



28th August 2019

NHS PENSIONS - GMB UPDATE

As a result of a Court of Appeal judgment (McCloud) earlier this year, it was held that alterations that had been made to Judge's and Firefighter's pension schemes in 2015 were discriminatory. The Government has been refused the right to appeal to the Supreme Court. We are now awaiting a remedy hearing which is expected within the next 12 months.

The GMB is aware of this judgment and the remedy hearing and we have been monitoring progress of this case closely. This case has the potential to impact all other public sector pension schemes - NHS, Local Government and Civil Service.

It is expected that any compensation remedy introduced as a result of this judgment will be applied consistently across all public sector pension schemes. GMB is in discussions with the Treasury and relevant Government Departments trying to determine remedies and a way forward. GMB members will be kept updated on these discussions.

We are aware that the BMA and POA have already started lodge legal claims on behalf of their members. The GMB is awaiting the outcome of the Appeal and is continuously seeking legal advice. Any litigation at this stage will not fast-track the McCloud remedy. Therefore, at this stage, the GMB and all other NHS trade unions are not currently lodging legal claims on behalf of our members.

Please note that GMB sits on the Pension Scheme Advisory Boards across all Public Services, which means that we are in direct dialogue on this with relevant Government Departments.

The McCloud judgment however has already had an impact on public sector pension schemes. As a result of changes made to pension schemes in previous years, you as members of the scheme, are entitled to a reduction in contributions or an increase in benefits. The GMB has a seat on all the pension scheme advisory board's (SAB) who had, prior to the McCloud judgment, been negotiating how these potential changes would have been released to you. They should have been received by you commencing April 2019. However, as a result of this judgment, the Government decided to pause the implementation of these changes until they knew the outcome of the remedies from McCloud and how much costs they would incur. However, these are benefits that you are entitled to. The GMB is committed to getting the Government to make good on their promises and that is why we launched the campaign asking you to sign our 'Unpause the Pause' petition at <https://www.gmb.org.uk/campaign/tell-liz-truss-stop-public-sector-pension-swindle>

If you have not already done so, please sign this petition and share with your colleagues.

Not a GMB member? Join today at www.gmb.org.uk/join

Want to be a GMB member in your workplace? Email PublicServices@gmb.org.uk