**MINUTES OF NATIONAL COUNCIL MEETING**

**HELD ON 26 OCTOBER 2021**

**BY ZOOM**

**In attendance: Please see appendix**

**Apologies:** Ron Douglas; Dot Gibson; Ellen Lebethe; Freda Grey; Mike Sparham; Maggie Roberts;

Tony Donaghey; Bryan Adams; Chris Mason-Ryan; Francis Byrne; David Briggs; Mike Moriarty; John Hill; Janet Shapiro; John Martin (Nixon Armstrong substitute); Sandra Durkin (Sue Watkins substitute); Damian Ibison (John Thorne substitute); Ray Jackson (Bill Dale substitute); Mary Brodbin (Jenny Vaughan substitute)

**Peter Rayner in the Chair –** Ron being away at a Conference.

1. **Minutes of National Council held on 27 April 2021:**
2. **Accuracy**

* Peter pointed out that Ray Sargeant should be Reg – amendment to be made.

1. **Matters Arising:**

* Brian Albutt reported that the LGBT group had addressed the London Region and West Midlands and would welcome invitations from others. The first LGBT newsletter is available online and is still relevant.
* Tony O’Brien asked about progress on the Assisted Dying webinar. Jan responded to say that there had been a day long debate in the House of Lords led by Baroness Meacher. The webinar is an awareness raising event and needs to be dealt with sensitively and respectfully. There will be a webinar, the earliest we can do it is December.
* June Clark made the point that this is not about euthanasia.

**Minutes agreed.**

1. **General Secretary’s Report:**

No additions since the report was written.

**Questions to GS report:**

* Arthur: Under item 3 reference to emergency motions but no date in February: {*This has now been scheduled for 21 February and will be detailed in the next letter to BDC affiliates}.* Also in regard to open meetings has not received the email from Jonathan – send again.
* Martino: Have not received any papers for the BDC. We will investigate and send.
* Jenny V: Asked about a report on the NUJ motion on diversity. Jan responded saying that this now lay with the Structure Working Party who are overseeing the review of NPC.
* Jenny S: Criticised the General Secretary for not adhering to the agreement to bring a progress report to this Council. Jan responded saying the Structure Working Party are working to an agreed process with a whole range of issues to be discussed. Later this week they will meet to look at responses to our questionnaire from National affiliates – one part of which is equality, diversity and inclusion. She reminded Council that the NPC has no control over the nominations from affiliates, but once we have had a chance to look at those responses, we may have a way forward. Equality, diversity and inclusion are very important – we need to do it properly and with people rather than rush ahead to satisfy the timescale of others.
* Chris: Have we had responses for the Annual Convention. *We currently have 44 in number.*
* Bill M: NPC cannot demand from affiliates – it is their choice. In terms of training, NPEWC can help.
* Philip Brown: Home Counties North looking to future meetings. Can the General Secretary tell us what the current attitude is to non-payment of TV licence fees? Jan responded that the BBC had given us advance notice of the letter going out in September. At this moment in time, the BBC have not given us any understanding that they have changed their attitude to over 75’s; i.e. they will not be pursuing court action. However, that may change depending on how many non-payers still remain. The cost of recovery often outweighs the cost of the fee. It is a worry for those who are just above Pension Credit having to find ways of paying all their bills and potentially not able to afford a licence. It is likely they are still dealing with those 60-74.

For the moment, we keep the argument with the government on the agenda.

* Tony H: Annual Convention – there are reports that the Prince of Wales and other Britannia Hotels are not up to standard. Should we consider moving elsewhere?
* Scarisbrook is much the same.

Jan responded by saying that the Prince of Wales Hotel as a venue to hold the Convention was seen to be a good one on our virtual tour. Booking a hotel is members choice. In terms of considering elsewhere, I re-iterate that an email has gone out not just asking for potential numbers but for suggestions on venues. So far we have had none. It takes time to research and look for deals.

* David L: Thanks for the hard work. What about capacity? Jan responded by saying during the virtual tour, it was clear that the ballroom had a theatre style capacity of 400. However, it was the social evening where capacity was now an issue. Although we could utilise the gallery, there is no access by lift.

**Report agreed**

1. **Treasurers Report:**

Barry advised that all National affiliations had now been paid with the receipt of fees from UNISON. East Midlands region is outstanding but we are aware of why and that it is in hand. Local branches and groups still coming in. We need to remove PCS and NEU from the donations column as no donations received. We are grateful to Unite, ASLEF and RMT for their continued support.

