

Circular_ PENSIONS AND INFRASTRUCTURE POLICE UPDATE

Colleagues,

PENSIONS AND INFRASTRUCTURE POLICE UPDATE

In the last few days members will have learnt two important career determining pieces of news.

First, from 1st April the Civil Nuclear Constabulary is to have imposed on it the Alpha Pension Scheme which has been rolled out across the vast part of the public service as a result of the 2013 Public Service Pensions Act. Second, there has been an announcement on the possible merger of the CNC, MDP, BTP and Home Office Airport Policing into a single cohesive Infrastructure Police force (more of that later).

The Alpha Scheme in its current construction is not fit for purpose for CNC Police Officers as it insists upon a retirement age at the State Pension age of 67 or 68 (depending upon your birthday). Members should know from our communications with you how your Chairman, Mark Nelson, and I have bombarded the Department of Business, Energy and Industrial Strategy (successor Department to DECC) with correspondence, met with numerous MPs across the whole of the political spectrum and two of the Department's recent four Ministers. We have hosted receptions in the House of Commons where the pensions issue has been at the top of our agenda.

Secondly, we tried, albeit unsuccessfully, through a Judicial Review to obtain a ruling that we were a police service entitled to be exempted from the later retirement ages stipulated by the Act. Unfortunately, although the Judge agreed with the social justice of our case the letter of the law prevented a favourable ruling.

Under the Alpha Scheme we will contribute 5.45 % to our pensions and the employer 21.1 %. That obviously is considerably less than our UK police colleagues who must contribute circa 14 %. The vital difference is that they can retire on a full pension at 60. It has not been disputed anywhere that CNC AFOs have little hope of maintaining College of Policing fitness and weaponry expertise beyond 60. Some male officers might succeed but it is almost certain that no female officers could sustain the mandated standards into their sixties - an equality issue which we have pointed out to Government.

The Federation is grateful that the Chief Constable, the Deputy Chief Constable as National Police Chief's Council Firearms lead and the Chairman of the Civil Nuclear Police Authority both past and present, have all unhesitatingly made their supportive views clear to Government and they are unstinting in their pursuit of achieving a NPA of 60 for their Police Officers.

At the moment it seems that the only way an AFO will be able to retire at 60 is on medical grounds as evidenced by repeated test failure. This would be a distasteful and contrived exit route. Officers should not be required to end careers which they have served with proud professionalism on the

grounds that they have become medically unfit for the job. Secondly, the decision on whether or not an officer may retire will be in the hands of the medical practitioner - this is not always in our view going to result in consistency in professional judgements.

Despite our offer to negotiate an increased pension contribution by our members to assist in the funding of a full pension at 60 the Government has preferred the administrative convenience of simply imposing the Alpha Scheme. The latest Minister Jesse Norman MP has written to me on the 21st February 2017 and he continues to review the evidence submitted by all parties before taking a decision on this matter.

The second issue is the prospect for an Infrastructure Police force. The Prime Minister has let it be known through the Director of Nuclear Security that she favours an integrated force but it is not among the immediate legislative priorities. In the meantime the constituent elements of the proposed Infrastructure Police force are to come up with a three year plan which will lead to improved interoperability and presumably ultimately full integration. The Chief Constable has described this relayed information as "a firm indication of the direction of travel and we need to make a success of it." Reports then, that the Infrastructure Police concept has been kicked into the long grass may not necessarily be correct.

A positive outworking of eventual integration is that it could mean the introduction of common terms and conditions of service. Since the BTP and Home Office Airport Policing already have retirement at 60 it is inconceivable that CNC (and MDP) officers would not be able to retire at 60 as Theresa May as Home Secretary and now Prime Minister granted to the wider UK police service in 2011.

It may be that interoperability alone may offer a perfectly adequate solution to our armed counterinsurgency capability. Either way the Federation will continue to work to ensure that our members are granted a dignified retirement age of 60 with a full pension as a career right rather than as an officially grudging medical concession.

Nigel Dennis. & Mark Nelson
Nigel Dennis Chief Executive - Civil Nuclear Police Federation -
07860704601 /01925661745