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### 1. September branch meeting

11.00 a.m. – 1.00 p.m.

**Tuesday 10<sup>th</sup> September 2013**

Speaker: Geraldine Egan

UCU National Pensions Official

will talk about

**“Pensions: where we are now”**

(Timed business at 12.00)

The Swann in the Rushes public house

The Rushes (A6), Loughborough.

Join us afterwards for lunch in the pub. The pub does nice full meals and very tasty toasted cobs and ciabattas with a filling to your taste. If you are interested in after lunch shopping, conveniently a major shopping precinct is across the road and the middle of town is five minutes walk.

**Please inform us of  
change of address or email**

### 2. “Pensions gender gap” revealed

The European Commission has published the results of a study that shows women receive almost 40% less in pensions than men in the EU, even though the gap in pay whilst working is only around 16%.

The UK fares particularly badly, with a pensions gender gap of 43%, but at least we beat the Germans who have a gap of 44%. Luxembourg take the wooden spoon with a gap of 47% and it seems the best place to be a women in the EU (if the pensions gender gap is judged to be the most important measure) is Estonia where the gap is a mere 4%.

See: [http://europa.eu/rapid/press-release\\_IP-13-495\\_en.htm](http://europa.eu/rapid/press-release_IP-13-495_en.htm)

### 3. Rising pension age

The [Department for Work and Pensions \(DWP\)](#) confirmed ( 8.8.2013) that its five-yearly reviews of the [state pension age \(SPA\)](#) will be based on the [Government Actuary's Department \(GAD\)](#) analysis. The impact of this will be to steadily raise the age both when people get their state pension but also their occupational pension. Unions will no longer negotiate normal pension age.

In January, the [DWP](#) said the [SPA](#) will be automatically reviewed every five years and adjusted according to changing life expectancy. In an update the [DWP](#) reaffirmed its commitment to introducing "a regular and structured method for considering future changes in the [SPA](#)".

It said the first five-yearly review will take place "in the next Parliament". The [DWP](#) said the [SPA](#) reviews will be based on ensuring people spend a set proportion of their lives receiving state pension, based on [GAD](#) analysis of life expectancy. This indicates that the worsening of our pensions will continue and the need for continuing resistance by the union also persists.

Julian Atkinson

### 4. Occupational pension round-up

The attempt to portray Public Sector Pensions ([PSPs](#)) as unaffordable and unsustainable continues. Not surprisingly most of these keyboard warriors have strong links to the City and the private pensions industry. The latest in the field is Moody's - the bond-rating agency that made itself famous for giving subprime mortgage backed securities triple-A ratings at the peak of the housing bubble. Moody's has announced it is going to rate future public sector

pension commitments according to whether they are fully funded or not. If they are not pre-funded then they will take that as meaning there is risk of there not being enough money to pay the pensions. So there will have to be large special payments made from taxpayer funds, just to pay for final salary pension. Hence pensions will be seen as unaffordable.

The crisis of the private pensions sector is very real. One method that is ostensibly aimed at bolstering the failing defined contribution (DC) model is Pension Minister Steve Webb's attempt to produce a "defined aspiration" of "Defined Benefit-lite" model. At the National Association of Pension Funds chairman's dinner in February, Webb said: "Could we move away from the strict divide between defined benefit and defined contribution? A 'defined aspiration' of pension could allow employers to offer a measure of security to their staff, but would have a degree of flexibility that would recognise when external factors – be they increases in longevity, or significant changes in market conditions – make a firm promise impossible to keep." This might prop up the collapsing DC model, but – and this is where the union must be vigilant- it might provide a way of further eroding the value of **PSPs** and let the City vultures in.

The sustainability argument is shown up as nonsense yet again by the latest version of Pensions Policy Institute's (**PPI**) study of the impact of coalition policies on **PSPs**. The original paper had shown that **PSPs** would fall, at the point of initial payment by one third. During payment the change in indexation would further worsen the outcome. The update includes a section on sustainability. The Government Actuary's Department (**GAD**) was asked to project future public service pensions expenditure for the Hutton report. It projected benefit payments to fall gradually to around 1.4 per cent of GDP in 2059-60, after peaking at 1.9 per cent of gross domestic product (**GDP**) in 2010-11. The **PPI** report updates these figures on sustainability of **PSPs** : "If the unfunded public service pension schemes had remained as after the 2008 reforms, but with pension benefits indexed by the CPI, net government expenditure on the unfunded public service schemes would have peaked at around 1.8% of GDP in 2016, before falling to around 1.1% by 2065."

