



LANCASHIRE UNISON CAMPAIGN TO PROTECT OUR PENSIONS

JUDICIAL REVIEW REFUSED BUT THE CAMPAIGN GOES ON

UNISON's judicial review against the government's plans to axe the 85-year rule in the Local Government Pension Scheme has been refused, but the campaign goes on, the union has vowed.

"Unfortunately we lost the case," said head of local government Heather Wakefield. (left) "While this is very disappointing, we do not intend to let it knock us off track in our campaign for a fair deal for LGPS members. "The facts remain that these are low-paid members who do not deserve to have their pension entitlements cut."

In his ruling, Judge Andrew Nichol agreed with the Department for Communities and Local Government that the consultation process was not flawed and that even if they DCLG had wrongly interpreted the European Directive on age discrimination to mean that they could not protect low-paid women workers in this instance, they would still have made the same decision based on cost.

Ms Wakefield added: "It is important that we now intensify our campaign among employers, funds, councilors and MPS for full use of the 50% savings in the new scheme to provide protection for members affected."

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WHERE NEXT ON PENSIONS UNISON'S OFFICIAL RESPONSE

The consultation on the 'new look' LGPS Scheme has now ended and we await to see what the DCLG comes up with and more importantly whether it meets our aspirations.

Talks will now be held with employers and the Local Government Association on their response to consultation over the new-look scheme which will replace the current LGPS.

UNISON – and the whole Trade Union Side – wants everyone currently in the LGPS to benefit from improvements to the scheme. We want to avoid a 'two tier' pension scheme if at all possible. We are still fighting for full protection for existing members, like those in every other public sector scheme.

UNISON'S Response to the DCLG

Protection

- The 'new look' scheme needs to be built on full protection for

existing members

- There is no reason why LGPS members should be treated differently from members of the other public sector schemes
- As a MINIMUM we would expect a combination of greatly improved protection, improved early retirement factors and better benefits to achieve the equivalent of full protection
- The Scottish Executive has agreed to protection to 2020 in Scotland, even though they believe the 85 Rule to be age discriminatory. This shows that protection can be improved in the rest of the UK.

Existing members

- We would expect that existing members of the scheme would benefit from any improvements to the current scheme
- They should be transferred on terms which are not detrimental to their accrued benefits.

Equality proofing

- The 'new look' scheme should be

equality proofed to ensure that statutory and discretionary provisions comply with all strands of the existing equality legislation and forthcoming equality duties

- Guidance should be given to funds and employers to ensure that the scheme and its administration comply with equality legislation in the future
- An equality impact assessment should be made of any changes to the existing scheme to ensure that there is no disproportionately negative impact on any group within – or eligible to join - the scheme
- Consideration should be given to establishing parallel provisions to the LGPS for employees unable to join it because of its incompatibility with Sharia law.

Final salary scheme

- We would like to see the final salary scheme retained as in Options A and B
- Final pensionable salary for the final salary scheme options should be calculated on the revaluation of the best three consecutive years' salary in the last ten years of service. This could help reduce the number of ill health retirements and enable members to 'downsize' in the run up to retirement without losing out
- The two career average options in the consultation document are not acceptable as they would not deliver adequate benefits at

acceptable cost and would run the risk that many members would end up paying more for less.

Lump sum

- The automatic lump 3/80 lump sum provision should go and the member should have complete choice as to how much of the benefit package up to the limit of 25% should be taken as a cash lump sum.

Ill health retirement

- UNISON opposes the proposed changes to the ill health retirement provisions. We believe that the 'two tier' system is both unfair and unworkable. Positive steps by employers to reduce stress at work through adequate staffing levels, ensure reasonable work allocation and working hours and prevent unsafe working practices could reduce the costs of sickness absence

Partners' pensions

- There should be partners' pensions for all unmarried partners

Funding

- The current levels of employers' contribution should not be reduced. The discussions which led to agreement that 50% of the savings could be used, were based on the assumption that the employers' contribution would not be changed

- Any future 'risk' arising from improved life expectancy and investment performance should be met by the employers
- The 2004 valuations has already set a 'pay back' contribution rate for all funds to ensure that deficits are removed. There is no need to increase employee contributions or reduce employer contributions to deal with past deficits

Accumulation rate

- The final salary scheme accumulation rate should be increased from 1/80 plus 3/80 lump sum to 1/60 which would be better for everyone and in line with the Teachers' and NHS 'new look' pensions

Early retirement factors

- The current out of date early retirement factors are extremely punitive on those who retire before their normal retirement age. They should be replaced with cost neutral factors in line with correct assumptions regarding life expectancy

Employee contributions

- There should be a variable contribution rate, starting below 6% at the bottom end to enable more low paid and part-time workers to join the LGPS
- The banding of the contributions should ensure that there is no 'cliff edge' effect between bandings

When will we know about the ballot?

The DCLG has said that it intends to issue draft Regulations for formal consultation on the 'new look' scheme in mid November, based on responses to the current consultation exercise that ended on 29 September.

