

An Important Message from Hertfordshire Police Federation – Please Read

Colleagues,

We wanted to contact you all to try and explain some of the issues that are being discussed across this force and others up and down the country. Can we start by saying that we understand how frustrated and angry officers are with the pension proposals made by this government. They are unfair and an utter disgrace in our view. That said some of the debate that is being had at the moment is based on the wrong information and we would like in this email to correct some of that.

Why did the Federation sign up to this deal?

We didn't.

This was not a negotiated deal, we had no input into the proposal, our part in this was to try and influence the government to improve it. The Federation position from the outset was that existing members of the scheme should remain on it and changes should only affect those who join in the future. Unfortunately the Government did not agree, they listened to the argument we presented and extended the original scheme to cover officers with 16 to 20 years' service. The bottom line is we have no negotiation rights on our pension. The initial proposal laid out by the Government was a lot worse than the one we have been left with. That we understand will not make those most affected any happier with the proposal.

Have I have been mis-sold my pension?

You haven't.

The answer to this question is no, our pension is seen as a company benefit. It forms part of your Terms and Conditions. Members have asked about claiming back contributions - you are unable to do this. The scheme does not allow this – if you withdraw from the pension scheme it will be deferred until you are 60. You are allowed to transfer your pension to another employer if you leave this organisation. From the information we have had we are informed that it would not be possible to match the pension privately without a significant increase in the contribution an individual makes. In relation to your own pension, for every pound you pay the police authority and government pay three (roughly). If you stop paying into your pension the obligation for the police authority to contribute also ceases and because of increased tax and NI you won't get the pound back, you get about 70p. Whilst we certainly agree that changing the terms and conditions is very

unfair it is not unlawful to do so.

Are we able to legally challenge this?

Possibly.

Legal advice has been sought at every stage of this process. Challenges have been made. The Federation challenged the Government's proposal to change the index that decides what your pension is valued. This challenge failed at court. In its current format the Government are unable to change our pension as they wish without a change in legislation. The Government are aware of this and intend to make those legislative changes. For them to do that they will need a majority vote in the House of Commons. As we go forward the Federation will legally challenge any aspect of the proposal it is able to. The best legal advice has been and will be sought. The Federation needs to wait for the Government to change the legislation before they are able to take a view as to whether we are able to challenge this.

Why are officers with less than 10 years to go protected?

Because that is what the Government proposed.

Can we dispel the myth that the negotiators for the Federation struck a deal which looked after officers with the most service and ignored colleagues with less service. This is simply untrue. The Federation position throughout was that everybody on the scheme should stay on the scheme. The Government proposal around officers with less than 10 years to serve was just that, a Government proposal and not a suggestion by the Federation. We believe that this was done to bring us in line with other public sector workers who have had similar pension arrangements imposed on them. We do not believe it was done as the Government felt particularly charitable. If they had not done so it would clearly have been an area that could have been challenged. The transition arrangements for officers between 16 and 20 years' service was something the Federation achieved by influencing the Home Office. We would like to make this final point with regards this issue, not one single officer has gained from the proposals, every officer is required to pay more regardless of what scheme you are on or how much service you have. Throughout these discussions and the negotiations on Winsor 1 and 2, we know for a fact that the Federation negotiators have prioritised the young in service, as this is the group most affected. We need to put that into perspective from a Government position this is about saving money, they save more money by changing the pension of those officers who have the longest time remaining in the scheme.

When are we having a ballot on Industrial Action?

Soon, but be careful what you wish for.

The Police Federation is committed to hold a ballot on seeking full industrial rights in the absence of binding arbitration and have engaged the Electoral Society to run that ballot for us. However, it is not a simple process and if we were successful in achieving industrial rights it will change completely our employment status as crown servants. The Federation is currently producing a document which should be available in the next few weeks to inform members of the full impact of industrial rights before any ballot takes place.

In terms of Industrial Rights there are also some myths out there about forces across Europe having the Right to Strike. The correct position is set out in a document available on the internet called; “The Right to Strike: A Comparative Perspective. A study of national law in six EU states” edited by Arabella Stewart & Mark Bell.

The document confirms that the overwhelming number of police forces across Europe have no right to strike or very limited rights which balance the rights against the right to human life.

The Home Secretary has announced publically that we won't get the right to strike. So the likely outcome of a “yes” vote for employment rights is that they give them to us without the right to strike. The danger of employment rights is that we would become employees and eligible to be transferred to a private company like G4S – just like they may do to Herts Constabulary Staff if the outsourcing proposals are taken up.

Why don't we work to rule?

Because it is unlawful.

Working to rule is a form of industrial action and that is unlawful for Police Officers. What we would say is that officers should work to the rules. We have police regulations that are in place to protect officers. These regulations clearly set out what you can or cannot be asked to do. Officers talk about goodwill, it means different things to different people and again it is an individual's choice. If you believe you are being asked to do something which lies outside of police regulations contact your local Federation representative who will be able to advise you.

I want to pull out of the Federation.

You can't. You can stop contributing but that will be at your own risk.

Don't! Never has it been more important to part of a staff association than it is now. We are under attack by a very ideological Government who is using a difficult economic back drop to justify the

reform it is imposing on us. The discontent that has been caused by the pension proposals amongst officers is something the Government will be happy with. They would love to see officers leaving the Federation; they do not want a representative body who tries to influence and negotiate. You will be playing directly into the hands of the Government if you pull out of the Federation. You remain part of the Federation even if you don't subscribe. Every officer remains part of the Federation and we negotiate on your behalf whether you subscribe or not. If you cease subscriptions it means that we can't spend any money on you if you need legal support for any reason. Subscription money also pays for the training of the Reps who support you where there is no right to legal representation.

What next?

Go and see your MP.

We have mentioned earlier in this email that the Government requires a change in legislation to impose the pension changes on us. To do that they require a majority of MP's to vote for the change. WE urge you to contact your local MP and ask them how they intend to vote on this issue. That could be a good time to inform them the answer they give may influence how you vote in the next elections. Letters and emails can be answered with ease. It becomes a little more difficult for them to tow the party line when you are sat in front of them explaining how much the changes will affect you. These proposals will mean officers will pay more, work longer and receive less.

We need to finish by saying again that the Federation are not financial advisors. It is the responsibility of the employer and pension provider to give financial details of pension entitlement to members and not that of the Federation. We are working with the force to enable them to answer your pension queries. We would strongly recommend that you take financial advice before taking any action in respect of your pension. We hope that we have answered some of the questions that are being asked. If not you can send an email to the Federation mailbox or alternatively ring the office.

Regards,

Hertfordshire Police Federation