRFCA must also observe the terms of the Freedom of Information Act 2000, the Data Protection Act 1998 and the related public access rights that came into effect on 01 January 2005.

Contact with the Media and Communicating in Public

- 3.48 The CRFCA and RFCAs' employed personnel must observe the rules governing contacts between all MOD personnel – military and civilian – and the media, and for speaking in public⁵.

Visits to Defence Establishments

- 3.49 Visits to Defence establishments, facilities and units by politicians (other than those already holding Reservist, Cadet or RFCA positions/status) are at the discretion of the SofS⁶.

Written Communications

- 3.50 Proposed articles, broadcasting material and publications by Association employees (intended for the public media) of a military nature are to be submitted by the CE of RFCA, to CE CRFCA, who will seek DDC clearance from the appropriate area of the MOD. This does not include routine material to support RFCA business outputs, which are covered by DDC standing derogations.

Publications

- 3.51 The CRFCA and Associations are subject to the content of Defence Instructions when applicable to them. One copy of each Defence Instruction and Notice (DIN) and any regulation relevant to the RFCA is issued free to the Council and Associations. Additional copies can be obtained if required (DINs free of charge, new publications on a repayment basis, or can be accessed through the Defence Intranet).

⁵ Defence Instruction Notice 2011 DIN03-025 Contact with the media and communicating in public

⁶ Detailed guidance is given in DIN 2012 DIN 05-012 Contact with Parliamentarians

Reviews

- 3.52 MOD will commission a comprehensive review of the RFCAs' Schemes of Association at least once every five years, in accordance with Cabinet Office guidance. MOD may also, from time to time, after consultation with CRFCA, initiate policy or efficiency reviews. Each RFCA will provide access to, and co-operate with, MOD in the conduct of such reviews. Draft reports will be discussed with officers designated by the CRFCA to ensure factual accuracy. Final reports will be shown to the CRFCA and RFCAs unless it is inappropriate to do so (such as when they contain commercially sensitive information about other institutions). CRFCA and RFCAs are to implement recommendations from MOD review final reports.

THE RESERVE FORCES' AND CADETS' ASSOCIATIONS
REGULATIONS 2014

PART 4 ESTATE MANAGEMENT

General

- 4.1 Under RFA 96 section 113(2), Associations may have transferred or assigned to them powers and duties conferred by statute or otherwise respecting (amongst other things) the provision and maintenance of buildings and other facilities (referred to in this Part as “estate services”).
- 4.2 The duties assigned to each Association in respect of estate services shall be carried out with the consent and subject to such directions and conditions (whether general or particular) as may be specified by the Defence Council.

Estate Services

- 4.3 An Association, through the Chairman and CE, may with prior consent from the Defence Council and agreement on each party’s role in the undertaking:
- a. Purchase, lease, hire (including renewals), or otherwise acquire land and buildings for the purpose of RFA 96.
 - b. Sell, exchange, lease or otherwise dispose of any land or buildings.
 - c. Let or sub-let property vested in or held by it.
 - d. Occupy suitable property of the SofS .
 - e. Carry out such works and facilities management services to land and buildings as may be necessary for the accommodation of the military or cadet forces it administers.

For the avoidance of doubt, a request to the Defence Council to sanction activities a to e above, is not required where an extant delegation exists permitting an Association to act, subject to any parameters, conditions or limitations set out in that delegation.

- 4.4 In seeking consent under para 4.3b for the disposal of land and buildings, the Association shall identify any trusts and restrictions attaching to the land and buildings in respect of which the Association is trustee including those which will attach to the monies arising from the disposal and if requested, provide full disclosure of the same to the Defence Council.
- 4.5 Where land or buildings vested in an Association or held by them are subject to charitable, contractual or other trust restrictions that conflict with any requirement of this Part the Association shall obtain consent from the Defence Council (which shall not be unreasonably withheld) for the exclusion of that requirement (to the extent that it conflicts with any such restriction). A full justification shall be submitted to the Defence Council when seeking consent.

- 4.6 In so far as Associations established under RFA 96 Part XI are exempt from legislation that applies to land or buildings vested in or held by them, to the same extent as the Crown, they shall observe the policy of the Defence Council to operate, so far as practicable, within the spirit of such laws.
- 4.7 Further to provisions outlined at para 1.3 Associations shall, when conducting their estate services duties, also apply in conjunction with this Part of the Regulations, the relevant MOD policies, rules and guidance, as amended or updated from time to time, for, but not limited to, the following:
- a. Those relating to the management of Defence land and assets, and propriety on charging for their use.
 - b. Those relating to the maintenance of standards of health and safety throughout the estate.
 - c. Those arising from the statutory requirements for environmental policy and sustainable development.
 - d. Those relating to the planning control procedures applying to MOD development.
 - e. Those relating to the effective management of fire safety in MOD.
 - f. Those as set out in service agreements or framework documents between the Defence Council and the CRFCA or Associations that define the roles and responsibilities in the provision of estate services.
 - g. Those as set out in Standard Operating Procedures and or guides on estate services.
- 4.8 CRFCA shall provide central direction and oversight for estate management and policy, and represent Associations on all strategic estate management issues.
- 4.9 CRFCA and the Associations shall operate a single centralised Management Information System, that is communicable with MOD systems, to provide estate related financial, transactional and performance information as required.

Acquisitions, Hirings and Disposals

- 4.10 The Defence estate shall be no larger than necessary for Defence purposes. Associations shall agree with the Defence Council the strategy to be followed where a change to the estate is identified, noting the following principles:
- a. **Acquisitions.** The acquisition of privately owned land and property shall not be considered until it has been established that no suitable Defence or Government property is available, or unless it can be shown that acquisition has clear financial or other advantages. Associations shall obtain prior sanction from the Defence Council.

- b. **Hirings.** The hiring of accommodation may be undertaken when the requirement is not expected to be of a permanent nature or when circumstances make leasing preferable to provisioning by other means for example by purchase, by new construction or by participating in a private developer scheme. Such circumstances include the time scale within which accommodation has to be provided, financial considerations and very often the fact that suitable property in the desired location can only be obtained in this way.
- c. **Disposals.** Land and property shall be disposed of at the earliest opportunity to realise the best value for money solution obtainable at the time. Associations shall obtain prior sanction from, and agree the handling of the disposal with, the Defence Council.

Preservation of Rights and Interests

4.11 Associations

- a. shall undertake regular inspections to ensure that no trespass of land and property is overlooked, and shall take prompt action against all acts of trespass.
- b. shall not admit public rights or grant encroachments, rights of way, easements, licences or wayleaves without prior authority from the Defence Council.

Planning Procedures

- 4.12 The Crown is no longer immune from standard statutory planning procedures. Associations shall consult with the Defence Council to determine the requirement for planning permission, conservation area consent and listed building consent when developing the estate.

Non Domestic Rates – Management of Rates Relief

- 4.13 Associations shall ensure that appropriate rateable values are applied to its land holdings and shall pursue valuation appeals as necessary.
- 4.14 An Association shall ensure that any relief accrued is used in accordance with the agreed TLB direction, subject to compliance with any conditions imposed by the authority granting such relief and shall, if requested, provide the detail of any such relief including any conditions attached thereto.
- 4.15 The same rules of regularity and propriety as applied to other public funding shall be applied for the auditing and expenditure of the relief accrued.

Use of Estate Facilities for Private or Non Entitled Purposes (Wider Market Activity Including Occasional Use)

- 4.16 Undertaking wider market activities is regarded as integral to Defence in the wider community. Associations may exploit the spare capacity of assets,

which are not fully used but are retained for the purposes of RFA 96 Part XI, to generate a commercial return or other tangible reward in the public interest.

