



Cumbria County Branch

RANTZ!

JULY 2009 EDITION

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Out of Hours, Out Of Patience

Over the last 12 months the Out of Hours Team has travelled the length and breadth of the council's bureaucratic corridors in search of a response to a very simple question: why should they be paid less for a mental health act assessment than other AMHP colleagues?

Consistently the employer has sought to knock down the argument and push the team metaphorically out of the door. The council's grievance procedure has been pursued as a means to obtain a just outcome; submissions have been made that outline the validity of the team's case but to no avail. And now UNISON has tabled a dispute with the employer over this matter with one of the possible outcomes being industrial action.

We have taken steps to set up a meeting with UNISON North West Regional Organiser to explore in detail the requirements the team will have as it pursues its case for justice and fairness. The finer detail will be put to plans for a ballot for industrial action and the form of the action itself, should the employer adhere to its current intransigent line. And I have to reiterate that it is not too late for meaningful negotiations to take place between ourselves and the employer, let's hope that they see sense and put the needs of the community before their un-willingness to talk on this matter.

The Out of Hours Team has been patient, the team has followed due process, and now frankly they have run out of patience. Rest assured that the team will get 100% support from the branch in the coming struggle.

The team are all UNISON members and are all committed to take this issue further, we look forward to the support of other members to help keep up team moral, and messages of support should be sent to the branch before they go into bat.

The out of hours team struggle for all employees who believe in justice, decency, fairness and the provision of first rate public services to the people of Cumbria. We will keep you regularly updated on how this matter progresses - Meeting 22 July 9:30 Spencer Street.

Paul Lloyd, Social Services Convenor



Would you like to join the Job Evaluation Team?

UNISON is looking for members to join the job evaluation team to assist with the evaluation panels. Full training has been scheduled for the beginning of August and will be provided by the employer over a 2 day period. Members taking part in training and panels will be paid by the employer on their normal rate of pay. If you are interested or would like further information, please contact the Branch Office.

Cumbria County UNISON
6 Spencer Street
Carlisle
CA1 1BG
01228 815681
unison@cumbriacc.gov.uk

Positive Attendance

Members have been having their right to self-certify removed by their employer under the positive attendance policy. My understanding of the law is that this action is unlawful.

Letting your employer knowing you are sick, your employer **cannot** insist that you tell them:

- in person;
- earlier than the first qualifying day or by a set time;
- on a special form;
- on a doctor's statement, which is normally called a sick note;
- more than once a week during your sickness.

Your employer will ask you for evidence that you are sick. This will be in the form of a medical statement from your doctor, which is normally called a sick note.

Your employer **cannot ask you to provide a sick note for the first seven days that you are sick.** They may ask you to fill in a self-certificate of their own design or form SC2 which you can get from your GP's surgery, or from the HM Revenue and Customs (HMRC) website.

If you are sick for more than seven days, you will need to ask your doctor for a sick note for your employer.

Workers protest over job cuts as colleges waste millions on consultants and agency staff

New figures revealing that £51,213,507 has been spent on expensive agency staff and paying consultant fees by further education colleges has been slammed by UNISON and UCU as a waste of money. As low paid staff carried out lunchtime protests on 3 July over redundancies and nursery closures, a Freedom of Information request carried out by the unions reveals shocking sums. Seventy nine colleges in England that had refused to give staff earning less than £17,000 an agreed pay increase of £550 in 2008/09, or a pay offer of 3.2, were targeted in the survey. And the results show that those employers spent a total of £29,533,507 on agency workers and £21,680,000 on consultants last year, bringing it to a massive £51,213,507.

The UK's largest public sector union is calling for an end to job cuts and nursery closures at a time when they are most needed by their communities. More than fifty employers have already announced plans to axe jobs, with the numbers increasing daily. The union is also demanding that colleges pay low paid staff the £550 agreed in last year's pay claim. Further education remains one of the lowest paid areas in the public sector, with the average cleaner in FE getting paid just £5.82 an hour.