The unfunded public service pension schemes after the 2008 reforms, but with pension benefits indexed by the CPI and with higher post-reform levels of member contributions, net government expenditure would reduce to around 1% of GDP by 2065.

The impact of the recent Coalition Government reforms (including the changes in the benefit structures and the increase in employee contributions) is to reduce net government expenditure on the unfunded public service pension schemes further. After implementation of the reforms net government expenditure is estimated to fall to around 0.8% of GDP by 2065 – a reduction of around a quarter compared to the pre-reform system."

There can be no valid argument for further attacks on our occupational pensions using the argument of sustainability. Needless to say, that will not prevent them attempting to worsen our pensions nor us campaigning to stop them.

Julian Atkinson

## 5. The Equality Act and employment

It may seem slightly odd to discuss employment law in a newsletter dedicated to retired UCU members. However, it is a fact that for some work continues after formal retirement. Under the Act age now becomes a "protected characteristic". Section 5 of the Act defines "age" as a characteristic covering someone who is part of a particular age group or a group of persons who form an age group. A protected age group could comprise a group such as the over-fifties, or it could comprise people of a particular age, such as 21-year-olds.

The protection means that certain types of conduct are prohibited: discrimination (both direct and indirect), harassment and victimisation. However, before you begin to feel too cosy, direct age discrimination is the **only** form of direct discrimination that can potentially be objectively justified. Protection applies in pre-employment/recruitment, employment and post-employment. The Act protects employees from discrimination and harassment that may occur after employment. An example of this is the provision of a work reference with derogatory comments relating to their age, this would be harassment and discriminatory, even though the person's employment had ended.

Age discrimination may be lawful. Many employers have policies that link pay and benefits to an employee's length of service: for example, extra holiday entitlement for employees after two years' service. This may indirectly discriminate against younger people as they are less likely to have been with an employer long enough to qualify for the benefit. There is an exemption to allow this kind of practice to continue in most circumstances.

Generally, any benefit linked to length of service is lawful, but if the length of service required is more than five years, the employer must show that it is expected to meet a business need. This may further impact on the length of wage scales. If the length of service required is less than five years, a benefit linked to length of service will automatically be lawful, without the employer having to meet the business need test.

In the bad old days (pre-October 2011) there used to be the possibility of a **Default Retirement Age** where people could be forced into retirement at a certain age. In these enlightened times we now have the **Employer Justified Retirement Age**. An employer may insert a retirement age into a new employment contract. The employer must provide objective justification for the retirement age. The main criterion they would need to comply with would be that it is a 'proportionate means of achieving a legitimate aim'. A legitimate aim is a reasonable objective of the employer. This could take many forms –for example, the need to allow for succession to a position and allow younger workers an opportunity to rise up the hierarchy. An employer may, however, not be able to justify retirement simply based on it being too expensive to keep older workers. It would be a dull HR department that could not construct a legitimate aim. Employment may also be terminated if a capability test is failed.

Enforcing rights is more difficult than their simple possession. The first stage is writing a grievance letter, with the help of your UCU branch, in line with the ACAS code. This should be accompanied by a "questionnaire"

downloadable from [www.equalityhumanrights.com](http://www.equalityhumanrights.com). If this fails to resolve the issue, or you risk coming up against the usual three months minus one day limit to approach and Employment Tribunal, then send in a form ET1 to the local Employment Tribunal. As befits an open society the cost of this is potentially shooting up to £1200. And the results might not be quite what you want. We have a long way to go on achieving equal opportunities.

See TUC Midlands equality newsletter  
<http://www.tuc.org.uk/equality/tuc-22195-f0.cfm?regional=6>

Julian Atkinson

## 6. Conference

Nottingham People's Assembly was held on Saturday 18<sup>th</sup> May at the Friends Meeting House. This was the first of a series of events being held across the country. The attendance was 400, over half were women. All these meetings were amongst the biggest radical events in their respective cities for years and their aim is to bring together all constituencies under attack and draw hundreds of thousands into action.