- 4.17 **Charging for Use.** Associations shall recover the cost of the use of assets and associated insurance charges (including those provided for assistance under Military Aid to the Civil Authorities) in accordance with the policy set out in the MOD finance guide for repayment. The level of charging to outside bodies is normally full cost recovery. However, as an activity is conducted in the commercial market and frequently in competition with other bodies, Associations shall normally recover not only the full resource cost of the asset but (if higher) whatever commercial rate is achievable. Where the market rate lies between the full and marginal cost levels, and where the project concerns only irreducible spare capacity which would otherwise lie idle, Associations may recover the lower rate with approval from the Defence Council.
- 4.18 Marginal cost is defined as the extra cost of assistance that would not have arisen had the activity not taken place. Such costs include (but are not limited to) the additional cost of heating, lighting, cleaning an area let; additional maintenance; any contractors' fees (ie land agent, surveyor, lawyer, etc) and the cost of any insurance premiums to cover the fire risk and risk of liability claims from third parties.
- 4.19 **Commanding Officers' Certification.** Associations shall obtain from commanding officers certification that any monies received for rent and returned by them represents the entire money received from the letting of any property, that no money in the form of donations or otherwise has been retained by the unit, and that no property has been let free of charge in return for some contribution to Regimental funds. Units which return no receipts for letting will be required to certify that the property has not been let (other than directly by the Association) and that no money in the form of a donation or otherwise has been received.
- 4.20 **Receipts.** Associations shall apportion gross receipts in accordance with the ratio set by agreement with the Defence Council (or its delegated authority) and shall provide the details to each TLB, together with details of its subsequent expenditure. Use of receipts from wider market activity, including occasional use, shall be agreed with each TLB in advance in accordance with the requirements outlined in para 4.21 and the agreed use must be recorded in the relevant SLA.
- 4.21 Associations shall give priority to the delivery of core objectives.⁷ Associations in any event may only spend such receipts on items or activities which can properly be funded using public funds ie which are subject to the normal Departmental rules on regularity and propriety and expenditure.
- 4.22 Whilst the sub-letting of land and buildings is permitted and an agreed element of the income may be used to offset overall Association expenditure, an

⁷ The Customer Board (see para 2.3b of the RFCA Regs) is currently tasked with setting the strategic direction for the RFCA. TLBs should be cognisant of these in concluding SLA referred to at para 4.20. In the absence of Customer Board direction TLBs will determine priorities by reference to known Departmental Priorities.

Association may in very exceptional circumstance, and only with prior consideration and approval from the Defence Council, commit public funds to improve facilities with the sole purpose of generating receipts.

- 4.23 Insurance. When undertaking a Charging/Wider Markets activity it is essential that risks are effectively managed and the relevant MOD guidance relating to insurance shall be followed.
- 4.24 "Occasional Use" means any use of estate facilities arising from a casual or sporadic requirement by the general public, civilian organisations or companies for social, recreational or commercial purposes where this is consistent with operational, security and safety requirements, with the interests of existing tenants and licensees and it does not unreasonably affect local amenities, conservation interests and the environment.
- 4.25 Associations may approve applications for the occasional use of facilities in accordance with the policy and guidance on the use of property for social, recreational and commercial purposes. The following overriding aims shall apply:
- a. Costs shall be fully recovered - there should be no question of a subsidy, either implicit or explicit.
 - b. That the Association and MOD is protected against potential losses arising from such use and the relevant MOD guidance relating to insurance shall be followed.
 - c. That the cost does not undercut the private sector in any way that could attract criticism and claims that the MOD was operating unfairly.
 - d. That liabilities arising from the occupation and use are transferred to the casual user wherever possible.
- 4.26 Associations shall ensure that any event or use of a facility that is requested by civilians is covered by a licence that is completed before access to the facility is allowed. The only general exception to this rule that Associations may apply is short-term visits by broadcasters to film news features driven by the immediate news agenda.
- 4.27 Associations shall ensure that users of public funded land and buildings indemnify it against any costs arising from damage to and/or loss of its property or claims by third parties. In most cases it may be necessary for such users to reinforce these indemnities with insurance.

Service Encroachments

- 4.28 "Service Encroachment" is the term given to the authorised temporary use of publicly funded land and buildings by off-duty Service personnel, civilian employees or MOD-associated bodies such as Reserve Forces and Cadet units from spare capacity for recognised recreational, sporting, and welfare purposes beyond agreed Service scales.

- 4.29 Associations shall approve applications in accordance with the policy and guidance on Service Encroachments. An encroachment must not be approved when it will interfere with the security of a unit, the disposal or demolition of any part of a property or where it is intended to erect a building or structure which would exclude MOD use for any other purpose.
- 4.30 Encroachment Holders (EH) should not normally be charged for rent, rates/council tax, nor normal building running costs. However, the value of these changes must be assessed in all cases and accounted for as a public subsidy. When an encroachment increases the cost of maintenance or utilities to a level which the Budget Holder cannot support, the extra charges due directly to the encroachment may be demanded from the Encroachment Holders.

Use of Land for Training

- 4.31 Associations may make use of MOD land without charge to satisfy a temporary training need provided that the land is not required by Regular forces for other military purposes subject to appropriate documentation being in place and an appropriate assumption of risks, responsibilities and liabilities by the Association. Use of ranges vested in or held by an Association shall be granted to Regular forces, or reservists of the other Services or to cadet personnel, provided that the ranges are not required at the time for use by Reserve Forces. No charge shall be made in respect of rent or any other expense arising from the use of the range for such training purposes.

Loss of, or Damage to, Buildings

- 4.32 Associations shall not generally take out commercial insurance to protect publicly owned or occupied buildings against risk. The repair or replacement of lost or damaged buildings shall be the financial responsibility of the MOD. The decision to repair or replace shall take into account the need for the asset and current policies. Associations may insure buildings if compelled to do so by a condition of a lease which the lessor refuses to waive despite MOD's indemnity and where the cost of accommodation, together with the cost of insurance, is more cost effective than other accommodation options. In such cases, the cost of insurance shall be charged to the appropriate funding grant. However, every endeavour should be made to avoid conditions requiring insurance cover.
- 4.33 **New Buildings.** MOD's acceptance of liability outlined in para 4.32 against loss or damage shall apply where new buildings are in course of construction or where extensive alterations are being carried out. The Association shall notify contractors accordingly when inviting tenders not to include any sum in respect of fire insurance of the Association's buildings or contents. Works contracts should, in each instance, include a clause requiring the contractor and those acting on his behalf to take every reasonable precaution to avoid the risk of fire.
- 4.34 **Buildings Not Covered by the Indemnity.** MOD's acceptance of liability outlined in para 4.32 does not apply to Non-public funded buildings (financed

from the Association, or other, private funds) nor buildings vested in trustees (other than the Association) for the benefit of Volunteer or cadet units or detachments. The cost of insuring such buildings may, however, be admitted as a charge against the relevant funding grant.