UNISON's National Officer for Further Education and Joint Trade Union Side Secretary, Chris Fabby, said *'It is shocking that further education colleges are closing down nurseries and cutting jobs at the same as wasting millions on consultants fees. Rather than putting hardworking staff on the dole they should sit down with us and we will tell them how to save money. Many FE colleges say they cannot afford to give their low paid staff a minimum salary increase of £550 this year. But they could save millions if they recruited full time, permanent staff instead of using agency workers. Recruitment agency owners and consultants must be laughing all the way to the bank. They are making off with millions of pounds of taxpayers cash. Employment agencies routinely charge more than 50 per cent on top of what they pay their staff. This money should be spent on protecting jobs and college courses.'*

UCU Head of further education Barry Lovejoy and Joint Trade Union Side Secretary said *'It's small wonder that staff are so sceptical when college principals talk about the need for making cuts and tightening belts. Staff are the lifeblood of institutions and it is a disgrace that management are putting their jobs on the line by spending tens of millions on consultants and agencies. Successful colleges are built from the bottom up not from the top down. Management should be investing money in services for students and offering hard working teachers and support staff decent conditions of service. Further education can play a key role in re-skilling the UK population and retraining people during the current recession. It cannot afford this draining of resources.'*

FE Colleges WIN Improved Pay Offer

Further education workers in England have won an improved final pay offer of 1.5% on all salaries and allowances from 1 August 2009. The improved offer came after intense negotiations with the Association of Colleges and after a previous final offer of 1%.

UNISON's further education and sixth form national committee will shortly consult on the offer with members in England. A timetable will be announced next week.

Whether you're on the job or outside the workplace, UNISON has a lot to offer its members. That's UNISON benefits - the added value of membership!

UNISON Plus offers UNISON members and their families special discounts on insurance, mortgages, motoring, holidays & travel, financial services and much more. UNISON also provides expert legal advice and services, including free assistance with problems at work and an extended package of legal services for members and their families. For more information visit www.unison.org.uk or phone **0845 355 0845**



Travel Time & Mileage Deductions

It has been brought to the attention of UNISON that Home Carers have been informed that they are no longer allowed to claim their travel time or their mileage if they have made themselves unavailable in any part of their working day. For example: if you work mornings and lunches and you are not available for teas but then you work beds, you do not get your mileage or travel time home from the lunch call or back to your bed call. We believe this is an unlawful deduction of wages and UNISON is advising all our homecare members to continue to claim the travel time and ALL mileage to every call including the first 3 miles and last 3 miles that is normally deducted going to and from work. The only thing that you cannot claim is your travel time to your first call and last call, we think this needs challenged too. If any member has had money deducted from their wages, please can you contact the Branch Office.

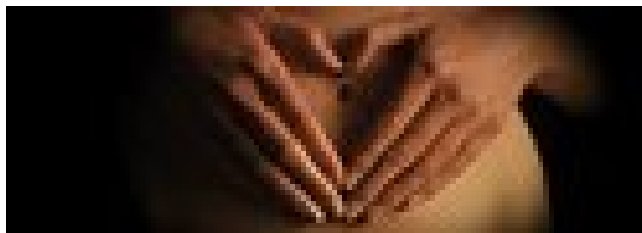
Our members in South Lakes have been informed after a study, that the rosters do not seem realistic and the admin staff are now putting real times on the rosters. They have been informed that if they felt the times of the calls were incorrect they have to write the time they are at the call in column two and admin staff would correct them so they would be right in future. Following complaints from members who have had monies deducted, I recently attended a meeting regarding the above and it was agreed that where members have been asked to identify and document a reduction to a service users call on their timesheet, they do not get penalised for doing so and they still get paid for the work on their line. It is then up to the admin staff to monitor and inform social services if a service user's care package needs amended. A service user has been awarded that call time to meet their care needs by social services and as such the quality and quantity of care should not be jeopardised. UNISON is appalled that our members are being asked to look for so called efficiency savings and then being penalised for doing so. Please pay particular attention to your payslips and inform the branch if you believe you are losing or have lost money.