The organisers invited us to “enjoy the day and meet lots of like minded people” and reminded us that we will need to keep in touch with each other and maintain contact for future campaigning in Nottingham as 80% of austerity measures are still to come.

The Meeting House was packed, to hear a range of powerful speakers and to participate in lively, friendly discussions on a variety of topics.

Key points from opening speakers included:

- \* Alan Simpson suggested we should be “shapers of the future” rather than too often simply opposers and protesters.
- \* Liz Kitchen (bedroom tax protester) said we must not forget who the Tories are and what they are up to! Later she also asked us to remember that all the cuts are a class issue and an assault on society, and that the large attendance at meetings such as this is indicative of the strength of feeling that is building up.

Rowena Dawson and Ann and Barry Donlan representing UCU attended workshops/discussion groups on “Women and Austerity”, “Keep the NHS Public”, “Welfare Cuts”, “Disabled People Against Cuts” and “Alternatives to Austerity”.

Later a rather frail looking Tony Benn reminded us of earlier struggles and of the need for policies for growth and the importance of making statements of intent. Will Duckworth (deputy leader of the Green Party) put forward their positive policies and suggestions, followed by Lindsey German, Francesca Martinez and Owen Jones. They all spoke powerfully and inspiringly, suggesting people can be brainwashed by the media, but that this day was a testament to the anger that is felt, the need to offer hope and for an industrial strategy to create jobs, but also, importantly, that the movement should be based on fairness and morality.

Barry attended the large “Keep our NHS Public” Workshop. There was a good, constructive discussion, with speakers being careful not to be sectarian. Barry gave as examples of effective campaigning, the 19,000 strong petition in Bassetlaw that had halted the EMAS plans to shut Worksop and Retford Ambulance Stations.

Barry also raised the issue of Labour Councillors not agreeing with the Government imposed cuts, but unable to oppose them because of their legal obligations. It served no purpose to alienate such Councillors who are opposed to the cuts, and who may be won to take some steps to mitigate the effect of Government policies.

Professor Andreas Bieler and Greg Marshall, a Broxtowe Labour Councillor who refused to vote for cuts led the afternoon discussion which was wide ranging, focussing in particular on the complex issue of tax evasion and avoidance. Barry raised the analyses published by the Public and Commercial Services Union (PCS) at the Trades Council which pointed out that by sacking Inland Revenue staff the Coalition had, in practice, taken a decision not to collect the tax due.

The Assembly was an excellent opportunity for concerned people from many backgrounds to exchange ideas and see that they were “not on their own”. We came away feeling much more optimistic and I hope this gives a flavour of the event.

Rowena Dawson and Barry Donlan

## 7. Railway stations: impact of de-staffing on disabled and older passengers

A briefing from Bob Crow, General Secretary, RMT:

The RMT (National Union of Rail, Maritime and Transport Workers) has backed ‘Action for Rail’ and published the findings of a survey highlighting the disastrous impact that the government's transport cuts will have on disabled and older passengers.

Amongst its findings the survey shows that disabled passengers hugely value the availability of staff on trains and at stations. 39% of disabled passengers say that they rely on staff assistance, a further 32% found it helpful. Key benefits that staff provide include enhancing personal safety and security, providing travel information, buying tickets and help access facilities and getting on / off trains.

Action for Rail point out that the government, through its Access Action Plan, have asked all train operators to produce Disabled Person's Protection Plans (DPPPs) to demonstrate how they will broaden access to the railways for disabled passengers. Yet at the same time, proposals in the McNulty review, endorsed by both the government and rail operators, indicate that there could be cuts to tens of thousands of guards, stations and ticket office staff on whom disabled passengers rely.

A postcard campaign based on the findings of the survey supports the demand for a rail service that puts people before profit and the needs of the passengers first.

