



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 22 of 2019

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15 July 2019

Dear Colleague

Firefighters & Judges Pension – Written Ministerial Statement – Information

The Chief Secretary to the Treasury has today (15th July 2019) laid a written statement on behalf of the Government in respect of the Judges and Firefighters Pensions.

That statement makes clear that the Government will apply an Industrial Remedy to the discrimination found by the Employment Appeal Tribunal.

That means the remedy will apply to EVERY affected worker in the public sector pension schemes.

A copy of the statement can be found at the following link.
<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-07-15/HCWS1725/>

For your convenience it is also replicated in full below.

“The government is committed to providing public service pensions that are fair for public sector workers and for taxpayers. This is why we brought forward reforms in 2015, based on the recommendations of the Hutton report, to ensure that these pensions are sustainable in the future.

The courts have considered cases regarding the implementation of the 2015 reforms. On 27 June 2019 the Supreme Court denied the government permission to appeal the Court of Appeal’s judgment that transitional provisions introduced to the reformed judges and firefighters pension schemes in 2015 gave rise to unlawful age discrimination. The government respects the Court’s decision and will engage fully with the Employment Tribunal to agree how the discrimination will be remedied.

The ruling relates to the ‘transitional protection’ offered to some members when the reformed schemes were introduced. In order to ensure people close to retirement age were treated fairly, the government agreed to ‘transitional protection’, which broadly permitted those members who were closest to retirement at the time new pension schemes were introduced to remain members of their respective old schemes. The court has found that those too far away from retirement age to qualify for ‘transitional protection’ have been unfairly discriminated against. As ‘transitional protection’ was offered to members of all the main public service pension schemes, the government believes that the difference in treatment will need to be remedied across all those

schemes. This includes schemes for the NHS, civil service, local government, teachers, police, armed forces, judiciary and fire and rescue workers. Continuing to resist the full implications of the judgment in Court would only add to the uncertainty experienced by members.

The matter will be remitted to the Employment Tribunal in respect of the litigants in the firefighters and judicial pension schemes. It will be for the Tribunal to determine a remedy. Alongside this process, government will be engaging with employer and member representatives, as well as the devolved administrations, to help inform our proposals to the Tribunal and in respect of the other public service pension schemes.

Initial estimates suggest remedying the discrimination will add around £4bn per annum to scheme liabilities from 2015.

The reasons for the 2015 reforms remain: that public service pensions are a significant cost for the taxpayer, now and in the future. The judgment does not alter the government's commitment to ensuring that the cost of public service pensions are affordable for taxpayers and sustainable for the long term."

As you can see the statement indicates there is still a long way to go and much to be discussed.

I appreciate that you will have lots of "what does this mean?" type questions and the simple answer is that we will not know until such time as we sit down with Government to hear their proposals.

As ever, when there are any developments I will update you accordingly.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Calum Steele', with a horizontal line drawn through the middle of the signature.

Calum Steele
General Secretary