

Outlines



UNISON NEWCASTLE CITY BRANCH NEWSLETTER

October 2016

The Council have forced staff to pay for austerity with:

- Their Jobs
- Their Services
- Their Redundancy payments
- Their Protection payment

Now they're coming for your pay!

Where staff are concerned, what is the elected member's **red line**?

The council's announcement of their budget proposals for 2017 – 2020 which were presented to staff, UNISON, the public and the press missed out a significant issue, a proposal to remove premium time payments i.e. to **stop paying enhancement rates for working weekends and evenings**.

Why? UNISON is aware that council officers have presented a proposal to elected members that has their approval, although it has not been formally presented to UNISON, or staff. Could it be they're hoping less job loss than previous years puts staff in the "right" frame of mind to accept an attack on terms and conditions?

No premium payments impact directly on those staff who receive them currently but also opens up the possibility of 7 day working for other staff, YOU could find your service operating at a weekend without paying you any overtime payment. Would you be happy about that?

Many staff in receipt of premium payments support the most vulnerable adults and children in the city, is this the thanks they get?

UNISON will be campaigning against this proposal, you should too. We'll provide more details as they are released, get involved.

No more attacks on terms and conditions!

PGJ

Paul Gilroy - Branch Secretary

What payments will it cover? Payments made to a leaving employee, or a third party on behalf of the employee, including: Redundancy payments, any pension top-up to enable early retirement Any payment made as part of an agreed exit settlement between the employer and the employee

What if I return part time? The recovery will take that into account and there will be only partial recovery on a pro-rata basis.

What if I return on a lower salary? This is not taken into account in the current proposals.

What happens to recognition of my previous service? Treasury guidance MAY encourage new employers to consider lost service entitlement – it will not automatically be recognised. This means that if the member is made redundant, again their future service related entitlements will be dramatically reduced.

How can I return money given to my pension scheme as part of my exit package? If a member took early retirement, and was in receipt of their pension, there would need to be special arrangements to recover the pension top up given to the scheme by the previous employer. The details of this have yet to be agreed other than a vague mention of “abatment” which would mean a longer term recovery in the form of a reduced pension in payment.

What if I can't pay it back? There will be a new requirement placed on prospective employers to withdraw any new job offer if recovery cannot be established.

What if I come back as a consultant? Being paid to perform work in the service of the public sector will still count as re-entry into the public sector for the purposes of this legislation.

Are there any exceptions? There is a waiver process whereby employers can ask the relevant government for an individual exemption from recovery. Waivers will be dealt with on an individual basis. It is anticipated that settlements made as a result of whistleblowing would be likely to receive such an exemption.

2. Absolute cap on the value of any exit payment set at a maximum of £95,000

When does it come into force? We are now expecting consultation on the draft regulations (small print) to be published by early October – implementation is now expected in early 2017.

Who is affected? Anyone working in the public sector who gets an exit/redundancy/early retirement settlement. It will mostly affect high earners, but despite previous government promises, it will also affect moderate earners if they have long service such as nurses, social workers, paramedics and librarians – particularly if they were previously entitled to access early retirement as an alternative to being made redundant.

What does it cover? Payments made to a leaving employee, or a third party on behalf of the employee, including:

- Redundancy payments,
- Any pension top-up to enable early retirement,
- Any payment made as part of an agreed exit settlement between the employer and the employee

I'm not a high earner - how could this affect me? If you have long service, you may have earned redundancy entitlements that mean you will exceed this cap. In local government, where anyone made redundant after age 55 is currently automatically entitled to early retirement instead of redundancy, someone earning as little as £25,000 could be affected, because an early retirement settlement (made directly to the pension scheme to compensate for taking current entitlements earlier than expected) is often much larger than a straightforward redundancy settlement. In other words, the £95,000 cap applies to the whole settlement, even the part of it which is paid to the pension scheme – not just the part which the individual receives.

What do I do if my exit payment is no longer enough to cover my entitlement to an early retirement? The government is clear that the member would have three choices:

- Take a straight redundancy payment instead of early retirement or
- Make up the difference themselves (find part of the lump sum to pay the pension scheme) or
- Accept a partly reduced pension.