For the full paper see:

[http://www.rmt.org.uk/Shared\\_ASP\\_Files/UploadedFiles/rmt/8C47C029-18BF-4EF9-9932-2204801F1265\\_Impactofde-staffingA4Booklet.pdf](http://www.rmt.org.uk/Shared_ASP_Files/UploadedFiles/rmt/8C47C029-18BF-4EF9-9932-2204801F1265_Impactofde-staffingA4Booklet.pdf)

Russ Bowman

## 8. The How green is USS?

The UCU National Pensions Officer, Geraldine Egan, is asking members to consider action to make USS greener. Fairdeal to which UCU is affiliated have changed their name to Shareaction at the start of this financial year. They are lodging a campaign aimed at pension funds to encourage them to consider carbon waste. Could potentially interested members contact USS and ask them for their position on these matters. Could copies of any returns please to be sent to [ShareAction](mailto:ShareAction) and copied to [pensions@ucu.org.uk](mailto:pensions@ucu.org.uk)

ShareAction writes: "Our world is set to be altered by climate change. That's why it's so vital that our pension funds look ahead and act responsibly. Pension savers, and the funds looking after our money, have an incredible opportunity to act now to change the course of the future. Investments made early in low carbon companies and infrastructure will protect and preserve the world as we know and love it. But today pension funds are deeply and stubbornly invested in companies that are openly planning to burn carbon well beyond the safe limits agreed by governments around the world, including our own. This is more than an environmental catastrophe waiting to happen. It puts your future financial well-being at risk as well.

A powerful report can be found at :

<http://www.shareaction.org/carbonbubble-resources>

Valuations of fossil fuel companies and the stock exchanges they are listed on could tumble when climate change is factored in. That's why we'd like you to ask USS what it's doing to protect us and our savings from climate change risks. Sending a message is quick and easy. This is the start of a three year campaign to **make pension funds fit for the future**, and we need your help! If this matters to you, get in touch with [emily.kenway@shareaction.org](mailto:emily.kenway@shareaction.org). ShareAction are looking to build and support a community of people who are willing to challenge their pension fund about its current environmental stewardship and demand positive investments that protect our beautiful world.

- \* Want to know whether your pension pot is funding green jobs growth or fossil fuels? - find out now.
- \* Pension funds should use their billions to fund a jobs-rich, low-carbon future. Is USS? Take action to find out.
- \* Our friends at [ShareAction](http://www.shareaction.org) are taking action to pierce the #carbon bubble – and so can you.
- \* Is USS fit for a low carbon future? Use this easy online tool to find out.

Contact: [www.shareaction.org/carbonbubble](http://www.shareaction.org/carbonbubble)

Russ Bowman

## 9. CAFAS – join the fight

Academic freedom and academic standards have been the central concerns of the [Council for Academic Freedom and Standards \(CAFAS\)](http://www.cafas.net) for more than 30 years. One would have hoped that these issues might have been consigned to the historical record but unfortunately they are now more pressing than ever as the neo-liberal assault on further and higher education accelerates. There are many casualties including staff and students. CAFAS is a group dedicated to maintaining standards of integrity and practice in academia, to exposing breaches of those standards and to supporting the victims of those breaches.

CAFAS welcomes widened access to further and higher education. But expansion in the absence of a corresponding increase in funding and the attempt to run education on commercial principles have led to standards being undermined and to staff who protest being victimised. Many are too demoralised, or too pressured by the provision of inadequate resources to challenge the decline; others are fearful of redundancy or are intimidated by the threat of victimisation and some respond to job insecurity by themselves becoming victimisers of the vulnerable.

CAFAS faces the fact that the British educational system is decaying. The principle of academic freedom enshrined in the Education Reform Act (1988) - that "**academic staff have freedom within the law to question and test received wisdom and put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs**" - is increasingly under attack.

CAFAS is committed to campaigning against the formal or informal abuse of power and influence by persons at all levels in universities and colleges of further education. As such CAFAS provides a means of challenging arbitrary, unjust, unreasonable or biased decisions in HE and FE.

CAFAS has a good record of working co-operatively with trade unions in the sector – now principally UCU – and have had supportive motions carried at recent Congresses. Sometimes there are differences of approach that can give rise to concern with the official structures of the union.

Recent CAFAS case work in the East Midlands has centred on the case of an academic who faced disciplinary action by his University through the publication of an academic paper detailing the abuse of anti-terrorism policies, seriously jeopardising two research students. CAFAS convened a panel of authoritative members under the chair of a Lord Justice of Appeal who found that there appear to have been serious abuses of the new powers invoked since 2003 without consultation, notification or oversight.

