

Across All Public Services

Latest update for members working across the public sector.

Last update: **19 Oct 2022**

Latest Bulletins

GMB Calls For Additional Local Government Funding

Posted on: 19 October 2022

GMB has written to the Secretary of State for Levelling Up, Housing & Communities regarding funding for Local Government.

It is unacceptable that a letter from local government employers seeking an urgent commitment has been ignored and this lack of response and commitment could result in job losses.





18th October 2022

Rt Hon Simon Clarke MP
Secretary of State
Department for Levelling Up, Housing & Communities
2 Marsham Street
London
SW1P 4DF

Sent by email: ministerial.correspondence@levellingup.gov.uk

Dear Secretary of State,

GMB Union is writing to express concern that to date, you have not yet responded to the letter from the Chair of National employers for Local Government Services dated 25th July to your predecessor, Rt Hon Greg Clark MP and to highlight to you how this is impacting our members.

The letter from Cllr Sian Golding was seeking an "urgent commitment from the government that the cost to local government employers of central government's policy on the National Living Wage (NLW) will be met for this year, 2022-3 and in future local government settlements." The letter also stated that without "the estimated £800m cost of workable NLW compliance being met by central government some councils and other employers will have significant difficulty in affording the pay award" which would result in jobs and services being put at risk.

At a time of economic crisis for millions of people, with the cost of living spiralling out of control there should be clarity and leadership from Government, and it is disappointing that your department has chosen to ignore such an important issue.

As Government departments now face being tasked with identifying efficiency savings, GMB cannot express strongly enough how unacceptable further cuts would be. The letter sent to you in July set out the crisis within Local Government and School funding and this needs to be properly addressed, not further exacerbated by cuts. At a time of rising inflation, high energy costs and increased mortgage and rent payments our members deserve a fully funded, inflation linked pay rise. It is not acceptable that Government is failing in its responsibility to ensure sufficient funding for vital public services and that its' failure to do so may potentially mean that merely ensuring compliance with the NLW, could result in job losses and cuts to public services.

GMB members, many of them in schools working with the most vulnerable pupils, deserve to be paid a decent wage and yet the local government workforce is on average the lowest paid. Working across communities and delivering some of the most important public services should be properly remunerated and instead years of underfunding, pay freezes and pay cuts has resulted in one third of Local Government workers being paid the National Living Wage.

It is unacceptable that a letter seeking an urgent commitment has been ignored and this lack of response and commitment could result in job losses. GMB Union is calling on you to urgently address this pressing matter and offer financial support to protect jobs and services.

Yours sincerely,

Rachel Harrison
Acting National Secretary

Rachel.harrison@gmb.org.uk

GMB General Secretary: Gary Smith
Euston Office: Mary Turner House, 22 Stephenson Way, London NW1 2HD

UNIONLINE
YOUR TRADE UNION LAW FIRM

England Only



Posted on: 25 January 2022

In October 2021, GMB Union **made a submission into the Government Consultation** regarding whether the provision of free Personal Protective Equipment (PPE) to the health and social care sector should be extended beyond March 2022. GMB argued that it should. Failure to do so would be an infection risk and potentially leave workers vulnerable and feeling obliged to buy their own PPE to protect themselves and those they care for.



Government in England have now announced that they will extend the provision of free PPE to health and social care workers until March 2023 (or earlier if national infection prevention and control guidance is amended before that date). This means that all workers should continue to be provided with the PPE they need by their employer.

You can read the Government response to the consultation at: [Extending free PPE to the health and care sector: government response to public consultation - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/consultation-on-protective-equipment-for-health-and-social-care-workers)

Previous Bulletins

GMB Forces Government Into Humiliating U-Turn



Posted on: 30 March 2022

In a remarkable victory for the GMB the government has withdrawn *in their entirety* the regulations that placed a £95,000 on all public sector exit payments, a cap which shamefully included the pension strain costs of those made compulsory redundant.