Lynn Robinson, Cumbria Care Convenor

Congratulations

The Branch sends its congratulations to Mark Clifford who has been voted back onto the NEC. In a message of thanks Mark says: *'I am writing to thank every one of you who voted for me in this year's NEC Elections, I feel privileged to have been re elected to the Black Members Male Seat and will continue to work on your behalf. There is much work to be done and whilst we have made some good positive progress over the last 2 years, there is much more to be done and if we continue to work as a team, speaking with one voice, I am confident we will make further progress and over come the many challenges we will face. Once again, thank you for your continued support and faith in me as your elected NEC Member.'*

Mark is now sitting on Staffing, Development and Organisation (D & O) National Black Members Committee and equality Liaison Committee, as well as the TUC Race Relations Committee.



Attention All Women

Like most of you out there, I don't really know much about ovarian cancer screening only that it doesn't happen to me, so here is a very small amount of information.

At the moment there is no screening that is reliable enough to use for ovarian cancer.

Ovarian cancer is still the fourth most common cause of death from cancer amongst women in the UK. Every year a million women worldwide are diagnosed with a gynaecological cancer. This figure is just 200,000 fewer than the number of women who are diagnosed with breast cancer, yet the breast cancer survival rate in the UK is 80% compared with under 35% of women who survive a gynaecological cancer.

In the UK, ovarian cancer is the most fatal of all the gynaecological cancers and has a death rate similar to the survival rate for breast cancer. Each year in the UK 6,600 women are diagnosed with ovarian cancer, and 4,400 women die from the disease. The majority of these cases only have a few symptoms, which are treated as other illnesses until finally being diagnosed with ovarian cancer.

Detected early Ovarian Cancer has a 70-90% cure rate compared with 15-30% at the advanced stage. Women should be made aware of the symptoms so they can have a chance to survive. Research is still going on and funds are still needed for this to continue.

At UNISON's 2009 National Women's Conference a motion was carried to help women fight and survive this disease we call upon the National Women's Committee this year to:

1. Lobby for funds to be available
2. Campaign to increase the availability of screening to all women
3. Continue to promote awareness of Ovarian Cancer and to support the March awareness month.

After reading this and talking to others I found out I wasn't the only one who didn't know much, then I discovered that locally on Friday, 7 August a local fundraising event will be taking place at the Throstle's Nest in Wigton. Their aim is to raise £10,000 so that a medical student can be employed to carry out research into ovarian cancer and to raise the awareness of this cancer, for Northern Cancer Care and Research Society. This is a registered charity which undertakes research into the causes and management of gynaecological cancers. This group of people have already raised £3,405 without that much publicity, so let's see what we can do to help. If you would like more information please visit www.justgiving.com/kengyles or contact Tara Hedley on 07825 817652.

Dealing with Bullying at Work Guide

Advice and tips on how to survive bullying and intimidation in the workplace, and ways of dealing with individually, legally, or collectively.

Cuts in staffing and resources, increasing workloads, performance related pay: all have made work more pressurised. The University of Manchester says bullying accounts for up to half of all employment stress. The few studies done show the majority of incidents are by bosses, but it's still important to support people being bullied by work 'mates'. Call it what you will: harassment, aggression, coercive management, intimidation, or things seen as 'just a joke' - all are common labels for what is really bullying. Racial or sexual harassment, or that based on sexuality or disability, may also take the form of bullying. Bullying is any long-standing aggression, physical or psychological, by an individual or group directed against someone who is unable to defend themselves. It is rarely confined to insulting remarks or open aggression, but can be subtle, devious, often taking place when there are no witnesses, and be difficult to confront for those whose confidence and self esteem have been worn down. It is a myth that only quiet or 'weak' people will be victimised since a bully will also pick on the popular or successful if they're perceived as a threat. Widespread bullying by bosses is hardly surprising in world which is structured hierarchically - the rich living off the working class, men dominating women, adults abusing children... Work is similarly organised, to control the behaviour of workers with management positions providing the perfect situation for bullying.