How will this affect Tribunal settlements? Currently, all settlements including settlements agreed as part of the mandatory ACAS pre-Tribunal early conciliation process will be included.

By law, a settlement at Tribunal cannot be capped in this way. This would contradict previous government legislation mandating an attempt to settle cases before a tribunal hearing through ACAS,

as under these proposals there would be less incentive to settle pre-tribunal where the new cap would apply.

Are there any exceptions? There is a waiver process whereby employers can ask the relevant government minister for an individual exemption from recovery. Waivers will be dealt with on an individual basis. It is anticipated that settlements made as a result of whistleblowing would be likely to receive such an exemption.

For local authority employees, an exception can be made by a vote of the full council, though the detailed guidance on which circumstances might be acceptable for an exception to be granted has not yet been published.

3. New reduced limits on calculating all exit payments

When does it come into force? The government have now published their response to the consultation on these changes. They have outlined an expectation that employers will have a rough outline of their own proposals ready within 3 months and final implementation of any agreed proposals will be accepted by the treasury team and in place within 9 months. There is no legal backing to ensure these dates or any particular changes are met, however, the government is clear that once the consultation period is over, legislation may be issued for implementing any new proposals if changes cannot be achieved through negotiation.

Who is affected? All workers in the public sector in England.

What is proposed? Our understanding is that the proposals are not meant as a “reference scheme” and it is not expected that every public sector exit payment agreement will look the same. It is expected that all areas of the public sector look to reform or revise their scheme to consider making savings and to specifically consider the following three broad areas:

- New maximum redundancy / exit entitlements (see below)
- Reducing entitlements as people near retirement
- Reducing, or eliminating, access to early retirement options.

The suggested maximum limits on redundancy entitlements being proposed are :

- Maximum of 3 weeks’ pay for each year of service
- Maximum of 15 months’ pay in total and possibly less for compulsory redundancies (to encourage people to take exit packages earlier)
- Maximum salary for calculating an exit payment set at £80,000
- A tapered reduction in exit package the closer someone is to retirement

Proposals for amending access to Employer funded pension “top-ups” to enable older workers to access an unreduced early retirement in lieu of a redundancy payment are as follows (and appear to be a choice rather than expecting all three to be implemented);

- A cap on the amount of employer funded pension “top-up” to no more than the amount of redundancy settlement that would otherwise be used.
- Removing the ability of employers to make pension “top-ups” altogether
- Increase the minimum age at which an employee is able to receive a pension “top-up”.

Please note: These are not necessarily the expected outcomes of individual reviews and negotiations, but are expected to be considered as part of a review of exit package policies.

What does this mean for UNISON members?

In light of the extent of public service budget cuts and the proposed future cuts, these new proposals to cap exit payments in the public sector are entirely punitive, representing yet another attack on public sector workers and the services they provide.

This initiative tears up collective agreements and negotiated settlements, many of which are still in the process of being agreed directly with government departments, at a time when the flexibility required by employers to negotiate redundancies with recognised trade unions could not be more acute.

It is clear that the proposals, as they stand, will not only affect high earners but will also impact on moderate earners such as nurses, midwives, social workers and librarians with long service in public services.

Whilst it may be that some sectors will be able to negotiate on some of the areas under threat, it cannot be ignored that some employers will take this opportunity to seek to reduce terms and conditions in all areas and treat the proposed areas of reform as the new baseline.

Public service workers often devote years of loyal service: the government's own evidence on sector comparisons makes it clear that many professionals working in the public sector could earn greater salaries in the private sector.

UNISON believes that the local and national damage done to industrial relations, and the impact on staff morale and the employers' ability to facilitate necessary change, is too high a price to pay for what may amount – at most - to very moderate savings to the government purse. This will be especially true when you take into account the cost of the sub-standard reorganisations that may result from these restrictions.

UNISON will be advising negotiators on how best to deal with these new proposals on a sector by sector basis.

Currently each sector scheme (s) are structured very differently and negotiations for how far each scheme will need to match all elements of these proposals will vary. For instance in Local Government the tariffs are already very low in many schemes so there may be room to prioritise protecting the status quo on access to early retirement. Whereas in Health there is already no access to an unreduced pension on early retirement so there may be more leeway on tariffs.

