

CONSULTATION RESPONSE FORM

CONSULTATION on the National Health Service Superannuation and Pension Schemes (Miscellaneous Amendments) (Scotland) Regulations 2022

1. Name/Organisation

Organisation Name

Royal College of Nursing

Title

Ms

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3. Permissions - I am responding as... (please complete either sections (a), (b) and (d) or sections (c) and (d):

Individual or **Group/Organisation**

ABOUT YOU

- as a scheme member
- on behalf of an Employer Organisation
- on behalf of a Trade Union/Staff Association
- other (please specify)

What is your gender?

- I am female
- I am male

- an administrator
- a Dentist
- a Doctor
- a General Practitioner
- a junior Doctor
- a manager
- a nurse
-

CONSULTATION COMMENTS

Please use this space to provide any comments on the amendments.

Introduction

1.

implementation date from 1 April to 1 October is the most notable one. We would expect the SPPA to align with these changes and as a result extend the period for this consultation.

5. The RCN hopes that the SPPA will find this submission helpful. We would be pleased to supply any further information that may be relevant.

Question 1 - Do you agree or disagree that the Scottish Government should pursue a yield position of 9.6% to avoid increasing contribution rates by an additional 0.2% to meet the target yield required by HM Treasury? Recognising that maintaining the 9.6% yield will require the Scottish Government to divert £12m of vital health budget spending to pay for the pension contribution shortfall in 2022-23.

Comments:

The outline of potential remedies set out in the consultation document references the expected annual shortfall in the required yield of the scheme of around £12million which equates to the 0.2% of the 9.8% yield which is not being met. It is important to note that the yield of 9.8% set by HMT increased significantly as a result of the Hutton Review and rose from 6.6% to the current 9.8%. There has never been a reasonable explanation as to where this figure was derived from and why it is significantly higher than in some other public sector pension schemes.

While Scottish Ministers have devolved responsibility for the NHSPS(S), occupational pensions are a reserved matter and as such the Scottish Government must comply with HMT's requirement that the yield is met. However, SG repeatedly asserts the point that this would likely mean diverting resources from essential NHS provision, a statement that is a subtle form of moral blackmail. As noted in paragraph 4b, the RCN finds this statement not only unhelpful, but somewhat confrontational and ultimately unacceptable. It is the same tactic that has been deployed by governments across the UK over many years to seek to justify unacceptably low or non-existent pay awards, implying that nursing staff are somehow being unreasonable in pursuing personal gain at the expense of patient care.

**Question 2 - Do you agree or disagree that the member contribution rate should be based on actual annual rates of pay instead of members' notional whole-time
t know how to answer, please explain why.**

Comments:

The RCN neither agrees or disagrees that member contribution rates should be based on actual annual rates of pay rather than notional whole time equivalent pay. No matter the contribution system, in principle it is about fairness enabling members to be part of a pension scheme that treats members fairly across the workforce and is considered to add value or even as a reward for the service they provide to the NHS and the public. As such, we endorse the assertion (page 13) that "This is fairer for members who work less than full-time and accrue pension in a CARE scheme. It will mean that part-time members pay lower contributions from 1 April 2022." Perhaps not surprisingly, RCN members who are employed on a ~~part-time~~ basis appear to be particularly support

undermined by other proposed changes such as the reduction in the number of tiers and the realignment of the contribution tier boundaries.

Question 3 - Do you agree or disagree with the proposed member contribution structure set out in this consultation document? If

should be conducted in parallel with the annual Agenda for Change pay award

Question 7 - Are there any considerations and evidence that you think should take into account when assessing any equality issues arising as a result of the proposed changes?

Comments:

The majority of RCN members are remunerated at band 5 to band 8a level. They will experience the largest financial detriment because of the changes proposed from the suggested contribution structure.

From an equality perspective, it should be noted that there is a higher proportion of men in the highest Agenda for Change pay bands who will be advantaged by the proposed changes. The RCN urges that the equality impact of the changes is systematically monitored in the years ahead.

Our members have expressed their discontent on the perceived inequality in respect of those at the top of the structure who will experience a decrease in contributions.

Although many of our members agree those at the bottom of the structure should be subsidized as they are the lowest earners, they don't accept those at the top should experience a reduction.

Please e-mail your response to SPPAPolicy@gov.scot or send via mail to:

NHS