Bullies tend to surround themselves with supporters, spies and 'court jesters' while cultivating allies in senior management. The bully will create rivalries in the workforce, as people anxiously fight to stay in their favour, creating a divisive culture which brings out the worst in people. To be 'in' with a bully can seem the best way to survive, and cover any feelings of inadequacy by displacing these on to others, through siding with the bully's aggression. But as long as a bully feels that they can get away with it they will continue.

A Living Nightmare

Being bullied makes people feel vulnerable, isolated and frustrated, and may lead to stress related illnesses like constant headaches, loss of weight, ulcers or kidney problems. It affects relationships with family and friends. Those being bullied often feel ashamed and that they must have done something to deserve it, which opens them to more bullying.

Spotting Bullying

Spotting what's going on early puts you in a much stronger position. Problems often arise when a person is new or recently promoted. The earliest sign is that a relationship at work doesn't feel right: is your boss responding to you in a different way; do you feel put down by belittling remarks or continual criticisms of your work, even though the standard hasn't changed; are you beginning to feel that supposed mistakes are all your fault? Other signs are constant assessment, useless errands, false complaints, persistent humiliation in front of others, and a boss's inability to admit they could be wrong.

A bully will try to get rid of someone they perceive as a threat; not promoting able people, taking credit for others' ideas or work, or alternatively not giving enough work or responsibility and then claiming laziness or lack of initiative.

Surviving

In dealing with bullying it is important not to be undermined and try to remain positive, though this is easier said than done. Try to take responsibility for your feelings and behaviour, keep things in perspective and don't let it dominate your life. However deflated you feel, make time to do stuff you enjoy. Talk things over with friends, many of them will have had a similar experience. You could try self-defence or assertiveness training, as this may help you cope better.

Initial tactics: stand firm against verbal attacks - tell the bully you won't tolerate personal remarks. Keep calm and say what has to be said quietly and coherently, and if they try to shout you down, just repeat yourself and keep doing so until they listen (or more likely walk off). If instructions are unclear, ask for written clarification, suggesting this will improve your performance; this can be useful as evidence. Remain confident in your own judgement and ability. Avoid being alone with the bully if you can.

The Law

There's no specific legislation dealing with bullying at work. Employers have a legal duty to protect employees' health and consult safety reps about health and safety matters, which includes bullying as it's a workplace stress. Safety reps have legal rights: to inspect the workplace and to take up health and safety complaints, with paid time off for their functions. Bullying involving a sexual racial or disability aspect may be challenged under the Sex Discrimination Act 1975, Race Relations Act 1976, or Disability Discrimination Act 1995. The complaints procedure should set out on what basis the bully may be suspended pending the results of an investigation. Independent counselling should also be available. Bullying is not just some deviant behaviour which can be eliminated by having the correct policies, but such procedures can form the basis around which to organise.

Fighting Back

Check your job description isn't being abused. Keep a detailed diary, including dates, times and locations, of every verbal attack, contrary or arbitrary instruction, or where your competence was questioned. Write to the bully after incidents, challenging them, and keep copies of relevant correspondence and memos. When making a complaint stick to the facts and avoid character assassination. It's probably a good idea to send copies of your complaint to senior management. Where

ing as they will usually give you a sick note giving you time to recover and plan your next move. It's important to state the cause, and name the bully on the sick note as it can be a very important piece of evidence.

Making a complaint may make things worse and lead to increased vindictiveness and being labelled a trouble-maker. Confrontation can be unsafe when it's done alone. Bullying usually affects several members of staff, and the more people experiencing it the stronger your case and potential allies. The staff of one school responded to problems with their headmaster by avoiding further argument, keeping silent, and not reacting. The head's self-satisfied smirk was replaced with a puzzled 'what are they up to now?' expression: "Although this did nothing to alter the practical problems, we felt better because it was no longer the headmaster calling the tune."