- 4.35 **Fire Precautions and Fire Prevention Measures.** The Association shall take fire precautions and fire prevention measures in accordance with the Fire Safety Policy and the Fire Regulations including but not limited to the relevant Fire Focal Point being responsible for all technical fire advice and production and issue of a Fire Safety Management Plan. The Association must also co-operate fully with the MOD where premises and responsibilities under the Fire Regulations are shared. The Association shall also make arrangements with the appropriate County, District, Regional, Borough (for Greater London) and Island fire authorities for the provision of adequate emergency fire cover to property vested in or held by them with liaison visits being afforded to the relevant authority for pre-planning purposes. Any request for payment in respect of assistance at a fire involving Association property should be referred to the MOD.
- 4.36 Full details of the instructions on the action to be taken by the military authorities concerned, in the event of a fire involving Association or MOD buildings and property used by the reserve forces, are contained in the Fire Safety Policy, and also in RN Regulations BRd 8647, and Army Reserve Regulations, Chapter 3.

THE RESERVE FORCES' AND CADETS' ASSOCIATIONS
REGULATIONS 2014

PART 5 PERSONNEL

Status and Employment of Staff

- 5.1 All staff directly employed by the CRFCA and RFCAs are civilian employees and Crown Servants. The CRFCA and RFCAs will have responsibility for the recruitment, retention and motivation of its own full-time, part-time and casual staff. They may appoint only those who have been recruited under fair and open competition under arrangements approved by the SofS and HM Treasury.
- 5.2 The RFCA Staff Regulations shall set out the main conditions of service under which all employees of the CRFCA and RFCAs are employed. These will be prepared with the approval of Director Resources Army / Army LF Dir-ACOS, issued under the authority of the CRFCA and shall be adopted by each Association. The CRFCA and RFCAs are also responsible for ensuring that they are aware of, and comply with, all aspects of current legislation and MOD policy relating to the employment of CRFCA and RFCA staff.
- 5.3 All staff must be appointed on terms and conditions specified in the RFCA Staff Regulations, within which certain principles must be adopted:
- a. Terms and conditions of employment will be analogous to MOD civil servants of similar grade, except where otherwise agreed with MOD.
 - b. Staff may be employed in such numbers and grades as judged fit, up to and including staff whose remuneration does not exceed the maximum of the MOD central pay band C1, in accordance with the direction of the CRFCA's Pay and Personnel Committee.
- 5.4 No person may be offered employment in or, as a Member, be appointed to the Council or an Association post, affording access to information or materials classified CONFIDENTIAL or above, or be permitted access to such information, without the prior authority of Director Resources Army .
- 5.5 All employed personnel, and Members (if within the arrangements in the above paragraph), of the CRFCA and RFCAs shall be subject to the Official Secret Acts (1911-1989) at all times, both while in Crown Service and after termination of such service. All employed personnel are required to sign the MOD Forms 134 (on joining) and 135 (on leaving) under the Official Secrets Act⁸. They must also be reminded annually, while serving, of their responsibilities under the Act.
- 5.6 The CEs of the CRFCA and each Association shall periodically review numbers and levels of staff within their organisation and will be expected to justify its staffing requirement as part of the budgetary process.

⁸ 2007DIN08-009 Apr 2007.

Management

- 5.7 The CRFCA, through the Pay and Personnel Committee, and in the construction of the RFCA Staff Regulations, will ensure that:
- a. Its rules for the recruitment and management of staff create an inclusive culture in which diversity is fully valued; and where appointment and advancement is based on merit; and where there is no discrimination on grounds of gender, marital status, sexual orientation, race, colour, ethnic or national origin, religion, disability, community background or age.
 - b. The performance of staff at all levels is satisfactorily appraised and the CRFCA's and RFCAs' performance measurement systems are reviewed from time to time.
 - c. Its staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve the CRFCA and RFCAs' objectives.
 - d. Proper consultation with staff and Trade Unions take place on key issues affecting them.
 - e. Grievance and disciplinary procedures, laid down in the RFCA Staff Regulations, need to be compliant with the statutory procedures in the Employment Act 2008.
 - f. Policies compliant with the Public Interest Disclosure Act 1998 are in place. This requirement is covered in the Model Code of Conduct for Staff of Non-Departmental Public Bodies⁹.
 - g. A code of conduct for staff, consistent with the Cabinet Office document Model Code for Staff of Executive Non-Departmental Public Bodies, is adopted and incorporated into employees' terms and conditions of Service (see footnote 9).
 - h. Proper arrangements are in place to comply fully with all legislative requirements and MOD Policy for Health and Safety at Work. It is the duty of the CRFCA and RFCAs, as employers, to prepare and revise as often as is appropriate a written statement of its general policy on health and safety at work of its employees. The statement must include the organisation and arrangements in force for carrying out that policy. The statement and subsequent revisions of it must be brought to the notice of all their employees. Further details are included in RFCA Staff Regulations.

⁹ The Code can be found in "Public Bodies: A Guide to Departments (Chapter 5, Annex A), Cabinet Office, June 2006". See: www.civilservice.gov.uk/about/resources/information-on-public-bodies

Accommodation for Employees

- 5.8 "Key Staff" are those employees who are required by an Association to occupy Service accommodation for one of the following reasons:
- a. Because of the nature of their duties, there is a specific liability to carry out extra duties which require them to be on call outside normal working hours, especially at weekends.
 - b. Because of the remoteness of the locality.
 - c. Because their occupancy of Service accommodation is essential on grounds of safety, efficiency or in the general public interest.
- 5.9 The rent to be paid by an Association's employees occupying RFCA accommodation is to be assessed on the basis of a standard rent or market rent as assessed by a suitably qualified independent valuer. Key Staff are to pay the lower of these two rents. Employees other than Key Staff are to pay the market rent and are responsible for the payment of council tax to the relevant local authority. For Service accommodation (Single Living Accommodation and Service Family Accommodation), DIO and TLBs are responsible for allocating housing and rooms, respectively, and are to invoice the RFCAs. Receipts of rents from key and non-key staff are to be credited to the appropriate MOD Budget Holder¹⁰ in accordance with MOD guidance.

Dated.....17 Dec 14.....

Dated.....17 Dec 14.....

Signed by:
[Original Signed]

Signed by:
[Original Signed]

.....

.....

[Minister for Reserves]

[Vice Chief of the Defence Staff]

On behalf of the Defence Council

On behalf of the Defence Council

¹⁰ DIO with respect to Service Family Accommodation. TLB responsible for allocating the Single Living Accommodation.

RESERVE FORCES' AND CADETS' ASSOCIATIONS

The RFCAs and their administrative areas are listed below.

(Any reference to a local government or administrative area in the schedule below is to that area as it is for the time being. The boundaries surrounding the administrative areas are outlined on the map at Annex A-3).

HIGHLAND ASSOCIATION

The Lieutenancies of Aberdeenshire, Argyll and Bute (less the Island of Bute), Angus, Banff, Caithness, City of Aberdeen, City of Dundee, Clackmannanshire, Dunbartonshire, Fife, Inverness-shire, Kincardineshire, Lanarkshire (northern part less the former Monklands and Motherwell Districts), Morayshire, Nairn, Orkney Islands, Perth & Kinross, Ross & Cromarty, Shetland Islands, Stirling and Falkirk, Sutherland and the Western Isles.

LOWLAND ASSOCIATION

The Scottish Borders, Dumfries and Galloway, East Lothian, City of Edinburgh, Midlothian, West Lothian, South Lanarkshire, that part of North Lanarkshire that formally comprised Monklands and Motherwell Districts, East Ayrshire, North Ayrshire, South Ayrshire, Inverclyde, Renfrewshire, East Renfrewshire, City of Glasgow and that part of Argyll and Bute Council comprising the Island of Bute.

NORTH OF ENGLAND ASSOCIATION

The counties of Durham and Northumberland. The metropolitan districts of Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland. The Unitary Authorities of Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees.