Barry thanked Rosie and other delegates who have enabled the NPC to reach its target plus.

With some savings on expenditure and overheads for salaries and rent for the rest of the year on track, there is a better forecast. However, no complacency as the Finance Working Party will be looking at a budget for 2022 at their next meeting.

* Rosie: Apologies for the lateness of UNISON affiliation, due to staffing not being in the usual place.
* Dereck: Unite passed a resolution that gives free use of Unite venues for meetings across the UK for NPC.
* Jenny S: New income from outside NPC? Peter said the FWP had received details from Vantage on sponsorship. It is a delicate area. Some technical details needed correcting. All will be reported to the EC as promised.
* Barrie F: UNISON South East – waiting to be sorted out. Frustrated at the lack of respect shown to retired members.
* Philip: Thanks to Unite and others who give us cash and other resources in support of our work.
* Gareth: As Barry is standing down as Treasurer, we should thank him for his hard work on behalf of NPC.

**Report agreed.**

1. **Motions:**

**Motion 1: Pension Protection Fund (PPF):**

**submitted by Prospect; seconded David Luxton, CSPA**

**Amendment by Wessex accepted**

Motion as amended:

*‘The NPC National Council notes that the rules for the annual uprating of compensation paid by the Pension Protection Fund (PPF) to pensioners, whose defined benefit schemes have failed, is usually worse than the uprating originally promised.*

*The National Council agrees that the NPC should urgently campaign to bring about an improvement with regard to the compensation paid by the PPF.*

*It therefore instructs the NPC National Officers to bring this issue to the attention of the TUC for their support and to write to the appropriate Government Department seeking a review of the uprating of compensation paid’.*

Arthur Bavister moved Prospect’s motion:

Some of you will remember a slightly different worded motion along with others from Prospect that was noted at the January 2020 meeting and all were referred to the NPC EC for further consideration. Then came along covid-19 and at the November 2020 Council meeting it was agreed the NPC Officers would consider the Prospect motions and respond. A reply was given in January 2021. This motion received a supportive response. As no actions were contained in the motion, as far as NPC were concerned, that was all they could do. The NPC responses to the motions were considered at the first 2021 RMG National Committee in July who agreed to rewrite the motion and seek support from NPC in an attempt to resolve the situation that a failed occupational pension scheme had produced in reducing one’s rightful pension – albeit the PPF was better than no pension.

Pensions are deferred pay. In Defined Benefit schemes the employer promises to pay a defined pension to the employee (and their dependents) in exchange for their labour and (in most cases) a defined employee contribution. The employer is obliged to fund this open-ended commitment.

If the employer cannot meet its liabilities to the pension scheme trustees it becomes insolvent and the pension scheme goes into the Pension Protection Fund which provides compensation when this situation arises. The PPF takes all the scheme’s assets. It pays out compensation defined by the Pensions Act 2004. PPF compensation falls short of pensions earned:

* There is no uprating of PPF compensation for pension earned before 6th April 1997.
* For service after 5th April 1997 compensation is uprated by CPI capped at 2.5%
* If your scheme enters PPF assessment before you reach normal pension age, PPF uprate your compensation until your normal pension age by CPI capped at 5% (for pension earned before 6 April 2009) and CPI capped at 2.5% (for pension earned after then)
* It is therefore important to note the uprating of compensation in deferment and in payment is restricted. As there is no uprating of compensation in payment accrued before 1997.
* The uprating rules generally reflect the legal minimum allowed at the time. This means that they are usually worse than the uprating originally promised in DB pension schemes. In many cases this was RPI or RPI capped at 5%
* Some members could pay bigger contributions for better benefits including uprating. But PPF rules do not recognize this so those who opted to pay more are worse off compared to those who didn’t.
* Over the last year CPI inflation has on average been 1.1% less than RPI inflation. So changing indexation from RPI (or RPI capped at 5%) to CPI capped at 2.5% can be really bad for your pension over time.

The shortfalls due to no uprating or limited uprating will increase with time. They will be exacerbated in the event of increases in inflation. The two charts you have with the papers for today’s meeting show the effects of erosion. Prospect members in AEA Technology, ADAS and Carillion are affected. There are probably others. An estimated 1.1% of the UK workforce is affected.

The RMG Conference of 2019 asked Prospect to collaborate with other unions to improve PPF compensation. Members of many trade unions are affected so it is appropriate to collaborate with them. Prospect NEC thought it was one for the NPC to consider supporting.

