

# The New Armed Forces Covenant Duty: What organisations in scope will need to know

NEWSFLASH (10 November): The Covenant Duty will come into force on 22 November 2022. The Duty is supported by [Statutory Guidance](#) to help in-scope bodies understand what is required of them under the new Covenant Duty.

## What is the new Armed Forces Covenant Duty?

The new Covenant Duty is a legal obligation on certain public bodies to 'have due regard' to the principles of the Covenant, and requires decisions about the development and delivery of certain services to be made with conscious consideration of the needs of the Armed Forces community.

## Who does the new Duty affect?

The new legal obligation impacts organisations that are responsible for delivering principally statutory functions in healthcare, education, and housing services. The Armed Forces community will be affected as beneficiaries of the new Duty.

## What will the new Armed Forces Covenant Duty do?

The new Covenant Duty will raise awareness amongst organisations that provide services in healthcare, education, and housing of how Service life can impact on the Armed Forces community, and how disadvantages can arise due to Service when members of that community seek to access key local services.

The Duty will require organisations delivering local services to pay due regard to the Covenant principles when exercising functions in the areas of housing, healthcare, and education.

"Due regard" means that organisations in scope of the Duty will need to consciously consider the unique obligations and sacrifices made by the Armed Forces; that it is desirable to remove disadvantages faced by the Armed Forces community; and that special provision may be justified in some circumstances.

## Why has this new Duty been introduced?

There has been good progress under the Covenant to date, but more work is needed to improve consistency of delivery. The increased awareness that is inherent in the new Duty will help to improve delivery as understanding grows.

There is no desire to add an administrative burden unduly on organisations. The legislation has been designed around a Duty to pay due regard, as this is the best way to minimise any burden placed on service providers while maximising the wider impact of Covenant delivery into the future.

## How will this affect the Armed Forces community?

Service life affects serving personnel, veterans, and their families in many ways. Whether it's through frequent house moves, separation from loved ones and support networks or unfamiliarity

In addition, we are working with stakeholders to produce training and communication materials, such as webinars and slide shows, to help to explain the scope and aims of the Duty, which we will share over the coming months as the Duty takes effect. These can be accessed through the Armed Forces Covenant website when they become available and will be promoted in our webpage news updates and in our ongoing engagement with stakeholders.

## Where does it apply?

The Covenant Duty applies to England and Wales, Scotland and Northern Ireland.

## Organisations who need to comply with the new law:

### England:

- Local authorities
- Governing bodies of maintained schools and further education institutions
- Proprietors of Academies
- Non-maintained special schools and special post-16 institutions
- NHS England, Integrated Care Boards, NHS Trusts and NHS Foundation Trusts

### Wales:

- Local authorities
- Governing bodies of maintained schools
- Local Health Boards, Special Health Authorities, and NHS Trusts

### Scotland:

- Local authorities and local authority landlords
- Integration authorities, Health Boards, Special Health Boards, and the Common Services Agency for the Scottish Health Service
- Persons or bodies whose help is requested under section 23 of the Education (Additional Support for Learning) (Scotland) Act 2004

### Northern Ireland:

- The Northern Ireland Housing Executive
- The Education Authority and the Board of Governors of a grant-aided school
- The Department of Health (Northern Ireland), but only when exercising the relevant healthcare functions in scope of the Duty that were exercised by the former Regional Health and Social Care Board prior its dissolution
- Local Commissioning Groups, and Health and Social Care Trusts

## Public services provided by organisations affected by the new law:

### Healthcare:

- Provision of healthcare services