



**The Professional Trades Union for Prison,
Correctional & Secure Psychiatric Workers**

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For information: England & Wales, Northern Ireland, Scotland, Special Hospitals, Private Sector & IRCs

18th January 2022

Dear Colleagues

PENSION DISCRIMINATION:

MEMBERS WHO HAVE RETIRED OR ARE RETIRING SOON

You will recall that we have fought and won Tribunal cases for members who were members of the Principal Civil Service Pension Scheme (PCSPS) and who were required to transfer to the Alpha Pension Scheme that was introduced in 2015. In some cases, the Alpha Scheme provides better benefits for members than the Classic, Classic Plus, Premium or nuvos Sections of the PCSPS. In many cases it does not.

The result of the Tribunal cases is that affected members will have to be given a choice when they retire. The Government intends to close the PCSPS to all members who are still contributing to it, with effect from 1st April 2022. We are investigating with our lawyers whether this closure is legal, but as matters stand the choice that members must be given affects the years of pension that they built up between 1st April 2015 (or the date they were transferred to alpha if later) and 1st April 2022. They must be allowed to have this period treated as pensionable in the PCSPS or in Alpha if that is a better deal for them.

This has not yet provided a solution for members who have already retired on Alpha terms when they should have retired on PCSPS terms. The Government has said, in consultation papers concerning new legislation designed to correct the discrimination, that these cases will be re-examined – but not until October 2023.

We have made it plain that that is not good enough. We issued a test case for a member who should have been retired on Classic terms, and I am

pleased to say that the case has been conceded by the Government. The member concerned will get his pension lump sum topped up to the correct level and paid, he will be paid his arrears of pension (in both cases with interest) and his pension will be corrected going forwards.

The Government's lawyers have told our lawyers that they want to explore a process for getting all similar cases processed without waiting until October 2023, and I will keep you informed of the progress we make. We intend to keep the pressure on, and we will keep filing further test cases until a deal is done.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Joe Simpson', with a long horizontal flourish extending to the right.

JOE SIMPSON

Deputy General Secretary