Last Resort

If you chose to resign, or are forced to leave due to intolerable conditions please be aware that this is a difficult case to win. You must be employed for two years and will need a detailed log of the abuse to be able to claim 'constructive dismissal'. Tribunals will examine particular recorded incidents of abuse but their main interest is in whether the correct procedures were followed. A request for an acceptable reference can be built into a winning claim. Compensation varies. In an out-of-court settlement won by UNISON, a social worker in Scotland in 1996 received £66,000 after being forced to retire through ill health, caused by bullying by her superior. A health visitor was awarded £5,000 damages in 1997 from North East Thames Community Care NHS Trust, after persistent undermining by a nursing manager.

Paul Lloyd, Social Services Convenor

'Voluntary' Reduction of Hours for School Support Staff

UNISON are increasingly concerned about the amount of members in schools reporting that as a prelude to Single Status they are being asked to reduce their hours. UNISON urge members to contact the Branch Office if you have felt forced to voluntarily reduce your hours of work. The pattern we clearly see is groups of women being bullied and harassed.

We find this behaviour of Head Teachers disgraceful and you, the members must be assured that you do not have to agree, any reduction in hours must be voluntary, you CANNOT be pushed into agreeing to reduce your hours. The problem is the law will act against you if you do not complain about a variation to your contract, as you MUST complain if you do not agree. If you start to work on reduced hours and do not complain, the law will see you as accepting because you started a new working pattern.

We urge all members to resist any attempts by management to force you into reducing your hours. Remember, that if you are in the pension scheme, this will have a detrimental effect if your hours are reduced.

I urge you to contact UNISON if you are now feeling pushed into voluntarily reducing your hours. It is against the law to impose a variation of contract and the change must be agreed by both parties but you MUST object if you are not in agreement otherwise it will be deemed that you have accepted the variation. Please contact the Branch Office if your hours have been reduced and you have any concerns.

Jackie Franklin, Education Convenor

School Support Staff & The Administration of Medication

UNISON is warning that expecting teaching assistants and support staff to carry out complex medical procedures on children is an accident waiting to happen. A survey by the union found that more than 70% of teaching assistants and school support staff are expected to administer medicines for conditions including asthma, diabetes, heart conditions and to complete complex medical procedures, including changing colostomy bags and tube feeding children. UNISON is calling for an urgent review of the types of medical procedures taking place in schools. It suggests national protocols should be drawn up in consultation with education and health professionals, as well as unions representing those staff. Many staff reported feeling a moral pressure to give medical support but only had routine first aid training. **UNISON Head of Education, Christine McAnea** said *'We are bound to see a serious incident if schools don't get the help they need to manage children's special medical needs.'*

The School Support Staff Negotiating Body (SSSNB) - Negotiating For You

The SSSNB held its first meeting on 7 July as a non-statutory body, since the legislation which will make this a statutory body is still going through Parliament. This means that any decisions reached would currently not be binding on schools. However, there is a lot of work to be done before final decisions can be made and it is unlikely that those will be reached before October when Royal Assent is expected. In order to better manage the considerable amount of work to be done, the SSSNB agreed to set up an executive group which will take a strategic approach. It was also agreed that 2 working groups are set up; one on the core contract and working year and another on role profiles and job measurement. All 3 groups will commence work immediately and are expected to make an interim report in the Autumn.

The 125th Durham Miners Gala

The 125th Durham Miners Gala brought sunshine and crowds to Durham on Saturday. This was the first time I had been to the gala and I was conscious as I walked around the City that I had excluded myself from a hugely significant social, political and historical gathering. Viewing the lodge banners as they wended their way through the centre of the city was a perambulatory lesson in trade union struggle. Raymond Williams the cultural critic once commented that the trade union banner was the one artistic form generated by the working class.