The lack of indexation of pensions earned before 1997 is the biggest injustice. Those who lived through the 1970’s and 80’s will remember the devastating effect the spike of inflation then had on fixed pensions. A new inflationary spike would PPF pensioners fear their compensation will be wiped out for them and their surviving dependents.

Before I close I would like to acknowledge the work my colleague Dr Tony Wickett (Secretary of Prospect RMG NC Campaigning Working Party) and others are doing and have been campaigning hard for a long time to try to right this unfairness and resolve an in justice. They would be very appreciated if NPC would now join in that campaign.

PPF Compensation rules, particularly those on uprating, need to be reviewed to protect PPF pensioners.

Please support the motion.

**Debate:**

* David L: CSPA seconds this motion with a caveat. Pension schemes based on public sector schemes that were underwritten by government were persuaded to change to schemes with no underwriting. In 2012 these pensions were not indexed. PPF increases are limited – cap at CPI or 2.5%.

The caveat is that we are likely to meet resistance from the pensions industry due to contributions made by them. Government underwriting and a substantial investment from government similar to the triple lock as an indexation is needed.

* Tom: Clarification that this is a Wessex amendment written by him.
* Joel: PPF can afford to pay more as when people die the fund keeps their assets. The fund will be in profit in 2030. The surplus is members’ money but the government want to take the assets. My TfL pension fund may seek closure – it is indexed to RPI
* Barry: Grateful for the expertise. There is an underlying problem of stripping assets.
* Dereck: The fund has billions in assets and reserves. People are being ripped off. Need to defend the RPI as it affects millions.
* Tony G: A friend lost a tremendous amount of money.
* Tony O’Brien: Other workers are not in pension scheme due to their occupation.
* Bill M: Changing the way pensions operate. Younger people are sceptical – they won’t get what they paid in.

**Right of reply:** Mike Moriarty has raised this issue at a National TUC Pensions Sub-committee, but nothing positive resulted from such a discussion. Need to take it up with the TUC again.

Dot Gibson at an EC some years ago suggested that the NPC ought to look into failing occupational pension schemes. I think it was at the time of the collapse of Carillon or was it British Home stores?

Funding the PPF – The PPF is funded by a combination of:

* The assets transferred from schemes for which it has assured responsibility.
* Recoveries of money, and other assets, from those schemes’ insolvent employers,
* An annual levy from eligible pension schemes, and
* Investment returns on assets held by the PPF.

NPC is a campaigning organisation surely looking after the interest of retired folk in this position and in my opinion here we have a group of retired persons who need our help.

Support the motion.

**Council decision –** the vote was unanimously in favour.

* Norman: TUC Pensions Committee meets 3 November – we can raise there.

**Motion 2: Transparency of Nominations:**

**Submitted by NUJ; seconded Louisa St Bartholomew-Brown Morgan; NPC Wales**

*‘Nomination forms have been sent out for electing National Officers at the next Biennial Delegates Conference in March 2022.*

*Council notes with concern that the calling notice for the 2022 BDC does not indicate those officers of the NPC who are not seeking re-election.*

*Council therefore instructs the General Secretary to issue a circular as soon as possible indicating those Officers of the NPC who are not seeking re-election at the 2022 BDC’.*

Jim Symons introduced the motion by accepting the Standing Orders Committee wording in preference to the original text. He went on to say that unless we know who is available to stand, it does not help us with nominations. Jim quoted the General Secretary’s remarks in the minutes of the April Council meeting *‘The reason I am where I am, is through the support and mentoring received from my region who observe and spot potential and take people under their wing’.*

Unless we know what positions are vacant how can we look for someone to nominate. We are asking for a list of officers who are vacating their post.

**Debate:**

* Linda: As with any organisation, all positions are open for nomination. People should not have to say what they are doing or thinking right now.
* Louisa: Everyone should have the opportunity to put their name forward in a free, democratic election.
* Peter (chairs intervention) – All positions in the NPC are available and open at every BDC.
* Steve: Oppose, Motion is asking the General Secretary to do something without the information. Nothing in the rules about individuals stating their intention, it is a question for the BDC. This is not a sensible motion.
* Gareth: Support – not knowing who to nominate is not helpful. We know the Treasurer is standing down, but not if he is seeking another position.
* Dereck: Not an entirely young organisation, need succession. Individuals are required to be asked before being nominated.
* Tony H: The motion in its original form was found unacceptable by SOC. Is it really necessary to send out a circular?
* Bill D: All positions are open to nomination and voting at BDC
* Arthur: Seek permission from individuals whether they wish to be nominated or not. Asked about the amended motion.
* Peter (Chair): You are voting on the one you have.
* Rosie: Point of order. Can we move to right of reply then the vote?