GMB vociferously opposed these completely unjustified regulations which served only to indicate the governments ongoing animosity to the same public sector workers that have kept the country moving during the pandemic.

Disguised as an attack on public sector fat cats the cap actually applied to those earning as little as £23,500 pa.

The GMB would never allow such an attack on its members so threatened the government with legal action stating that the regulations were unlawful, contradicted existing legislation and took away long existing rights of our members without consultation.

The government recognising its imminent defeat hastily withdrew the regulations and stated that workers should be treated as if the cap never existed, and employers should facilitate this.

Their U-turn is very clear in saying to individuals:

"If you have been directly affected by the cap whilst it was in force, you should request from your former employer the amount you would have received had the cap not been in place by contacting your



employer directly. Employers are encouraged to pay to any former employees to whom the cap was applied the additional sums that would have paid but for the cap."

and to employers:

"In light of the withdrawal of the Regulations, employers are encouraged to pay to any former employees who had an exit date between 4th November 2020 and 12th February 2021 and to whom the cap was applied, the additional sums that would have paid but for the cap. Given that the cap has now been disapplied, it is open to employers to do so and HM Treasury's expectation is that they will do so.

Rehana Azam, GMB National Secretary, said

““GMB has fought hard to protect our members against this pernicious policy.

Let there be no mistake – this victory has been won because the union was going to expose the unjustness of this policy in court.

At a time when we should be protecting our public sector workforce, the Government has been hell-bent in attacking their hard-fought terms and conditions.

GMB will be working hard to assist members who were affected by this unjust cap and will stand vigilant against any attempt to reintroduce these cruel and flawed plans.”

If you have been impacted please get into touch with your local branch office or email us at publicservices@gmb.org.uk

VICTORY FOR MILLIONS OF PUBLIC SECTOR WORKERS AS EXIT CAP REGULATIONS REVOKED BY GOVERNMENT



Posted on: 15 February 2021

Dear GMB Member

Your union has been successful in making the government back down on the exit cap that was brought in last year across England.



On 4th November 2020 the Government imposed regulations which put a £95k cap on **all public sector exit payments**. This pernicious change in the law affected workers in the Local Government Pension Scheme because the cap included **Pension Strain Costs**.

What is the strain cost?

The strain cost is the additional money paid by the employer into your pension scheme to enable those aged over 55 access to receive an **unreduced pension**; It forms the larger part of the costing.

The cap applied to all payments relating to redundancy (**including statutory redundancy**), severance and any other payments made as a consequence of terminating a members employment and is applied to all payments made within the 28 days period of exiting an organisation.

GMB Win

GMB first challenged the proposed introduction of the exit cap back in 2015. We detailed a number of responses and representation to the government warning them the exit cap would impact low paid public sector workers. The exit cap regulations started on **9th November, 2020**. GMB responded by instigating a Judicial Review. The Government has backed down and announced on **Friday 12th February 2021** that the exit cap regulations have been revoked.

Rehana Azam, GMB National Secretary, said:

"GMB fought hard to protect our members against this pernicious policy.

Let there be no mistake – this victory has been won because the union was about to expose the unjustness of this policy in court.

"Today's announcement is a victory for millions of public sector workers, but once again it proves that this government is not on the side of our invaluable public sector workers who have put themselves in harm's way throughout the pandemic.

"At a time when we should be protecting our public sector workforce, the Government has been hell-bent in attacking their hard-fought terms and conditions.

"GMB will be working hard to assist members who were affected by this unjust cap and will stand vigilant against any attempt to reintroduce these cruel and flawed plans."

GMB full press release [HERE](#).

What Next?

Are you facing redundancy? Or is your employer carrying out a restructure publicservices@gmb.org.uk?
If so you need to urgently contact your local GMB Office



If you were a member of the Local Government Pension Scheme and were made redundant between **9th November, 2020 – 12th February 2021** we need you to get in contact with us at publicservices@gmb.org.uk

The exit cap regulations hit council workers earning as little as £23,500. As a union member we need to ensure you received the correct exit payment if you left your employment due to redundancy.