I have found CAFAS to have been a vital forum to unlock my own victimisation case which resulted in the loss of my academic position and serious ill-health. I would say that without CAFAS I would have stood little chance of recovery from the sustained attacks by senior management. The use of well placed and highly paid legal/management consultants – at huge public cost are simply the tools of the modern corporate university trade. Casualties are many.

Please take a look at the website: [www.cafas.net](http://www.cafas.net) and give serious thought to joining the Council – your experience can be of value for academic freedom and standards.

Ian Hewitt, CAFAS Exec, E.Midlands UCU



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**East Midlands Branch officers and committee**

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East Midlands regional UCU committee representatives:  
Brian Hambidge, Russ Bowman

## 10. UCU Retired Members Branch

The branch has been underway for four years with over 400 members. The aims are diverse, but include bringing together retired members of UCU in the East Midlands, giving advice to branches on pension and retired members' matters, campaigning on issues relating to retired members and representation to the UCU national congress, National Pensioners Convention, Local TUCs. If you previously worked outside the East Midlands, but lived or now live in the East Midlands please join our branch.

**Meetings:** We hold meetings three times a year, in places of interest to make part of a day and lunch out. The meetings centre round important issues for UCU pensioners and give a chance to chat to other retired members.

**Newsletter:** A termly newsletter with useful articles for retired UCU members is sent to all branch members for whom we have email addresses and to UCU branch secretaries in the East Midlands.

**Email addresses:** We encourage retired members to use their home email for when you give up your work email address. Please let us have your **home** email address and also changes to your email address.

**Membership:** Our membership stands at 424 members. Sadly since the beginning of the year the following members have passed away: Former Natfhe Colleagues B Bowler (Worksop) JA Box, (Leicester) E Chester (Hinckley), M Duesberry, (Nottingham), EM Fricker (Worksop) N Hudson (Ashbourne) RA Jackson (Hucknall), M Watts (Beeston), O Watson (Kirkby Muxloe), L T Wood (Hinckley), RK Wilkinson (Leicester) and former Natfhe Regional Secretary Des Whicher (Newark). Former AUT Colleague: GH Thompson (Owthorpe). The thoughts of the branch go to their relatives and friends.

In addition fourteen members have resigned or moved from the branch and we have 15 new members in the same period.

[Greg Cejer, membership secretary](#)

## 11. Report from UCU Annual Congress Brighton conference centre

I attended Congress in Brighton May 29<sup>th</sup>-31<sup>st</sup> as out branch delegate. Russ Bowman took part on Thursday afternoon and Friday, having attended the Congress Dinner on Thursday evening to receive his well-deserved 'Distinguished Service Award'.

### Retired Members meeting at Congress

This took place at the same time as the Sector Conferences, as last year. **The meeting** was along the same lines as at last year's congress. Once again, there was a **retired members stall**. Tina Downes (Yorkshire & Humberside) chaired the meeting with Geraldine Egan, the national pensions official, supplying administrative support. There were 17 retired member delegates present. There seemed to be more life in the participants this year which was reassuring.

A brief report from each **RMB** (retired members branch) was produced which we have subsequently provided in writing for circulation. Other regions seem to have made substantial progress since last year. In a number of cases, it is clear to me that our **RMB** has been a model – a tribute to our officers who have produced excellent newsletters, sought attractive venues and invited interesting speakers and also to Russ who has done an awful lot on the membership front. There were reports from Reps on national NPC and the TUC Pensioners' Committee. There was discussion on a number of issues including how branches should continue to develop, membership lists and info from Head Office. We also discussed relevant Congress motions.

The General Secretary Sally Hunt was absent from **Congress** through ill-health. The atmosphere in the sessions was surprisingly good-natured and there was a surprising lack of animosity, no doubt as a result of the tone set by Kathy Taylor, the Chair. The financial debate came out in favour of retaining UCU as a campaigning union and against reducing it to a service role, proposing a modest real terms increase in subscription rates for higher earners and a recruitment drive. There were motions from **RMBs** on the Privatisation of welfare services from Southern; West Midlands on Promoting the debate on public ownership of banking and finance; London on Free imprisoned Bahreini teachers; a composite on Defence of pensioners' rights, universal benefits, the state pension and social care; Insurance discrimination against older people from Eastern and Home Counties. There was a **Rule Change** on Organisation of retired members, in particular RMs from South East. Russ opposed removing retired members as the default on retiring and allowing members to choose whatever branch anywhere they want to join. His view is that it takes us back a few steps in getting retired members into **RMBs**. It was carried anyway.