YORKSHIRE AND THE HUMBER ASSOCIATION

The county of North Yorkshire. The metropolitan districts of Barnsley, Bradford, Calderdale, Doncaster, Kirklees, Leeds, Rotherham, Sheffield and Wakefield. The Unitary Authorities of the East Riding of Yorkshire, Kingston upon Hull, North East Lincolnshire, North Lincolnshire and York.

NORTH WEST OF ENGLAND & ISLE OF MAN ASSOCIATION

The counties of Cheshire, Cumbria and Lancashire. The metropolitan districts of Bolton, Bury, Knowsley, Liverpool, Manchester, Oldham, Rochdale, St Helens, Salford, Sefton, Stockport, Tameside, Trafford, Wigan and Wirral. The Unitary Authorities of Blackburn with Darwen, Blackpool, Halton and Warrington and the Isle of Man.

WALES ASSOCIATION

The 8 Lieutenancies of Wales: Gwynedd, Clwyd, Powys, Dyfed, Gwent, Mid Glamorgan, South Glamorgan and West Glamorgan.

WEST MIDLAND ASSOCIATION

The counties of Shropshire, Staffordshire, Warwickshire and Worcestershire. The metropolitan districts of Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton. The Unitary Authorities of Herefordshire, Stoke-on-Trent and Telford and Wrekin.

**EAST MIDLANDS
ASSOCIATION**

The counties of Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire. The Unitary Authorities of Derby, Leicester, Nottingham and Rutland.

WESSEX ASSOCIATION

The counties of Cornwall, Devon, Dorset, Gloucestershire, Somerset, and Wiltshire. The Unitary authorities of Bath and North East Somerset, Bournemouth, City and County of Bristol, North Somerset, Plymouth, Poole, South Gloucestershire, Swindon, Torbay, the Channel Islands and the Isles of Scilly.

EAST ANGLIA ASSOCIATION

The counties of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, and Suffolk.

The Unitary authorities of Luton, Peterborough, Southend-on-Sea and Thurrock.

**GREATER LONDON
ASSOCIATION**

Greater London.

SOUTH EAST ASSOCIATION

The counties of Buckinghamshire, East Sussex, Hampshire, Isle of Wight, Kent, Oxfordshire, Surrey and West Sussex. The Unitary authorities of Bracknell Forest, Brighton and Hove, the Medway Towns, Milton Keynes, Portsmouth, Reading, Slough, Southampton, West Berkshire, Windsor and Maidenhead and Wokingham. The Channel Islands.

**NORTHERN IRELAND
ASSOCIATION**

The Six Counties of Ulster.

ADMINISTRATIVE AREAS OF RESERVE FORCES' AND CADETS' ASSOCIATIONS



GENERAL DUTIES OF RESERVE FORCES' & CADETS' ASSOCIATIONS

1. **Advice and Assistance**

To meet the requirements of proffering advice and rendering assistance each Reserve Forces & Cadets Association (RFCA) will undertake to:

- a. Maintain an active membership, with appointments made in accordance with the Schemes of Association.
- b. Provide facilities for the discharge of the business of the Association through committees and meetings accessible to members.
- c. Provide financial and material assistance within budget allocations and mandated outputs for any activity or requirement of those forces or any other Defence purpose, where requested.
- d. Collate and report the considered views on matters affecting the Volunteer Reserve Forces and Cadet organisations in its region to the Services' headquarters and to the Defence Council, where appropriate.
- e. Contribute to requests for nationally co-ordinated advice and assistance.

2. **Conformation**

To conform to the MOD Departmental Plan, each Association will expect to:-

- a. Receive guidance concerning Defence policy for the Volunteer Reserve Forces and Cadet organisations together with notification of any proposed changes.
- b. Receive from the Services' Headquarters, as necessary, the management plans, which affect its area of responsibility.
- c. Maintain a working relationship with the Defence Council, output owners and the Services' chains of command.
- d. Disseminate details of the plans that affect its area of responsibility having proper regard to the safeguarding of official information.

3. Both the above general duties require a detailed understanding of the respective regions and of current and proposed activities of regular, reserve and cadet units within them. They also require the RFCAs to assist the Chains of Command in their relationships within the respective communities, over and above RFCA work with local communities, as an enabling task in support of assigned tasks.

4. **Establish and Maintain Links with the Civilian Community**

Although not a general duty laid down in RFA 96, the task of establishing and maintaining links with the civilian community underpins all the RFCAs' key outputs (see para 2.11). The Associations' continuity and position in the local community is used to:

- a. Ensure links exist with local authorities and the civilian community, including employers, in order to maintain support for the armed forces and Service cadet organisations.
- b. Promote Defence issues to civic bodies and the community at large.
- c. Support Other Government Departments (OGDs) and civic bodies, including the Scottish Parliament, Welsh Assembly Government, the Northern Ireland Assembly and the Regional Development Agencies (RDAs).

MEMBERSHIP APPOINTMENT PROCEDURES

1. Each Association will agree with MOD a Scheme of Association in accordance with RFA 96 schedule 4. The Scheme will stipulate the sources within the Association's region from which membership is to be drawn and detail the manner of the selection process. The Principles and Qualities required of members will also be contained in the Scheme. In particular, the Scheme will require that:
 - a. The President and Vice-Presidents shall be a Lord Lieutenant of a county within the Association's administrative area.
 - b. One-half of the members must represent specific Armed Services' interests.
 - c. Other members shall be appointed as representatives of Cadet Organisations, local authorities, universities, employers and employees in the region.
2. In accordance with RFA 96 and regulations 1.10 above, appointments of members must be confirmed by the Defence Council, through its designated representative.

Types of Membership and the Appointment Procedures

3. **Ex Officio Members.**

Criteria for Membership. RNR, RMR, Army Reserve, RAuxAF, URNU and UAS Unit and Sub-unit Commanders. ACF Commandants and representative members from the MSSC, ATC and CCF in accordance with the numbers allocated within each Association's Schemes of Association. In addition those specifically nominated in RFA 96 schedule 4 paras 8 & 9.

Appointment Procedure. Being Ex Officio, there is no appointment procedure.

4. **Selected Naval, Marine, Military and Air Members.**

- a. Criteria for Membership. Past or present members of the Armed Forces or a person who is especially qualified by their interest in any part of the Armed Forces as shown in the definitions at RFA 96 schedule 4 para 10.
- b. Appointment Procedure. These members are nominated in the Scheme of Association and appointed according to that scheme.

5. **Representative Members.**

- a. Criteria for Membership. Nominated representatives from the elected membership of Councils and Local Authorities; representative(s) from the Military Education Committee, Universities, Youth Organisations, Employers and Employee organisations.
- b. Appointment Procedure. These members are nominated and there is no selection procedure. Nevertheless should an Association wish to refuse a nomination they must justify this refusal to Director Resources Army if required to do so.

6. **Co-opted Members.**

- a. Criteria for Membership. A person who is helpful to the Associations for their specific skills.
- b. Appointment Procedure. Co-opted members are appointed for a year at a time with a maximum tenure of five years. Candidates should be appointed by a selection panel comprising the Chairman, CE and at least two other members.
- c. Re-Appointment Procedure. Only if a selection panel is fully satisfied that the re-appointment of the current co-opted member will withstand independent external scrutiny may that individual be co-opted to serve for a further year. In particular, the panel must satisfy itself that:
 - (1) there is a continuing need for the particular service, skill, or experience previously provided.
 - (2) such could not be provided by or through one or more of the existing members.
 - (3) there are not others willing and available in the community who might provide better service or support than that provided by the present co-opted member.