The revised updated guidance from government states:

INDIVIDUALS who have been directly affected by the cap whilst it was in force, should request from their former employer the amount they would have received had the cap not been in place by contacting their employer directly. Employers are encouraged to pay to any former employees to whom the cap was applied the additional sums that would have paid but for the cap – please contact your local GMB rep for assistance.

Get protected!

Over a million jobs have been cut across the Public Sector. Many employers are carrying out major restructuring and cutting jobs as a way to save money.

Whether you work in a school, hospital or a Town Hall you need to get GMB on your side.

Not a union member? Join GMB at www.gmb.org.uk

McCloud Latest; Government Decide On Deferred Choice Underpin (DCU)



Posted on: 9 February 2021

The main public service pension schemes were reformed in 2015 and everyone except those closer to retirement was placed into them. Those members were allowed to remain in the schemes they were in prior to 2015 (their legacy schemes), this was known as ‘transitional protection’.

In December 2018 (following the McCloud judgement) this transitional protection (not the schemes themselves) was found to be age discriminatory and in July 2020 the government launched a consultation seeking views on proposals to address the discrimination.

The consultation set out a procedure whereby



- For the purposes of pension calculation only, all affected members would be returned to their legacy schemes for the period 1st April 2015 to 31st March 2022 (the recovery period).
- Then, with effect from 1st April 2022, all members, including those previously protected, would be returned to the 2015 reformed schemes.
- Members would then be given a choice as to how they wish the pension they have accrued in the recovery period to be calculated – either on the basis of their legacy scheme or on the basis of the 2015 scheme

When should members make that choice?

1. immediately i.e. as soon as possible after the 1st of April 2022
2. or at the point their pension becomes payable (the deferred choice underpin (DCU))

Following consultation GMB supported the DCU option. DCU recognises the GMB view that members will have more certainty around their personal circumstances at the point they need to make their choice and this considerably reduces the need for members to make assumptions around their future career, their retirement, health and dependants, which would increase the risk of member making an incorrect decision.

On 4th February 2021 the government announced that it will implement the deferred choice underpin (DCU) and that it will bring forward new primary legislation, when parliamentary time allows, to provide requisite powers to deliver these changes to public service pension schemes.

Any questions on the above can be referred to the Pensions department in the usual manner.

Noticeboard Bulletin – 20-01-2021



Posted on: 20 January 2021

If you work in Local Government, School, Academy or a Contractor and you are a member of the Local Government Pension Scheme then you really need to read this GMB briefing.



The Government have introduced new regulations effective from 4th November 2020 which puts a £95k cap on all public sector exit payments. This will particularly affect members in the Local Government Pension Scheme because the cap includes Pension Strain Costs.

The strain cost is the additional money that is paid by the employer into pension scheme to enable those aged over 55 access to receive an unreduced pension; It forms the larger part of the costing. The cap also applies to all payments relating to redundancy (including statutory redundancy), severance and any other payments made as a consequence of terminating a members employment and is applied to all payments made within the 28 days period of exiting an organisation.

However, the £95k cap regulations conflict with the Local Government Pension Scheme [and other] Regulations which allow for the payment of an unreduced pension to those aged 55 and over. The government is seeking to change these regulations also and have issued a further consultation to address the conflict.

In the interim, recognising the drastic effect this will have on our members, and working with other Trade Unions, GMB has instigated a Judicial Review of the cap on grounds that include;

- It requires public sector employers to breach existing legal obligations owed to employees
- It denies a legitimate expectation to contractual and statutory payments which have been incorporated following collective bargaining.
- It was introduced without reference to the Equality Act 2010

The Judicial Review is scheduled to be heard over 2 days sometime after 16th March 2021

In our last bulletin we advised you that £95K sounds a lot! But set out below is how this calculation is made up and as you will see it affects a lot of average earners in Local Government - not Public Sector Fat Cats as the government would have you believe!