### East Midlands RMB

I proposed our motion which was passed unanimously:

*"Congress recognises that the attacks upon our pensions have not ceased and there is a need for a continuing and active defence of our rights. Congress is not persuaded that the Government intends a settlement that will "last for 25 years". The current Public Sector Pensions Bill invites this caution. Clause three allows the Treasury to amend any legislation, including primary legislation and to make*

*retrospective changes. Clause twenty allows the Government to change CARE arrangements, members' contributions and accrual rates merely if there has been a consultation. The Lords' amendments have improved the Bill but not resolved all the problems.*

*Accordingly Congress instructs the NEC to campaign, not merely amongst our own members, but together with other unions to defend our pensions. . This must involve full participation in campaigns such as "68 is too late" and against CPI indexation."*

Brian Hambidge

## 12. Re-dedication of Nottinghamshire's International Brigades Memorial

On Saturday 27<sup>th</sup> July, the re-dedication took place to honour the Notts Members of the International Brigade who fought in the Spanish Civil War. This kept a promise made on July 17<sup>th</sup> 2010, by County Councillor, Alan Rhodes that when Labour won the County Council back, the information board would be restored. The plaque was taken down by the previous county council in 2009.

With only five weeks to organise the re-dedication, it was a huge success on the day. It was chaired by Cllr John Allin, the County Council Chairman, who introduced a wide range of speakers and readers. Some 200 people attended and the event was supported by local union banners, including our own.

The County Council leader, Alan Rhodes spoke, as did the President of the International Brigades Memorial Trust, Marlene Sidaway. Nottingham Trades Council President, Liam Conway, NUT, noted that two previous Presidents of the Trades Council had fought in Spain. Our East Midlands UCU Retired member Barry Donlan spoke on the historical importance.

The Clarion Choir was in excellent form. The highlight was the laying of wreaths to honour the 24 Notts men who served; nine died. This was followed by the reading of the names, by members of the audience who included grandchildren of the volunteers. The moving event was concluded with the Choir leading the singing of "There's a valley in Spain called Jarama".

A DVD was made of the event, which will be available in September, from the Notts NUM Ex and Retired Miners Association.

Barry Donlan, UCU Delegate to Notts Trades Council



Barry Donlan speaking at the ceremony

photo - Helen Chester

## 13. The Future for Care for the Elderly Sandra Barker from Age UK

Sandra Barker of Age UK spoke to our May branch meeting on the complex issue of changes in the social care system for the elderly. She is an excellent speaker and branch members responded with many questions and contributions. The headlines about the Government response to the Dilnot report seemed to flag up "major changes" but Sandra argued that Dilnot had been watered down, the number of people helped would be small and the major issue of inadequate funding for care either at home or in Care Homes had been ducked.

She pointed out that, because of austerity measures, changes have already taken place which have a detrimental effect on social care. For example, 800,000 people used to be entitled to care for 'moderate' needs but no longer are. Individual entitlement varies between [Local Authorities \(LAs\)](#): some provide help for those with moderate needs but others only for those assessed as having 'substantial' needs.

From April 2016, the savings limit above which people have to contribute to their care costs will go up from the current £23,250 to £118,000. There is a sliding scale to determine how much an individual must pay. However, the government calculates a 'tariff income' from your savings which is £4 for every £1,000 which means that if you have £118,000 in savings your assumed income would be above the level at which you would be entitled to help, so you'd get nothing.

The other change is the lifetime cap on the amount an individual is required to pay towards their care which is to be set at £72,000 (higher than the £35,000 recommended by Dilnot). However –

- \* This covers care costs only, not 'hotel costs'
- \* Only the amount of money which would be paid by the LA is counted, if your care home is more expensive, the extra you pay doesn't count towards the £72,000
- \* Currently, most care homes cost more than [LAs](#) pay

Most social care has already been privatised, there are not many [LA](#) run care homes left. Some organizations (e.g. Extra Care Charitable Trust) are providing homes in large 'retirement villages' which are a long way from the traditional care home model and will not appeal to everyone. Care provided in people's own home is also contracted out which means that an individual elderly person may have many different carers coming in for brief periods.