Please look out for individual updates for each scheme.

In the meantime, UNISON is joining with other unions and the TUC to challenge the detail of these new attacks on exit payments and will be working hard to ensure there are sufficient safeguards in the detail such as a waiver process for the proposed absolute cap that can be applied in cases of individual hardship.

UNISON launches UK-wide campaign to celebrate public service champions

https://champions.unison.org.uk/?gclid=CJ_pnbeWw88CFUETGwodBkgKwA

Have you seen the adverts in the press?



UNISON is the largest public service union in Europe. We support, protect and promote the public services that keep our lives running. From the data entry clerk in the back office, to the nurse on the front line, every public service worker makes a vital contribution to society.

We are constantly researching the [issues that affect public service workers](#), and receive many anecdotal accounts of the incredible work they do. Our stories are based on these true accounts, and shine a light on some of the public service champions who make our lives better.

So today, we'd like you to join us in championing your public services – you can [add your thank you](#) to the interactive map or tweet their praises using [#thankyourchampions](#).

Additional Pay Claim 2017-18

As instructed by Local Government Service Group Conference, the UNISON NJC Committee asked branches to consult members on the contents of an **additional UNISON pay claim for the 2017/18 pay round**.

Emergency Composite A, carried at 2016 Conference, included an instruction to submit an additional NJC pay claim for 2017/18 and to commence the process of consulting with branches and members on the composition of this claim after Conference. This reopens year 2 of the 2016/18 two-year pay NJC settlement agreed last May.

The UNISON NJC Committee met on 11 August to discuss the contents of the additional pay claim and the timetable for membership consultation.

The Committee noted that the additional claim will be a UNISON claim only because the other two NJC unions do not support it. Both GMB and Unite's National Committees have discussed UNISON's proposal for an additional claim. In response they have both stated that, given the collective decision of NJC trade unions to accept the 2016/18 two year pay settlement, they will not support a further pay claim for 2017. The Local Government Association has also indicated that they will not consider a claim received from one NJC union only.

In keeping with the contents of the 2016/17 NJC pay claim, the NJC Committee agreed to consult branches on an additional pay claim for 2017-18 on the basis of the following question:

Q. Do you agree with the proposal that the additional pay claim for 2017/18 should be for “A flat increase of £1 an hour on all NJC pay points?”

The results for Newcastle City Branch were:

- | | |
|----------------------|------------|
| – Total Ballots sent | 4569 |
| – Yes 343 | 8 % return |
| – No 157 | 3 % return |

The union's NJC committee will consider the national response at their meeting on 13th October, the branch will send out details once we have them.



Stars in our schools

Stars in our schools is a celebration of school support staff. In 2016 Stars in Our Schools will be on Friday 25 November. UNISON organises the day to celebrate the wonderful work they do every day and to make sure the world knows just how vital they are to children's education.

Future Employee Benefits

At Corporate Joint Committee (CJC) where the unions meet with the senior elected members, Chief Executive and Directors, a previous minute recorded a request from UNISON for the council to consider paying the long service award "in year", rather than when a person leaves the council, and looking at paying the Christmas pay earlier:

- **Long Service Award** – In relation to suggestions made in response to the staff survey, T Kirkham reported that the payment of long service awards when they fell due (rather than when staff left the organisation) or awarding extra holiday in lieu of a long service payment would be considered alongside looking at other opportunities as an employee benefits and rewards package in the autumn.
- **Christmas Pay Date** – In terms of the suggestion to bring forward Christmas pay by one week, T Kirkham commented that whilst this would have a relatively small cost implication, it would lead to an extended period before receipt of January pay. It was intended to consult staff on this suggestion setting out the resulting consequence of the long period before the pay at the end of January, a decision would be made based on the results of the consultation.

Let the Branch know what you think about these 2 ideas, have you any ideas for employee benefits you would like to see the branch pursue on your behalf?

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Surname/family name Date of birth / /

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email

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Please give your ethnic origin: (tick one box)

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Indian Asian other Caribbean White other

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Our Affiliated Political Fund takes UNISON members' views directly into the Labour Party, working to promote UNISON policies.

The General Political Fund is used to pay for branch, regional and national campaigns but is independent of any political party.

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