7. **Selection Procedure**

The Association Chairman, Vice Chairmen and Co-opted members will be formally elected at each Association's Annual General Meeting (AGM) or similar suitable occasion. The initial and re-appointment of all other candidates will be announced at the Association's AGM and a full list of members noted.

**QUALITIES REQUIRED OF MEMBERS AND CHAIRMAN OF A RESERVE
FORCES' AND CADETS' ASSOCIATION**

MEMBERS

1. A Member of a RFCA should:
 - a. On appointment, be a British or Commonwealth citizen.
 - b. Be or have been a member of one of Her Majesty's Forces or Cadet Forces; or be specially qualified by his or her interest in or knowledge of matters pertaining to one or more of Her Majesty's Forces or Cadet Forces; or bring other particular experience, background or interest (such as in employment, local Government, education, finance, property, or business experience) which is of value to an Association in meeting its role and responsibilities.
 - c. Possess skills and experience which sustain and broaden the expertise available to the Association, in particular in fostering its links both to its own local community and in improving the overall links, which Associations provide between the civil and military communities.
 - d. Be able to demonstrate a willingness to participate actively and assist in matters concerning the Volunteer Reserve Forces and Cadets within the Association's area. This includes regular attendance at any relevant committee, area (county) or Association meetings and the wish to contribute helpfully to the wider Defence debate.
 - e. Be prepared, if invited and able to accept, to serve on any relevant Committees of the Association, or to fill an office within such a Committee. Examples of such Committees are the Association Board, Recruiting Support, Volunteer Estate and Infrastructure, and Cadet and Youth Committees.

CHAIRMAN

2. The Chairman of a RFCA should:
 - a. Be a British or Commonwealth citizen and a member of the Association.
 - b. Be a prominent person in the civilian community with extensive knowledge of at least one of the Armed Forces and, in particular, of the Volunteer Reserve Forces. The Chairman will normally have held a command appointment in one of Her Majesty's Forces.

- c. Possess good communication skills together with a willingness to seek out and listen to the views regarding Reserve and Cadet matters from all Service organisations across the Associations' region and from the civil community.
- d. Possess skills and experience within the civilian environment which sustain and broaden the expertise available to the Association (for example, in business, finance, personnel or property management, media communications, local government, law or community or race relations).
- e. Be able to demonstrate the ability to challenge accepted views in a constructive way.
- f. Be able to represent the full range of issues from across the Association region, having an understanding not only of defence issues but also of the pressures and challenges, which face civilians with the Volunteer Reserve Forces and Cadets.

**PRINCIPAL DUTIES OF CHAIRMAN, CHIEF EXECUTIVE AND
MEMBER OF A RESERVE FORCES' AND CADETS' ASSOCIATION**

PRINCIPAL DUTIES OF THE ASSOCIATION CHAIRMAN

1. The duties of an Association Chairman will include the following responsibilities:
 - a. Programme and planning development.
 - b. Reporting to Min (Res) (as the Chairman of the CRFCA MinB) through the CRFCA, as necessary, on policy and associated issues concerning the Association and its specialist functions.
 - c. Brief the President and Vice-Presidents on all matters relating to the Association.
 - d. Receive and consider the Association's accounts and act as an authorised signatory for the audited accounts.
 - e. Chair the Association Board meetings, presenting Association, financial, Volunteer Reserve Forces, Cadet, and any other relevant matters to the Members of the Board.
 - f. Attend the CRFCA meetings, and when appropriate, RFCAs' meetings.
 - g. Receive and consider Reports and Minutes from all meetings attended and committees of which he is a member, and make comment where necessary.
 - h. Participate in events to promote the Association's work with Reserves and Cadets, such as the Employer Support meetings and functions, special presentation evenings and visits to annual camps, etc.
 - i. Advise and participate in the selection of the Association membership.
 - j. Advise, in accordance with Association Regulations, on the selection of members for the Association Board, the Financial Advisory Board, Regional Employer Support Group and Joint Services Cadet Committee.
 - k. Participate in the nomination for the election or re-election of the Vice-Chairman.
 - l. Oversee the selection of the Association Chief Executive and subsequently to submit annual appraisal reports. In addition, Chair the

Association Bonus Award Panel.

- m. Chair a committee and be responsible for Association private funds whenever required to do so on an ex-officio basis.
- n. Report to members of the Association at a general meeting held not less than once a year.
- o. Authorise, in conjunction with the Association CE and with relevant prior sanction from the DIO TLB, specified transactions relating to land and property vested in or held by the Association.

PRINCIPAL DUTIES OF THE ASSOCIATION CHIEF EXECUTIVE

- 2. The duties of the Chief Executive of an Association include the following:
 - a. Planning, controlling, recording and authorising expenditure to ensure the economic, efficient and effective management of the Association's assets and operations and the need to secure value for money, regularity and propriety of all payments made out of monies received.
 - b. Aiding the Chairman and Members to formulate and develop the strategic direction of the Association through its annual programme and Management Plan, and subsequent submission through the budgetary process.
 - c. Advising the Association on the discharge of its responsibilities, the propriety of its actions respecting its relationship with MOD, and the efficient and effective management of its resources (including staff).
 - d. Ensuring that conflicts of interest are avoided, whether in the proceedings of the Association or in the actions or advice of its staff, including himself.
 - e. Ensuring that effective arrangements exist for consultation, through the Accounting Officer CRFCA and the Secretariat, with MOD Accounting Officers and Budget Holders, the CRFCA and its Secretariat, the Front Line Commands and DIO to secure the implementation of the Association's approved plans, including the achievement of objectives and performance targets, within the bounds of financial propriety and regularity.
 - f. Delivering services as agreed 'within budget', to approved plans and in accordance with extant RFCA FF / SLAs.
 - g. Security matters appropriate to the Association.
 - h. Taking write-off action for losses and making special payments as