Sandra told us that the details of how all these changes will work are, as yet, far from clear and encouraged people to look for information on the Age UK website.

Helen Chester



## 14. May Day rallies

Members of the East Midlands Retired Members Branch participated in the successful and increasingly well supported May Day rallies in Nottingham, Chesterfield and Leicester. Our banner was amongst the many – see photos.



Chesterfield May Day with famous spire in the background



Nottingham May Day with secretary Julian Atkinson and vice-chair Ann Donlan

## 15. The work test that doesn't work

At the March branch meeting the speaker was Colin Hampton, coordinator of Derbyshire Unemployed Workers Centres one of the best campaigners in the East Midlands. Some further information has been supplied.

The government's Work Capability Assessment (WCA) is finding people fit for work but then leaving them to the mercies of a labour market that fails to employ them. That is the bleak finding of *Fit for Work? So why am I not working?* a new report for Derbyshire Unemployed Workers' Centres.

Every year, people with health problems and disabilities who want claim [Employment and Support Allowance \(ESA\)](#) have to 'pass' the Work Capability Assessment. Thousands who are found 'fit for work' appeal and in Derbyshire, many come to the Derbyshire Unemployed Workers' Centres for support. We have represented over 1000 disabled people, winning around 75% of those that have eventually reached an oral appeal.

In our experience people feel that the [WCA](#) process takes little or no account of medical evidence from doctors, consultants and other practitioners. Many feel that they are pushed through a system with little or no dignity. Our report emerged from our concern about this. We interviewed 50 people by telephone that had both failed the [WCA](#) and lost at Appeal. We found that: 80% of the people were not in work when interviewed despite being found fit for work months earlier. All 50 had experienced difficulties in finding work because of their health condition. 68% of the people thought that they would never return to work.

The study together with our everyday experience of dealing with ESA claimants and their concerns has led us to put forward the following recommendations:

- ★ ***The level of JSA should be raised to, at least, the same level of payments as [ESA](#).*** If the Government is right that claimants are claiming the wrong benefit they should be incentivised to present themselves as fit for work and claim JSA .
- ★ ***Increase the demand for labour.*** Areas of the country where there are few people on [ESA](#) correlate highly with those that have a buoyant labour market. There need to be incentives for job creation and properly co-ordinated training programmes linked to real employment opportunities. Imagine if a small portion of the monies poured into the banking crisis had been used for education, research and job creation.
- ★ ***There needs to be more help and support for people with health limiting conditions.*** Many people have told us that they would like to work but feel the help is not provided to make that possible.
- ★ ***The system of assessing fitness for work needs to be properly scrutinised and overhauled*** in the light of the overwhelming evidence of its human cost. There need to be penalties for 'getting it wrong'. There is little or no incentive for the firms awarded the contracts to get it right even by their own standards. Claimants face benefit loss and sanctions while multinational firms are rewarded even when continually get it wrong.

*For copies of the report, please visit:*

<http://www.duwc.org.uk> and go to "recent publications".

Angus McLardy

## 16. More information

A lot more information and news can be obtained from these websites. We recommend that you have a browse.

**UCU National Website:** <http://www.ucu.org.uk>

**AgeUK:** <http://www.ageuk.org.uk/>

**68 is too late:** [www.68istoolate.org.uk](http://www.68istoolate.org.uk)

**National Pensioners Convention (NPC):** <http://npcuk.org>

E. Midlands website: <http://leicesternpcgroup.btck.co.uk/>

**East Midlands NPC:** <http://leicesternpcgroup.btck.co.uk/>

**Department Works & Pensions, Later Life Newsletter:**  
<http://www.dwp.gov.uk/policy/ageing-society/forums-and-support-activity/later-life-newsletter/>

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## National Pensioners Convention

They now have an excellent East Midlands website which we encourage you to look at:

<http://leicesternpcgroup.btck.co.uk/>

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