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## Pensions Bill Lobby

In Scottish Pensions Bulletin 32 we set out the implications of the UK Government's Public Service Pensions Bill, primarily for the Local Government Pension Scheme Scotland.

We updated LGPS pension champions at a meeting in Glasgow on 31 October. There has been an exchange of correspondence with the Cabinet Secretary for Finance on the legality of the Bill and the need for the Scottish Parliament to approve it through a Legislative Consent Motion (LCM). Our legal advice is that a LCM is required, Scottish Government officials apparently disagree. The Cabinet Secretary has agreed to a meeting to discuss these differences. However, we are concerned that Scottish Ministers may believe it is easier to simply blame Westminster in the current political environment.

Shadow Treasury Minister, Cathy Jamieson MP has helpfully tabled a written question to the Chancellor of the Exchequer who has [responded](#) that an LCM will be required. This is for two aspects of the Bill on judges' pensions and scheme closure. However, it does open the door for the Scottish Government to defend the principle that Scottish schemes should be designed in Scotland without Treasury interference.

The Bill at Westminster passed its Second Reading and the Committee Stage now starts. Contrary to some commentary, we did not ask Scottish MPs in our briefing to vote against the Bill. The focus is on amending the Bill at Committee.

We therefore have two strands to our plan to defend the Scottish LGPS:

1. To persuade the Scottish Government and MSPs to insist on a Legislative Consent Motion on those aspects of the Bill that allow the Treasury to prescribe how Scottish schemes should be designed.
2. To persuade MP's at Westminster to amend the Bill to exclude Scottish schemes from these aspects of the Bill.

In support of this we need to mobilise members to lobby their MSPs and MPs on this issue.

Overleaf there are two model letters branches can use for MPs and MSPs. These will also be available in e-mail format on the pension page of the UNISON Scotland website. These letters are always better if they are personalised to reflect say a member's length of service and how the changes e.g. retirement age will impact on them.

## Model letters to MPs and MSPs

Dear

### Public Service Pensions Bill

I am writing to express my concern about the above Bill that is being considered at Committee Stage in Westminster.

As you will be aware primary pension legislation is a reserved issue mainly covered by the UK Superannuation Act 1972. This is largely enabling legislation that allows the Scottish Parliament to design schemes by regulation that meets Scottish requirements. However, this Bill prescribes key elements of all schemes and that will apply to the Scottish schemes for the first time.

All of these elements are currently decided in Scotland and therefore the Bill significantly undermines the current and future pension schemes. If the Bill goes through unamended, the Scottish Parliament will be required to bring the Scottish schemes into line with agreements reached in England on key issues. These may not reflect Scottish circumstances and they constitute an unwarranted interference by the Treasury in Scottish provisions.

For many years I have done the responsible thing by paying into a pension scheme. I expect the rules for that pension scheme to be negotiated between my trade union and the employers, leading to regulations being passed by the Scottish Parliament. I do not want the Treasury to be able to narrowly prescribe the scope of those negotiations or change the rules at will. Such an action will undermine my confidence in the pension scheme.

#### ***For MPs finish with:***

*I would therefore urge you to amend this Bill to leave Scottish public service pension schemes free to design a scheme that meets Scottish requirements.*

#### ***For MSPs finish with:***

*My trade union UNISON has taken legal advice that this legislation requires the approval of the Scottish Parliament through a Legislative Consent Motion (Sewell convention). The UK Government has now confirmed that an LCM is required although on narrow grounds. However, in my view this opens the door for the Scottish Parliament to assert its powers to design pension schemes in Scotland. I am very surprised that the Scottish Government appears unwilling to argue this point with the UK government. Simply blaming Westminster when they have the ability to stand up for Scotland is not good enough.*

*I would therefore urge you to demand a LCM for this Bill and to use the Parliament's powers over a motion to demand amendments. Such amendments should retain the powers of the Scottish Parliament to design Scottish pension schemes without interference from the Treasury.*

Yours.....

### More information at:

Scottish Pension Web Pages: <http://www.unison-scotland.org.uk/pensions/index.html>

UK Campaign Web Pages: <http://www.unison.org.uk/pensions/protectour.asp>

#### **For further information contact:**

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