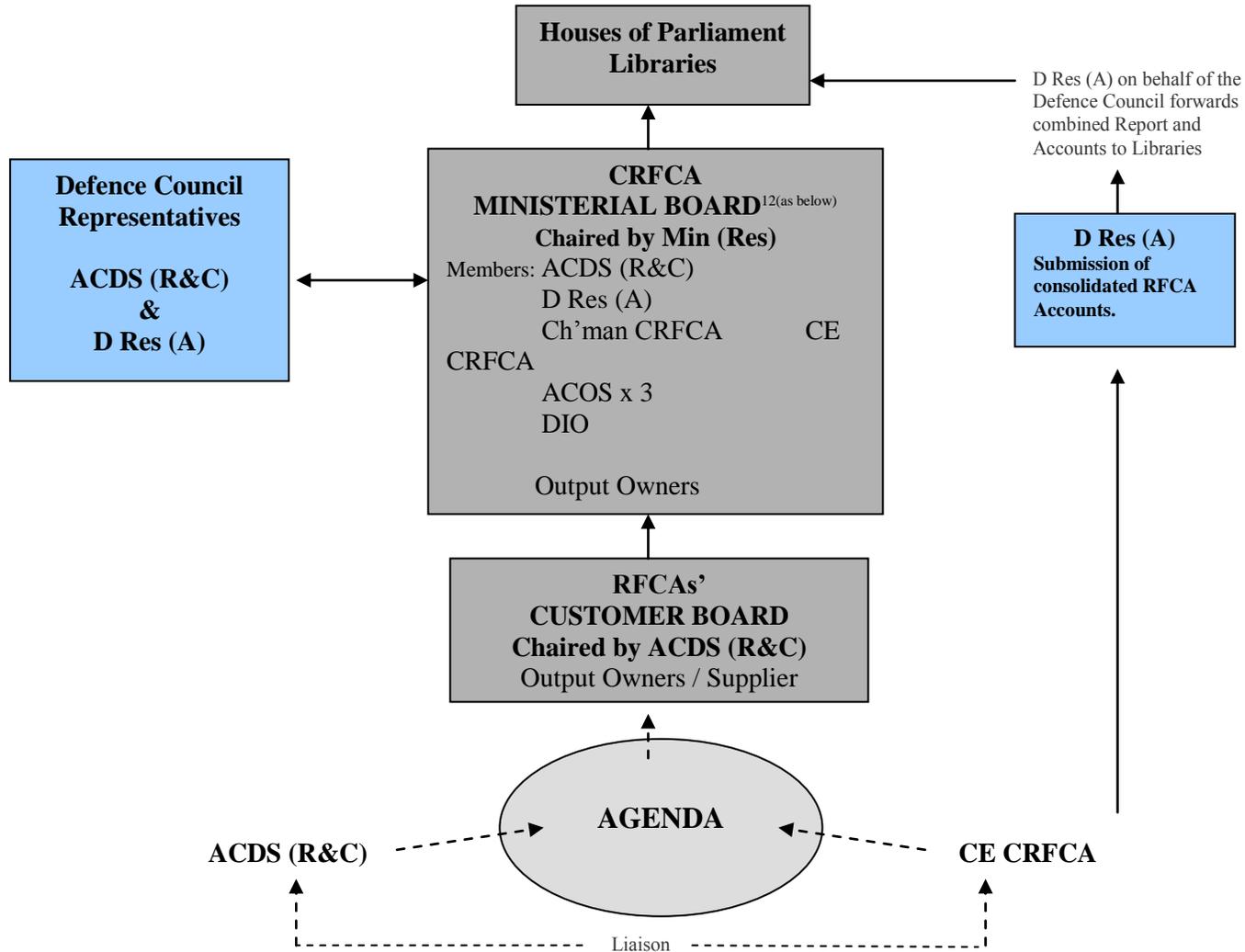
authorised and indicated in the RFCA FF.

- i. Ensuring that all orders are placed with firms on the Association's or OGDs' approved and qualified contractor/supplier lists.
- j. In conjunction with the Association Chairman, and with relevant prior sanction from DIO TLB, authorising specified transactions relating to land and property vested in or held by the Association.
- k. Ensuring that the Association is familiar with and conforms to all current legislation pertaining to both the Association's Membership and staff, and to its programme of services to MOD and other organisations.
- l. Ensuring that there is a clear separation of financial and contractual duties and responsibilities within the Association.

PRINCIPAL DUTIES OF AN ASSOCIATION MEMBER

3. A Member will be required to carry out, wherever possible, the duties detailed below.
 - a. The promotion of the Reserve Forces and Cadets.
 - b. Attend Association Meetings each year.
 - c. Where a Member of one of the Association's committees, attend meetings as requested.
 - d. Receive and consider Reports and Minutes from all meetings attended and of those of which he is a member.
 - e. Participate in events to promote the Association's work with Reserve Forces and Cadets, such as special presentation evenings, open days, visits to units, etc.

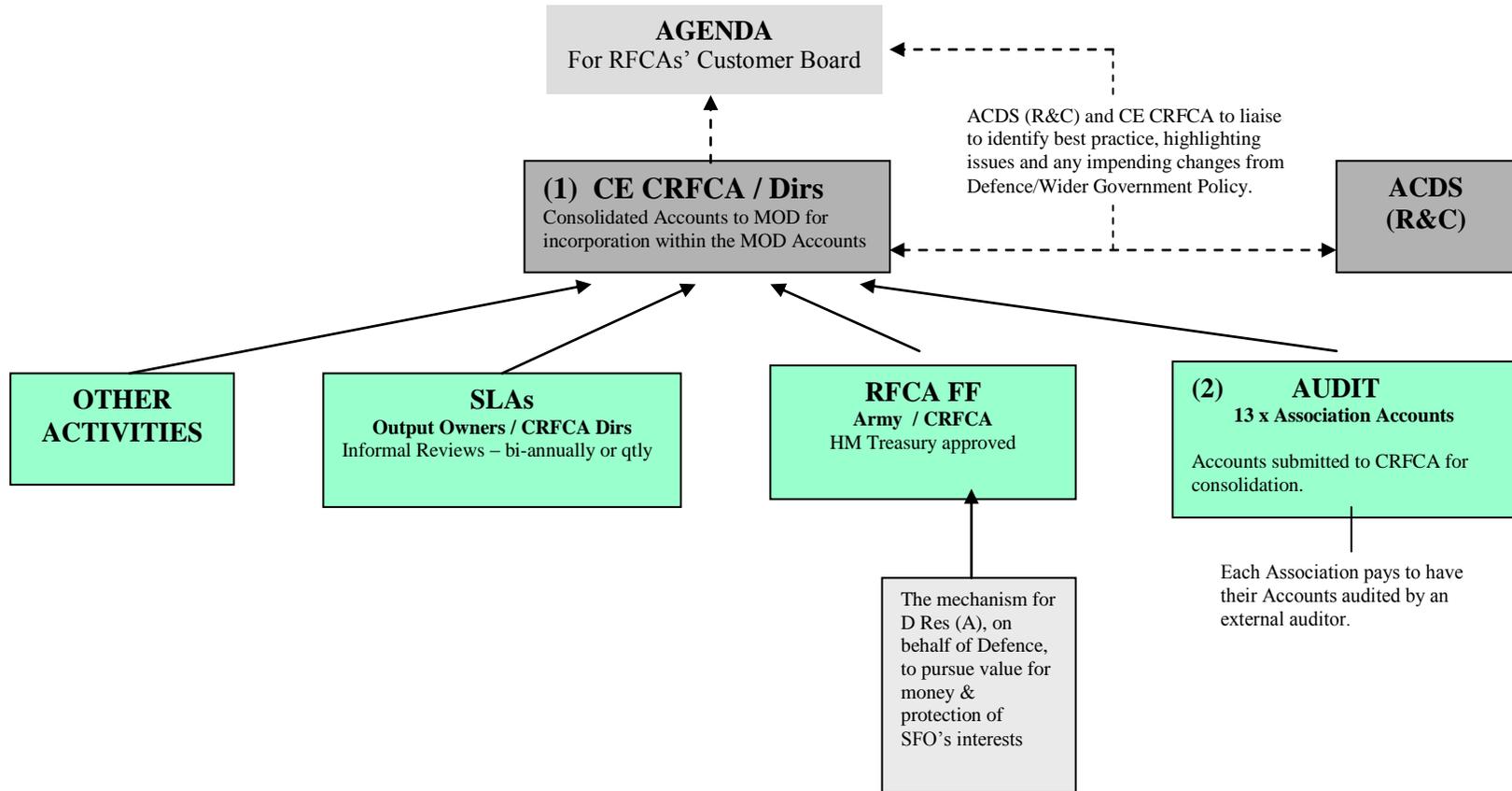
DEFENCE / RESERVE FORCES' AND CADETS' ASSOCIATIONS EXTERNAL GOVERNANCE STRUCTURE (STRATEGIC LEVEL)



D Res (A) on behalf of the Defence Council forwards combined Report and Accounts to Libraries

^{12(as below)} As at Nov 14, the MinB is in abeyance due to the governance in place under FR20.

