Pensions Day of Action: briefing for activists

Activists have a crucial role to play in promoting RCN activity on pensions in the run up to and during the Day of Action on 30 November. We need you to actively engage with members on how they can take part and what the issues are. We strongly encourage you to hold workplace briefings where you can.

A briefing has been circulated to members to keep them informed about what the RCN is doing and how they can get involved. This briefing is an extended version of the one members received and starts with a resume of the planned changes to pensions that the Government is proposing.

Thank you for your support. If you need any more help, please see the Support for you section at the end of the document.

What are the planned pension reforms and what is meant by ‘pay more, work longer, get less’?

**Pay more**
There are three NHS pension schemes; England and Wales, Scotland, and Northern Ireland. They deliver the same benefits but the legislation supporting them is different.

Lord Hutton’s recommendations for public service pensions have been accepted by the Government as a basis for further discussions with health and other trade unions. In summary, Lord Hutton said that public service pension scheme members should pay more into their pension through increased employee contributions. He did not say how much more.

However, the Government, after Lord Hutton’s interim report, has sought to increase employee contributions by an average of 3.2 per cent over the three years from 2012/13 to 2014/15. For some people this could mean a 50 per cent increase in pension contributions after 2015 for no increase in benefits.

Read full details about paying more

**Work longer**
Lord Hutton has said that the normal retirement age for public sector employees should rise to equal the state retirement age (65) and then rise with the planned increase in the state retirement age. The state retirement age is set to rise from 65 to 66 by 2020 and then to 67 by 2036 and 68 by 2046.

Read full details about working longer

**Get less**
Lord Hutton has recommended that final salary pension provision (like that in the NHS) should close and that from a future date (2015) pensions should build up on a career average basis for future service.

For many people, early or mid-way through their career, who are legitimately expecting their pension to be calculated on their ‘final salary’ this will have a big difference on the pension they expect to receive on retirement.

The decision to uplift pension in retirement by the CPI (consumer price index) rather than RPI (retail price index) (a difference of around 0.75 per cent less) could mean that your pension in retirement will be 20 per cent less over time.

Read full details about getting less
What is the RCN doing?

After an emergency meeting, RCN Council said that industrial action balloting is ‘inevitable’ if rising anger about government proposals on NHS pensions is not addressed in the ongoing negotiations.

Council agreed to support colleagues in the Day of Action on 30 November, though they did not decide to ballot immediately on industrial action. The RCN will now campaign to communicate the seriousness of the proposals and ensure that the RCN is ready to ballot as and when needed.

Sandra James, Chair of RCN Council, said: “Balloting on industrial action is inevitable if negotiations with the Government don’t provide a fair outcome for our members. RCN members will also be asked to support colleagues on the 30th by joining protests, demonstrations, joint events and rallies or engagement with patient groups. The RCN is now gearing up to get a ballot process ready if needed over the coming weeks as talks progress.”

The RCN is working closely with the other health service trade unions, both TUC and non-TUC affiliates. Members will be aware from press reporting that the TUC conference proved to be a watershed moment in the pensions negotiations, with the unions now gearing up for action on 30 November.

It is a major priority to work as effectively as possible with our colleagues in the other health unions, and we will be collaborating closely as the negotiations continue and in the run up to 30 November. Recently, all the health unions, including the RCM and the BMA, met the Secretary of State, Andrew Lansley to convey the huge anger expressed by members over the betrayal of trust on pensions. Although the Secretary of State acknowledged he had heard from staff directly on the issue, he appeared to be constrained by Treasury policy on public sector pensions. It is the Treasury position that public sector pensions are no longer affordable which is driving the move to increase contributions and delay retirement, ultimately to 68 by 2046. It is also important to note that the Government expects negotiations on pensions to conclude quickly.

What can I do to support the Day of Action?

The RCN is asking members to support the Day of Action on 30 November by attending local demonstrations in their own time. If you are at work and you wish to attend any workplace action, you will need to take time off and it must be in your own time, for example during a planned meal break, as failure to attend work as normal is likely to be a breach of contract.

Please alert your country or regional office if you have any concerns about the stance of local employers on this issue. We know for example, that if schools are closed on 30 November, this will pose child care problems for many members. Local nurseries may also be closed and other social care services, for example, for the elderly, may be affected, which may pose problems for members with caring responsibilities. Please keep the local intelligence flowing.

We will be providing a range of materials including t-shirts, placards and leaflets via regional and country offices. This will be branded with the slogan ‘Pensions: fair deal for the frontline’ following the Frontline First design style. Health unions are working together to decide venues on a local level and members will be sent more information shortly about how to sign up and how to find out about action in their area.

Read more about the Day of Action here http://pensionsjustice.org.uk/
RCN advice to members during industrial action by other unions

Employers have already started asking staff sides to co-operate in drawing up contingency plans for emergency cover on 30 November. The RCN's advice is clear; if an employer is concerned over 'essential cover' during a period of industrial action they must discuss this with the union(s) taking the action. It is for the employer to reach an arrangement whereby essential services are protected – it is not for unions not involved in the action to engage in these discussions. If the RCN is asked to take part in these discussions we should refuse and direct the employers to the unions involved.

You can find Updated guidance on industrial action by other unions on our website - www.rcn.org.uk/newsevents/news/article/uk/updated_guidance_on_industrial_action_by_other_unions

This guidance advises you on what your employer can and can't ask you to do on behalf of the RCN and as an individual. It will also help you answer any questions you may be asked.

Below is a summary of advice for members on the Day of Action, however it is important that any action is also taken in accordance with an individual's employment contract.

- Members, including agency staff and students, should attend work as normal – failure to do so is likely to be a breach of contract.
- Members should not cover the work of colleagues who are undertaking industrial action (though they are obliged to carry out any reasonable, contractual, requirements of the employer).
- Members should avoid any voluntary overtime work to cover the work of those taking industrial action.
- Members should avoid any bank or agency work to cover the work of those involved in the industrial action.
- Members should monitor the work environment in respect of health and safety and should, where necessary, report any concerns they might have on the safety of staff, patients or property to their line manager.
- Any difficulties or concerns arising in delivering care should be reported to your line manager and your RCN representative immediately.
- Members are encouraged, in their own time, to support the action of colleagues by attending demonstrations or signing petitions etc. either on or off hospital property.
- Members who are registered with the Nursing and Midwifery Council (NMC) are bound by the ‘NMC Code’. They should ensure that at all times they fulfill the duties placed upon them by the Code. The Code can be found at; www.nmc-uk.org/Nurses-and-midwives/The-code/The-code-in-full

Support for you

You may be approached by members who have questions about pensions and the Day of Action. All the resources linked to in this briefing provide information that should help you find the answers. You can also visit our guidance on pension advice in the activists’ resources section of the RCN website www.rcn.org.uk/activists (you will need your login details to access this link) where you will find more advice and a list of further resources.

If you can't find what you're looking for, in the first instance, please contact the Employment Relations staff at your country or regional office. The RCN's Senior Employment Relations Adviser Gerry O'Dwyer at gerry.o'dwyer@rcn.org.uk or on 020 7647 3661 may also be contacted if required.

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