We believe the £95k cap is wholly unfair. unnecessary and potentially discriminatory.

Our members have been on the frontline protecting our communities from Covid and what this government is doing by introducing this cap at this time is just another kick in the teeth. The Government



should be recognising the valuable work Public Sector Workers have been doing and reward them, not acting to take away their rights & that's why your union GMB is leading the way with this Judicial Review.

If you are a member of GMB in Local Government and are at risk of redundancy or considering taking voluntary redundancy and you think you will be impacted by the cap we want to hear from you!

Please contact your Rep/Branch/Officer/Region.

GMB urges you to contact your local GMB Branch/Office as a matter of urgency should your employer propose to make any compulsory or voluntary redundancies.

We will endeavor to keep members updated on progress here on the GMB Public Sector Noticeboard.

Rehana Azam

GMB National Secretary

The Public Sector Has A Wide Variety Of Roles And Changes In Response To The Pandemic, From Home Working To Restricted Site Procedures And Practice.



Posted on: 18 January 2020

The Public Sector has a wide variety of roles and changes in response to the pandemic, from home working to restricted site procedures and practice.

We have specific updates accross public services on [our sector noticeboards](#).

You can also get advice on safety in the workplace on GMB's Coronavirus Hub.

[VISIT THE CORONAVIRUS HUB](#)

YOUR PENSION IS BEING ROBBED!



Posted on: 16 November 2020

If you work in Local Government, School, Academy or a Contractor and are a member of the Local Government Pension Scheme then you really need to stop and read this GMB briefing.

Your Terms and Conditions are under attack!

The Government have introduced new regulations effective from 4th November 2020 which means – if you are aged 55 and over and are being made compulsorily or voluntarily redundant – your redundancy and combined pension strain costs cannot exceed £95K.

£95K sounds a lot! But set out below is how this calculation is made up and as you will see it affects a lot of average earners in Local Government – not Public Sector Fat Cats as the government would have you believe!

What is the GMB doing about it? With our sister Trade Unions, we are taking the government to court to challenge these regulations which we believe are wholly unfair and unnecessary. Especially when our members have been on the frontline protecting our communities from Covid.



If you are a member of GMB in Local Government and are at risk of redundancy or considering taking voluntary redundancy and you think you will be impacted by the cap we want to hear from you!

Please contact your Rep/Branch/Officer/Region.

If you are not a member of the GMB and you want to join our campaign (Stop the Pension Robbery) you can **Join GMB today!**

Public Sector Exit Cap (£95K) Continued



Posted on: 22 October 2020

The Governments proposals to limit Public Sector Exit Payments in England and Wales (separate arrangements exist for Scotland and Northern Ireland) to £95,000 have now been passed into legislation



and are due to come into effect on Wednesday 4th November 2020.

There are particularly far reaching and negative consequences for GMB members employed in Local Government who are aged 55 and over and are made compulsory or voluntarily redundant. This is because after 4th November pension strain costs will be included in the exit calculation and this will take the majority of Local Government exit payments over the £95k cap.

GMB have written to the government to point out the regulations in their current form are unworkable, conflict with existing employment protections and will have a disproportionate impact on low paid workers in Local Government than was intended.

Due to the lack of any meaningful response we have now lodged an application with the courts to seek a Judicial Review of the regulations and we are hoping to have a hearing as soon as the courts allow.

GMB believe that the regulations are wholly unfair on our membership and that the government should withdraw them.

GMB urges you to contact your local GMB Branch/Office as a matter of urgency should your employer propose to make any compulsory or voluntary redundancies.

We will endeavour to keep members updated on progress here on the GMB Public Sector Noticeboard.

Rehana Azam
GMB National Secretary

Public Sector Exit Cap (£95K)



Posted on: 15 October 2020

Members will be aware that for several years now government has been committed to introducing a £95k cap on exit payments for members leaving the Public Sector.