These moving tapestries hang from two up right poles and one cross pole and require a person to hold each of the vertical poles and other individuals to take a corner of the trailing banner. On occasion and in a breeze, the banner will break loose and flutter like a tethered kite. The banners usually have both front and back designs. The scenes depicted are varied, and some lodge banners have a representation of the colliery where the lodge was based, in one that I spotted, the pit wheels stood out on a cliff edge and the sea was painted in blue below.



The place of work is a key element of identity in the banners; workers are defined by their place of work and their type of work. The collective occupies the place of work; the mine belongs to the miner's identity. This is categorisation by class. It is identity through labour and class, a form of pre-identity politics. Moreover the banners record industrial action, rights that have been won, and disasters. They provide guidance, they record events that make campaigning statements, and they commemorate heroes.

Certain banners have portraits of the heroes of the day from Kier Hardie, to A.J.Cook and Nye Bevan. The Chopwell Lodge banner is infamous in that it features cameos of both Marx and Lenin; Chopwell was known, as Little Moscow in the early 20th Century when the banner was first created. The original of which according to Wikipedia was lost in the Soviet Union during a cultural exchange. There were also those banners with less well known figures such as lodge officials, individuals from the community, local heroes. The use of words and phrase is another important component of many banners; phrases from the bible mix with phrases lifted from the Communist Manifesto. Justice, community, fairness, freedom; great words that take some explaining but have acted as guiding ideas for so many, to see them drift by the angry statue of Charles William Vane Stewart, 3rd Marquis of Londonderry, Lord Lieutenant County of Durham, who occupies the centre of the market square was a telling juxtaposition in opposites both in social and political terms but also in the more fundamental notion of what it is to be what we are.

The banner of the cooperative society marched by followed by a brass band, trumpets, and trombones gleaming golden in sunshine. The parade winds down from the city centre towards the County Hotel where the likes of Michael Foot and Jim Callaghan have stood and waved in the past. As I walked by the band were just completing a rendition of the Red Flag.

There is an old black and white photograph that you might have come across of a Chartist Demonstration in Manchester in the 1850s and the field is ringed with banners, as I stood and watched the procession weave down from the town slowly wending its way onto the race course I felt a moment of connection with those sepia coloured marchers of the past and the passion and purpose of their struggle for democracy.

The speeches began on the main-field competing with the cries and engines of the fair that occupied the time of a great deal of the 60000 plus crowd. The veteran left wing firebrand Dennis Skinner MP leapt up from his seat dressed in trademark sports jacket, bright red shirt and bright red tie, and boldly declared that he was still proud to burn coal, before launching into a critique of the miners strike 25 years on, a strike that he described as having moments of agony and ecstasy. But let anybody tell you we couldn't have won, we were nearly there - all we need was a second front and when the Dockers balloted I thought that was it - Skinner himself had spoke at over 300 hundred meetings during the strike and, I can clearly remember him speaking at a rally in Carlisle in 1985, and especially recall a joke he told about Margaret Thatcher that got him into trouble from a number of feminists in the hall.

After the meeting we turned to look over the stalls these were compiled of trade union stand, newspaper stands and political groups, there were also those which dealt in the memorabilia of the working class. For instance you could have collected a brass mine token used to count the numbers in the pit. I bought a mug with a banner featuring Kier Hardie; it will go well next to my miner's lamp.

The whole day was exceedingly noisy. The tannoys blared out passionate vituperation and the bands filled the space between the houses and shops in the old streets with their robust and often poignant renditions. It was a truly memorable occasion one of pathos and inspiration, a living essay in the history of the labour movement and a statement of on going intent and direction: the struggle goes on! Git thee sell owa thee next time marra!

Paul Lloyd, Social Services Convenor

Youth and Community Workers' JNC (Joint National Council) – Key worker Status for Youth Workers

In 2008 the Trade Union Side of the JNC set up a joint working group on pay and the issue of key worker status is a component part of the working party's remit.