DEFENCE / RESERVE FORCES' AND CADETS' ASSOCIATIONS EXTERNAL GOVERNANCE STRUCTURE (WORKING LEVEL)



(1) & (2) subject also to internal audit.

COUNCIL OF RESERVE FORCES' AND CADETS' ASSOCIATIONS
MINISTERIAL BOARD¹¹

TERMS OF REFERENCE

1. The purpose of the CRFCA Ministerial Board (CRFCA MinB) will be to enable Min (Res), on behalf of the Defence Council, to be kept informed on matters affecting the Volunteer Reserve and Cadet Forces.
2. The CRFCA MinB is responsible for:
 - a. Enabling Min (Res) to be kept informed on matters affecting the Volunteer Reserve and Cadet Forces.
 - b. Endorsing new business for further investigation and negotiation with stakeholders.
 - c. Agreement for expansion of assigned tasks.
 - d. Scrutinizing the RFCAs' conformation to the MOD Departmental Plan, through output owners' Management Plans.
 - e. Commissioning work that may be required from time to time to ensure that the RFCAs are structured, regulated and supported properly to meet any emerging or future needs of Defence, the findings of which will be subsequently agreed by the Defence Council.
3. The Board will meet annually.

MEMBERSHIP

Chairman	Minister for Reserves
Defence Council Representatives	Assistant Chief of the Defence Staff (Reserves and Cadets) – (also an output owner) Director Resources Army
Output Owners	Assistant Chief Naval Staff Assistant Chief Air Staff Assistant Chief General Staff (represented by Commander Reserve Forces) Chairman CRFCA Chief Executive CRFCA Defence Infrastructure Organisation
Secretary	CDP RF&C Capability-Assistant Head

¹¹ As at Nov 14, the MinB is in abeyance due to the governance in place under FR20.

RESERVE FORCES' AND CADETS' ASSOCIATIONS' CUSTOMER BOARD

TERMS OF REFERENCE¹²

1. The purpose of the RFCAs' Customer Board (CB) is to provide strategic direction for the operational outputs of the CRFCA and RFCAs and oversight of the overall activities and accounts of the Associations, assuring tasks assigned are in support of Departmental Requirements as directed by the Defence Council and to hold the CRFCA/RFCAs to account for their delivery against the requirements set.
2. The responsibilities of the CB are:
 - a. To endorse the strategic direction for the RFCAs proposed by ACDS (R&C), ensuring it meets with the Departmental Plan.
 - b. To ensure individual SLAs are produced in accordance with the strategic directive and that all tasks assigned are in support of Departmental requirements.
 - c. To endorse the CRFCA Corporate Plan as proposed by CE CRFCA
 - d. To ensure that RFCA business complies with RFCA Regulations, and complies with the rules on financial accounting as laid out in the RFCA FF
 - e. To identify changes in Defence/ Wider-Government Policy that may affect the CRFCA and RFCAs business outputs and to advise Defence Council Representatives on proposed changes that may be required to accommodate wider policy changes.
 - f. To consider and agree the requirement and resource implications for expansion of assigned tasks.
 - g. To discuss the development of SLAs, RFCA FF and performance issues surrounding the RFCAs and make recommendations on the way forward.
 - h. To provide advice to Ministers and the Defence Council on the operational outputs of the RFCAs.
 - i. To endorse the RFCAs certified combined Annual Report and Accounts which should outline the achievements as set against the strategic objectives.
3. The Board is to meet annually in order to:
 - a. Set the Strategic direction.

¹² TORS as agreed by the Customer Board (RFC.03.04 – Planning and Reporting Paper V2.) dated 25 March 2013)

- b. Endorse the 4-Year Corporate Plan.
 - c. To review and endorse the CRFCA Annual Report and Accounts.
 - d. To provide advice to Min (Res) on the operational outputs of the RFCAs.
4. The operational activity and reporting requirements for tasks set through the individual SLAs should take place through bi-laterals, with SLA owners reporting major achievements and/ or risks to the CB.
 5. Any in-year matters that are out with the individual SLA Owners area of responsibility should be staffed through the RFCA Working Group who will then make a recommendation to the CB for endorsement.

MEMBERSHIP

Chairman	Assistant Chief of the Defence Staff (Reserves & Cadets)
Vice-Chairman	Director Resources Army
Members	CDP – RFC Head Navy FORF COS Navy MR HQ Dep Com Mar Res Army LF Dir ACOS Army LF Dir Youth & Cadets Air COS Pers Pol Rsrvs DACOS ACO HQ AC Comdt DIO Chairman of the CRFCA Board Chief Executive of the CRFCA Chief of Staff of the CRFCA Director Volunteer Estates, CRFCA Director Engagement, CRFCA CE MSSC
Secretary	CDP RF&C Capability-Assistant Head

OTHER ACTIVITIES

1. RFA 96, section 113 defines powers and duties that may be assigned to Associations. The majority of assigned tasks are now laid out in Service Level Agreements (SLAs) or equivalent management procedures. Other tasks include:
2. **Advice and Support Service**
 - a. The provision of advice to the chain of command on Volunteer Reserve and Cadet Forces.
 - b. Advice and support to the Lord-Lieutenants in their capacities as President and Vice-Presidents of Associations, including the administration of the award of Lord-Lieutenant's Certificates.
 - c. Support to civilian rifle and aviation clubs.
 - d. Facilitate the provision of range facilities subject to the appropriate legislation.
3. **Employer Support (ES)**¹³

The ES business output comprises two elements; the funded SaBRE Campaign and the wider ES aspect executed regionally and locally by the RFCAs' Volunteer Membership to promote the relationships between Employers and their Reservist employees. Some specific ES tasks are articulated, not only in these regulations, but in a variety of documents such as JSPs and Chain of Command policy and planning documents. ES activities are often combined with other outputs, for example; Recruiting Support, Publicity and Marketing, Support to Cadets and wider Defence in Society tasks, and invariably have a close relationship with the funded SaBRE activities¹⁴.

The wider discretionary ES activities are summarised as follows:

- a. In each RFCA, maintain and provide secretariat support to a Regional Employer Support Group (RESG), to which ACDS (R&C) will provide information and policy updates.
- b. Take every opportunity to maximise Employers' understanding and awareness of Reservist activities and issues, in order to promote the benefits of Volunteer Reserve Force service and the employment of

¹³ Following the FR20 White Paper *Reserves in the Future Force 2020: Valuable and Valued*, which was published on 3 Jul 13, the CRFCA established a Defence Relationship Management (DRM) organisation. The EE and ES requirements are laid down in the Employer Engagement SLA, which is augmented by a Defence Employer Engagement Directive and Employer Engagement Strategy issued by RF&C. These documents outline what is required in output and practical terms including the necessary governance, including the Employer Engagement Executive Group, Regional Employer Engagement Boards, and Regional Employer Engagement Groups.

¹⁴ SLA between CDP ACDS (R&C) and CRFCA

Reservists to the public at large. Furthermore, take every opportunity to counter public misconceptions and misunderstandings caused by ignorance. In addition, provide targeted advice and feedback to ACDS (R&C) and sS on Employer attitudes and trends.

- c. Support to sS activities and events which require ES input. Nominate suitable Employers to participate in visits, activities and events. Identify and promote Supportive Employers and ES Advocates.
- d. Liaison with employers, trade unions and local authorities, including employers' organisation.
- e. Provide on request 1st line ES advice and assistance to employers and Reservists on their rights and responsibilities. Be prepared to assist in ES training.
- f. Provide Branded ES material for regionally or locally produced publicity material.
- g. Assist in the coordination of an accurate, up to date Employer Database.
- h. Facilitate the spread of ES best practice.