The government's proposals have far reaching consequences for our members in local government who are aged 55 or over as their pension strain costs will be included in the event, they leave their employment by redundancy or retirement as they seek to incorporate the 'strain cost' of our members pensions in any exit calculation to be set at £95K.



GMB and our sister Trade Unions have successfully staved off the implementation of this cap for several years but Government introduced a bill to Parliament on 21st July 2020 which now passed, has produced The Restriction of Public Sector Exit Payments Regulations 2020.

The Regulations have yet to be placed into a statutory instrument but when they are, we have been advised by the Treasury that implementation will follow 21 calendar days later. This will affect members in the process of leaving their employment even if an agreement has been reached with your employer.

GMB has written to the government as part of the consultation process and on numerous other occasions pointing out that the regulations are flawed and unworkable and particularly disadvantage low paid long serving Local Government Pension Scheme members.

This action is particularly reprehensible when Local Government workers have been on the frontline in protecting our communities from Coronavirus.

GMB are currently exploring all avenues to defend the interests of our members against these regulations. If you are not a member you can join [here](#).

In the mean-time you can also read more on our response to the consultation below.

Rehana Azam

National Secretary

GMB CORRESPONDENCE ON PUBLIC SECTOR EXIT PAYMENTS



Posted on: 12 October 2020

GMB have outlined objections to the public sector exit payment cap proposals by the government, which have now passed into law, but are yet to be applied in practice by the treasury.

You can read the full consultation response here:



And GMB's recent correspondence to Stephen Barclay, Chief Secretary to the Treasury, here:



GOVERNMENT U-TURN ON PUBLIC SECTOR PENSION COST CAP



Posted on: 17 July 2020

Dear GMB Member,

Huge thanks to all the thousands of GMB members who have supported the GMB **'Unpause the Pause Campaign'**



Your campaigning efforts have succeeded and the government has done a U-turn.

Recap

Since 2015, **4.1 million** public sector workers across NHS, the civil service and in local government have paid over the odds for their pensions.

Millions of Public Sector workers including Paramedics, teaching assistants, refuse collectors and social workers were all overcharged to the tune of **£2.4 billion**.

Back in 2015, GMB and other unions successfully negotiated sector deals to see the money paid back to members through reduced contributions and improved benefits which should have been effective from April 2019.

But after a crushing legal defeat through the McCloud judgement the government unilaterally decided to withhold the drawing down of pension benefits, pinching from the dedicated people who keep our NHS, Councils and Public Services running.

Your Union GMB has been relentlessly challenging government since 2015 through the 'Unpause the Pause' campaign. In addition, **GMB** has made a number of representations on behalf of our members at every level of government to no avail. So, we took the decision last year to start legal proceedings against the government through a judicial review with a small number of unions, the **FBU, BMA, Police Federations, PCS and POA**.

GMB was always of the view that the government had breached the pension legislation and as we have prepared for the Judicial Review, we now hear that the government has done a U-turn.

GMB welcomes the decision but are concerned that the government is now saying that the McCloud discrimination needs to be paid out of the **£2.4BN** fund on pension benefits that was suspended.

We have to stop this. GMB is considering the next steps of the campaign. Further details will follow.

For now, please see a briefing of the decision by government and the potential implications.



Rehana Azam

National Secretary - Public Services

READ THE PRINTABLE BULLETIN HERE:



READ THE DETAILED PENSIONS TEAM UPDATE HERE:



GMB's PRESS STATEMENT

Noticeboard Bulletin - 13-05-2020



Posted on: 13 May 2020

Rehana Azam, GMB National Secretary for Public Services, has written to Rishi Sunak the Chancellor of the Exchequer, in response to leaked documents from the treasury, detailing proposals for a public sector pay freeze, and a return to the policies of Austerity.



She gave voice to our 300,000+ public sector members' strong and united opposition to any return to austerity, putting the Chancellor on notice that GMB will fight cuts to pay across the Public Services.

[READ & SHARE THE LETTER HERE](#)