The National Youth and Community Workers' Committee believed youth workers to be a special case, particularly in light of difficulties in recruitment and retention. Following discussions at the JNC, the Secretary of the Employers' Side together with the Secretary of the Trade Union Side wrote to the Minister for clarification; please see your steward for a copy of the response. The Committee will discuss the response at their meeting in September.

More for JNC Workers

New guidance is now available for JNC workers. It draws on the grading criteria within the JNC framework and the National Occupational Standards for Youth Work (Lifelong Learning UK (LLUK) 2008) in order to effectively link the skills and competencies required to fulfil a post with the JNC recognised Higher Education (HE) qualifications in youth and community work, and the youth support work qualifications in the National Qualifications Framework (NQF) approved by the Qualifications and Curriculum Authority (QCA). Please contact the Branch Office or your connexions steward for more information.

Property Dept at Capita

The Branch continues to be concerned about the treatment of Capita members within the Capita Property department. The latest form of rationalisation attempts to sidestep redundancy laws on consultation and the County Council own agreement on NO redundancies for the life of the contract clause within the Capita/Cumbria County Council agreement, by the enforcement of a scheme to reduce workers hours by as much as 40%. The Branch has passed on this information to the new administration and to the officers but this has been met with no response. **Branch Secretary, Deborah Hamilton** said *'it is a matter of concern to all, not just the TUPE transferred Capita members, that the County Council are apparently not monitoring their contracts with their suppliers of service to the people of Cumbria. Government legislation insists that this practice is carried out and we have seen no evidence of this and the council is not applying the terms within its own contract. It is our opinion that contracts such as this would be better provided by bringing them in – house.'*



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NJC PAY (Green Book) 2009 / 2010 Update

Branch members will, of course, be wondering whether any further progress has been made following the six-hour talks with officers from the Local Government Employers (LGE) on 21 May 2009, when we agreed some positive proposals to be put to the Leaders of the four main political groupings on the Local Government Association (LGA).

Unfortunately, the LGA said that it could not consider the proposals until after the county council elections and the election of a new Chair.

We are currently being told that discussions within the LGA have not reached any conclusion, with some elected members arguing against a further increase.

We are putting as much pressure as possible on the LGE and relevant LGA members and hope that we will have something to report to you soon.

In the meantime, the Branch has written to local Councillors to ask them to demand a speedy response from the LGA.



Local Government Pension Scheme Governance

UNISON will be shortly issuing a report into the governance of the LGPS in England and Wales. The main findings of the report will demonstrate that the LGPS continues to lag far behind the governance standards enjoyed by all other funded pension schemes in the UK in spite of government promises to overhaul the system. The research revealed that pledges from the Department of Community and Local Government made in 2006 have had limited progress in improving member representation on the LGPS, and it still remains outside of obligations placed upon it by European and UK law. UNISON conducted an investigation into the governance arrangements of the LGPS in 2007/08. Today, only 7 out of the 89 Administering Authorities in the UK allow members voting rights on the LGPS. This represents a rise of just two schemes in two years. At this rate of reform, UNISON calculated it would take another 54 years for all authorities to have just one member representative with voting rights on their schemes. Further, just 66 out of the 89 authorities allow member representation on pension committees. 8 authorities are still delegating pension fund decision-making to a single senior council officer - something prohibited in trust-based schemes. Such disparity between member and employer representation has been outlawed in the trust based schemes where UK law requires at least 1/3 member representation on trustee decision-making boards. What is immediately required is a transparent and uniform system of governance across all of the employers responsible for the scheme, its investments and the members. The report will make a clear set of proposals to meet the requirements of all the appropriate pension scheme legislation and bring the governance of the fund up to modern standards.