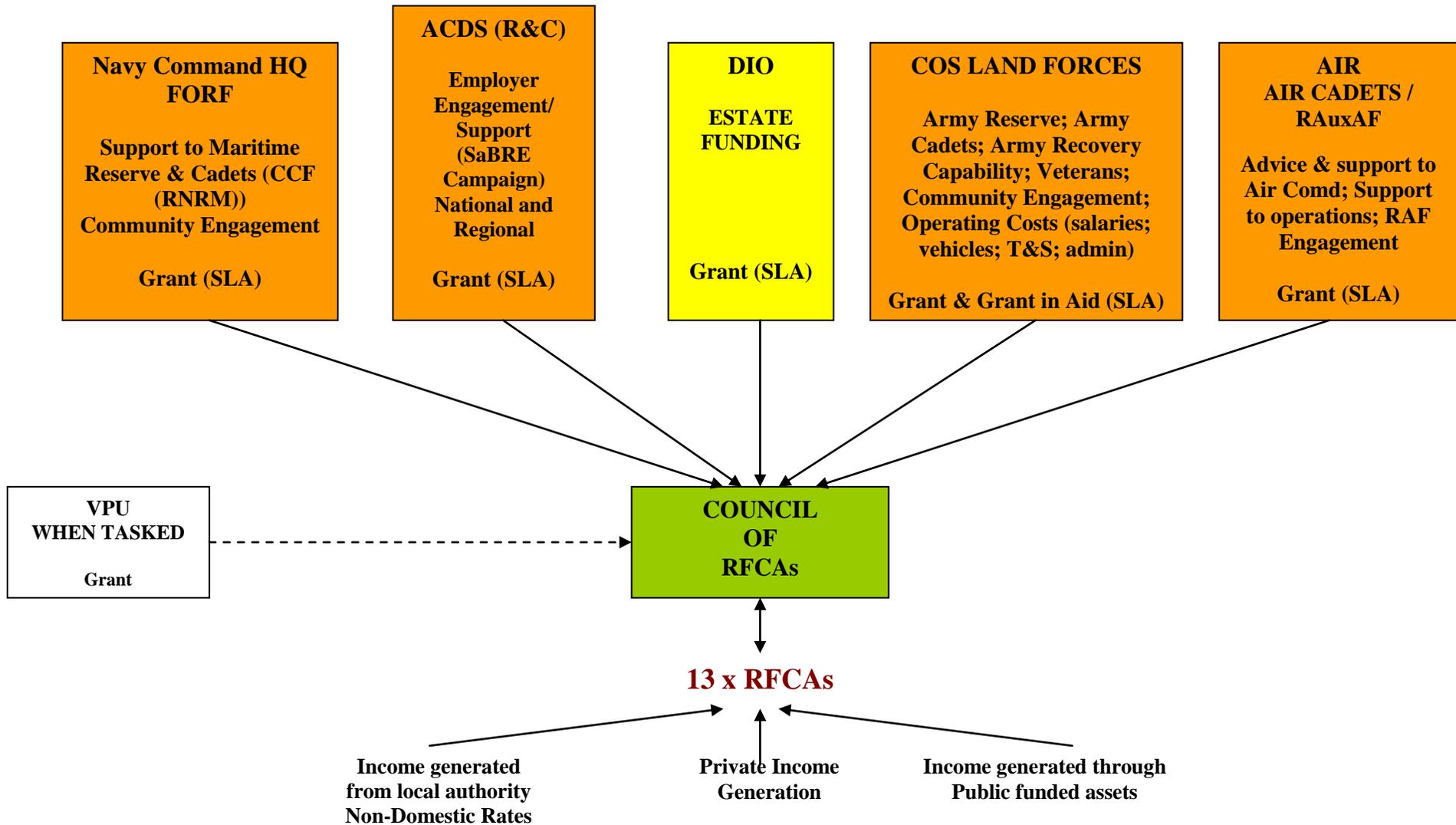
4. **Training Areas and Ranges**

Associations are not responsible for the training of the Volunteer Reserve Force or for the expenditure of funds on training these forces, save only when such expenditure concerns the administration, development and maintenance of Association-owned training establishments and areas, and the provision of training areas and ranges when specifically authorised by MOD.

5. **United Kingdom Reserve Forces Association (UKRFA)**

Services to cooperate with and to facilitate activities of the UKRFA including those linked with British membership of the Confederation of Inter-allied Reserve Officers (CIOR) and the Confederation of Inter-allied Reserve Medical Officers (CIOMR).

RESERVE FORCES' AND CADETS' ASSOCIATIONS FUNDING



GLOSSARY OF ABBREVIATIONS

ACDS (R&C)	Assistant Chief of the Defence Staff (Reserves & Cadets)
ACF	Army Cadet Force
ACOS	Assistant Chief of Staff
AFIS	Armed Forces' Image in Society
AIAC	Army Independent Assurance Committee
AR	Army Reserve
Army LF Dir-ACOS	Army Land Forces Director – Assistant Chief of Staff
ARTD	Army Recruiting and Training Division
ATC	Air Training Corps
C&AG	Comptroller and Auditor General
CB	Customer Board
CCF	Combined Cadet Force
CE	Chief Executive
CIOR	Confederation of Interallied Reserve Officers
CRF	Commander Reserve Forces
CRFCA	The Council of Reserve Forces' and Cadet Forces' Associations
CRFCA MinB	Council of Reserve Forces' and Cadets' Associations Ministerial Board
DDC	Directorate of Defence Communications
DIA	Defence Internal Audit
DIN	Defence Instructions and Notices
DIO	Defence Infrastructure Organisation
D Res (A)	Director Resources Army
EE	Employer Engagement
EH	Encroachment Holder
ES	Employer Support
FReM	Government Financial Reporting Manual
G-in-A	Grant-in-Aid
GIAS	Government Internal Audit Standards
JSP	Joint service Publication
Min (Res)	Minister for Reserves
MOD	Ministry of Defence
MRR	Miniature Rifle Range
MSSC	Maritime Society and Sea Cadets
NAO	National Audit Office
NEAB	National Employer Advisory Board
OCPA	Office of the Commissioner for Public Appointments
OGDs	Other Government Departments
PSA	Public Spending Agreement
PUS	Permanent Under Secretary
RAFR	Royal Air Force Reserves
RAuxAF	Royal Auxiliary Air Force
RDAs	Regional Development Agencies
RFA 96	Reserve Forces Act 1996
RFCA	Reserve Forces' and Cadets' Association

RFCA CB	Reserve Forces' and Cadets' Associations' Customer Board
RFCA FF	Reserve Forces' and Cadets' Association Financial Framework
RMR	Royal Marines Reserve
RN	Royal Navy
RNR	Royal Naval Reserve
SaBRE	Supporting Britain's Reservists and Employers
SCC	Sea Cadet Corps
SFO	Senior Financial Officer
SLA	Service Level Agreement
SofS	Secretary of State
sS	Single Services
T&S	Travel and Subsistence
TA	Territorial Army
TEC	Training and Enterprise Council
TLB	Top Level Budget Holder
UAS	University Air Squadrons
UK RFA	United Kingdom Reserve Forces Association
URNU	University Royal Navy Units
VAT	Value Added Tax
VE	Volunteer Estate
VRF	Volunteer Reserve Forces
WGA	Whole of Government Accounts
XB	CRFCA's Executive Board