It is likely that we will have a clear idea by then about protection too. Members will either be balloted on the overall package – if the Service Groups covering the LGPS consider it good enough to put to members – or there will be an industrial action ballot if it is unacceptable. The LGPS Service Groups are Local Government, Higher Education, Police, Water and Transport. Obviously we want to negotiate a package that will give a fair deal to our members, but if this is not possible, we will ballot for further industrial action.

Recruit, recruit, recruit

There are still many working for LGPS employers who are not UNISON members. You need to talk to them about what's happening and sign them up, by getting them to complete the application form on page 4. Alternatively, photocopy this newsletter and send it to all your workplaces.

clear

With far reaching changes to the Local Government Pension Scheme being proposed by the Government, UNISON members may soon be balloted on industrial action. If you are not currently a UNISON member and care about your future pension, you need to join now to ensure you receive a ballot paper.

With more than 1.3 million members working across the public services, being part of UNISON means you

have the full weight of Britain's biggest trade union behind you.

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Please fill this application form in **BLOCK CAPITALS** and send it to the address below.

1. Your personal details

Mr/Ms/Miss/Mrs	First Name	Other initial
Surname		Date of Birth / /
Home address		
Postcode		Home tel:
National Insurance No.		
<input type="checkbox"/> Please tick this box if you require materials in a different format (e.g. large print or braille) – be sure to supply contract details below.		

Please give your email address for UNISON to contact you – indicate if work or home.

2. Your employment details

Employers name:	
Job title/occupation:	
Department/Section:	
Workplace address:	
Postcode:	Tel:
Payroll no.	

**When completed please send to:
UNISON North West Regional Centre
Freepost (MR9713)
Arena Point
1 Hunts Bank
Manchester
M3 9PD**

3. What you will pay from 1 October 2003

Please tick your earnings before stopages.

Weekly Pay	Annual Pay	✓	Band	Per Week	Per Month
Up to £38.47	Up to £2,000	<input type="checkbox"/>	A	£0.30	£1.30
£38.48-£96.16	£2,001-£5,000	<input type="checkbox"/>	B	£0.81	£3.50
£96.17-£153.84	£5,001-£8,000	<input type="checkbox"/>	C	£1.22	£5.30
£153.85-£211.53	£8,001-£11,000	<input type="checkbox"/>	D	£1.52	£6.60
£211.54-£269.23	£11,001-£14,000	<input type="checkbox"/>	E	£1.81	£7.85
£269.24-£326.92	£14,001-£17,000	<input type="checkbox"/>	F	£2.24	£9.70
£326.93-£384.61	£17,001-£20,000	<input type="checkbox"/>	G	£2.65	£11.50
£384.62-£480.76	£20,001-£25,000	<input type="checkbox"/>	H	£3.23	£14.00
£480.77-£576.92	£25,000-£30,000	<input type="checkbox"/>	I	£3.98	£17.25
£576.93-£673.08	£30,001-£35,000	<input type="checkbox"/>	J	£4.68	£20.30
£673.08 +	Over £35,000	<input type="checkbox"/>	K	£5.19	£22.50

Please tick the appropriate box to indicate how often you are paid

- Weekly
 Fortnightly
 Four weekly
 Monthly

Please tick this box if you are a student member in full time education (including student nurse or modern apprentice). Your subscription is £10 per year.

4. Political fund

UNISON'S **Affiliated Political Fund (APF)** is used to campaign for and promote UNISON policy and the need for quality public services within the Labour Party, locally and nationally, in Parliament and Europe. UNISON APF affiliates to the Labour Party.

UNISON'S **General Political Fund (GPF)** is used to pay for campaigning at branch, regional and national levels of the union and for research and lobbying in Parliament and Europe. It is independent of support for any political party.

It is important that you indicate a choice of fund by ticking one of the boxes below.

Your subscription shown above includes a political fund payment so you do not pay any more by being in one of the funds.

UNISON will process your membership information together with other information for administration, statistical analysis, conducting ballots, statutory requirements and for sending newsletters, journals and surveys and for letting you know about educational and campaigning matters. We will disclose your information to our service providers and agents for these purposes.

If you do not want to receive any mailings from UNISON besides those required by statute, please tick this box.

If you have been a member of a trade union before, please state which one:

We may share your information with organisations with whom we have a business relationship for your benefit. We, or they may contact you by mail, telephone, SMS, fax or e-mail to let you know about goods, services or promotions which we think may be of interest to you.

If you do not wish to receive such information please tick this box.

If you tick either of these boxes then you will be removed from the appropriate mailing lists as quickly as possible but for administrative reasons this may take a couple of months.

5. Your authorisation

- I wish to join UNISON and accept its rules and constitution.
- I authorise deduction of UNISON subscriptions from my salary/wages at the rate determined by UNISON in accordance with its rules to be paid over to them on my behalf and I authorise my employer to provide to UNISON information to keep my records up to date.
- I authorise deduction of the following political fund payment as part of my subscriptions:

Tick one box only

Affiliated Political Fund

General Political Fund

Now please sign and date below.

Signature
Date