

ARMY SERVICE COMPLAINT (SC) CASE SUMMARY 3 - TERMS AND CONDITIONS OF SERVICE, MANNING (TRANSFER TO ARMY RESERVES)

FINAL DECISION LETTER ISSUED 2019

DECISION BY DECISION BODY (DB)

Complaint

A senior non-commissioned officer (SNCO) alleged he had been wronged by a delay in processing his application to join the Army Reserve on retirement from Regular Service. The delay made the complainant ineligible to receive the Reserve Commitment Bonus (Other Ranks) (RCB (OR), worth approx. £10,000 over 4 years.

Investigation and Findings

The SC and investigation were separated into 3 parts:

1. Excessive time was taken to process the SNCO's application to join the Army Reserve.
2. The 2017 Commitment Bonus Scheme was unfair and should have included transition arrangements for those in the process of joining.
3. The decision to refuse the complainant RCB (OR) by Director Manning (Army) was unfair and wrong.

The investigation found that the SNCO had been found '*suitable*' on interview and would be eligible to receive the RCB (OR). However, the on-line application took over 245 days to process, by which time the Bonus Scheme was closed.

The complainant's appeal for his eligibility to be reviewed was rejected.

Decision

The SC was **partially Upheld** as:

1. The time taken to process the application to re-join the Army Reserve had been excessive.
2. The complainant was not eligible for the RCB (OR).

Redress

The DB Apologised for the delay in processing the SNCO's application and recommended that greater clarity should be made by Recruitment Teams over how long the recruitment process can take and the caveats that are attached to the various incentive schemes.

Service Complaints Ombudsman for the Armed Forces (SCOAF)

Involvement: No

DETERMINATION BY APPEAL BODY

Reason for Appeal

The complainant disagreed with the DB's analysis of why he was not eligible for, or able to apply for the bonus.

Investigation

Additional evidence was requested, and an Oral Hearing was held to supplement the DB's investigation.

Appeal Body Determination

It was highly likely that the SNCO would have been able to complete the necessary medical assessment and attestation before the end of the RCB (OR) Scheme. The complainant was **wronged** in that the delay to processing his application was excessive and unreasonable. The Appeal was **Upheld** and Redress awarded.

Redress

The Appeal Body deemed the JNCO was eligible to for a 2017 Commitment Bonus.

SCOAF Involvement: An application for investigation of maladministration or substance was **not** made.