**Right of reply:**

Jim re-iterated the statement by the General Secretary in the April minutes. If we know what the vacant positions are, it gives us the ability to spot potential and support individuals. Democracy and transparency.

* Tony H: For clarity – if you think the General Secretary should tell you who is standing down, vote for the motion, vote against if not.
* Linda: For clarity – repeat all positions are open and are dependent on voting at the BDC

**Council decision:**

For 40%

Against 49%

1. **Public Affairs Manager Report:**

The Chair informed the meeting that Bev was currently on sick leave and therefore the report in front of the meeting is one written previously for another meeting. Jan updated members on the Webinar held on 1 October saying it generated a lot of interest from the audience. We also now have opportunities to meet with the Equalities Commission to discuss possible discrimination and also access to Jo Stevens MP who agreed with our right to choose position.

Barrie F: I am one of the people who have great difficulty with IT. I wanted to make people aware of the new Care Minister (Gillian Keegan) appeared on Breakfast TV last Friday with Charlie Stayt and gave contradictory answers to questions on care workers. The care sector is extremely understaffed and this will have an impact on older people in care homes or needing care at home.

**Report agreed.**

1. **Administration & Information Manager Report:**

Jonathan had nothing to add to his report.

Peter thanked Jonathan.

**Report agreed**

1. **Any Other Business:**

* Tony O’Brien: Winter deaths figures, massive increase in utility bills. Use the opportunity to protest.

Jan added that at the EC it was agreed we would provide affiliates and regions with a letter to be presented to the Mayor or Leader of the Council locally where members felt they could not travel outside of their local area. We will issue a standard letter with a space for the figures when these are available. We will email the figure for people to add. Just a plea, if you can travel please support London Region and the fuel poverty campaigners, if not please join a local event.

* Pat: Thank you to everyone for outstanding work. COVID is still with us and we need a major push for an independent inquiry.
* Dereck: NPC Wales pushing for inquiry and supporting the Wales only solution for care.
* Transcript availability. Jonathan will investigate what this is, how it works etc.

1. **Next meetings:**  26 April 2022 and 25 October 2022
2. **Appendix**

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| First Name | Last Name | Organisation |
| Brian | Allbutt | GMB RMA |
| Angela | Banner | NPC London |
| Arthur | Bavister | PROSPECT |
| Jenny | Vaughan | NUJ |
| Christopher | Brooks | NPC Anglia |
| Philip | Brown | NPC Home Counties North |
| Philip | Burgess | UCU |
| June | Clark | RCN |
| Martino | Cranchi | FNP CISL (GB) |
| Sue | Watkins | PCS / ARMs |
| John | Harrison | BTPF |
| Barrie | Finch | NPC Thames Valley |
| Alan | Edgar | NPC Thames Valley |
| Tony | Garner | NPC Eastern |
| Tony | Hall | CSPA |
| Alan | Taylor | ASLEF |
| Dorothy |  |  |
| David |  |  |
| John | Thorne |  |
| Norman | Jemison | NPC Vice-President |
| Alan | Jeyes | NPC Home Counties North |
| Joel | Kosminsky | TSSA / Chair SOC |
| David | Luxton | CSPA |
| Rosie | MacGregor | Unison |
| Nixon | Armstrong | NPC Northern Ireland |
| Trish | Mensah | NPC GAS |
| Bill | Moores | Unite |
| Tony | O Brien | UNITE / UCATT |
| Gareth | Parsons | NPC Wales |
| Peter | Rayner | NPC Vice-President |
| Dereck | Roberts | NPC Wales |
| Louise | St Bartholomew Brown | NPC Wales |
| Patricia | Roche | UCU |
| Paul | Russell | UCU |
| Jan | Shortt | NPC General Secretary |
| Jenny | Sims | NUJ |
| Jim | Symons | NUJ |
| Christina | Stokes | NPC GAS |
| Barry | Todman | NPC Treasurer |
| Armarjit | Jammu | NPC London |
| Maureen | Wade | NPC West Midlands |
| Bill | Dale | ASLEF |
| Andy | Warnock-Smith | RMT |
| Tom | James | NPC Wessex |
| Linda | Richards | NPC Thames Valley |
| Steve | Whitehead | TSSA |
| Marion | Wilson | NEU / NPC Vice President |
| Jonathan | Safir | National Administration & Information Manager |