Cost Share in England and Wales

The Regulations were amended from 15 May to require LGPS Administering Authorities to provide the Government Actuary's Department (GAD) with data so that they can calculate the assets and liabilities of a benchmark scheme. The Secretary of State can then issue guidance to the Administering Authorities as to how the future costs of the scheme can be met, following negotiations in the Policy Review Group. The unions have always argued that the lack of information on the membership and behaviour of the LGPS is a real barrier to effective negotiation over the scheme. The Administering Authorities must supply the data to GAD by 31 August 2010. GAD must then provide the costs of the benchmark scheme to the Secretary of State by 31 October 2010. The timetable is tight but authorities and their Actuaries believe they can meet the deadline.

The benchmark scheme will be based on assumptions agreed in the Policy Review Group and will reflect changes in cost between the 2007 and 2010 valuation dates. It will be based on an average of what has actually happened to the 89 Funds that represents a change to their surpluses and deficits. When supplying the data, all Funds will have to base it on real experience and use the same assumptions set out by GAD.

The next meeting of the Policy Review Group will be the 10 June. It is likely that by the time of that meeting, Communities and Local Government (CLG) will issue their proposals on how cost share will be taken forward. It is unlikely to be formulaic but there will be much continuing debate as to what is included and excluded. Changes as to how long members are likely to live i.e. longevity, are going to be in, but short term changes to investment return is going to be excluded.

Continuing concerns for the TU Side include ensuring that past service deficits are not included in cost share in any way and whether and how any employer contribution cap might be introduced.

Sustainability of the Scheme After the Next Valuation at 1 April 2010

The CLG are likely to issue limited proposals to change the scheme with effect from 1 April 2010 to help ease the pressure resulting from the economic downturn. The value of the funds have declined substantially. The feedback from the bilateral TU/CLG meetings was that the proposals will be limited to putting pressure on Funds to adopt longer term views on repayment of deficits and investment returns to reflect the fact that it is a Statutory Scheme. There is also the possibility of a proposal to increase employee contributions for those on the highest band. At the same time as the proposed changes to the Regulations, CLG is likely to attempt to restart debate on whether the scheme should change for the future, including the possibility of changing to Career Average from Final Salary.

Defending the LGPS

At a recent LGPS conference, Local Government Minister, John Healy repeated his robust defence of the LGPS and rounded on those who believe the LGPS should become Defined Contribution in the future. UNISON's Head of Pensions, Glyn Jenkins, took part in the key note panel discussion that launched the conference, stressing the low average pension and that good statutory schemes like the LGPS are a good deal for the tax payer. In discussion, he also clarified that it was a mistake when John Healy said there was already a cap on employer contributions. UNISON continues to be concerned by the message from the Conservatives. Together with other unions we will be shortly completing a rebuttal paper.

Round up of Other Issues

The next meeting of the Ill Health Monitoring Group is 11 June. We now have the figure that GAD used at the last valuation for ill health retirements. Apparently GAD assumed 14,000 over three years to 2007. This will give us ammunition to continue to argue the cost was inflated and that the scheme can afford to drop tier 3 to bring it into line with other public service schemes. Miscellaneous changes including how partners pensions can be further backdated and whether it requires the members to pay more, and the issue of the value of paid accommodation and protecting pensionable pay when it is removed, are expected to be laid soon. A meeting of the group dealing with guidelines on Admitted Body Status will be held soon. We remain committed to promoting ABS on outsourcing and encouraging open agreements that allow all workers taken on by the contractor to be offered membership of the LGPS.

TUC Welcomes Decision to Bring Forward Review of the Default Retirement Age

Responding to the Government's announcement recently that Ministers will bring forward a review of the UK's default retirement age which currently allows employers to require staff to retire at 65, **TUC General Secretary, Brendan Barber** said *'We welcome the early review of the default retirement age. It cannot be right that an employer can sack someone simply for being too old. Employees should have choice - neither forced by employers to give up work, nor forced by inadequate pensions into working longer than they should.'*

'A key challenge as we live and stay active longer is developing the right kind of jobs, support and training for older workers.'

For Information....

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