



DEFENCE POLICE FEDERATION

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Dear Colleagues

Circular 24/16

01st April 2016

MOD Police Terms and Conditions of Service

We have today [written to the Department](#) to set out our position in relation to the TACOS package from last year.

The [Minister wrote to us](#), on behalf of the Government, setting out their final position on the pension issues raised. We have made clear to them that we understand this is their final position and will examine our members options urgently. The relevant pension schemes are statutory and, subject to the discussions they have had with us, it is a matter for Government to make decisions upon those within the relevant statutory provisions. They do not need any agreement in respect of those, and the issue for us to consider on your behalf is the legality of the proposed course of action. We are taking legal advice in respect of this. Provisional indications are that there may well be very significant legal issues and we are exploring these further. Please rest assured that we will not hesitate to bring legal proceedings on behalf of our members if so advised and are looking to address this within the next few weeks.

Different considerations arise in connection with members conditions of service such as NPD, fitness testing etc. These are not statutory and the negotiation process in respect of these is governed by long established arrangements. They are required to seek our agreement in respect of proposed changes to conditions of service and there is provision for the relevant process where agreement cannot be reached. In respect of these matters, I have confirmed that the changes negotiated and previously set out to members are agreed. As outlined above this agreement applies to conditions of service, not to statutory pension matters which are subject to a different process.

It is the position of the National Executive Committee – supported by our legal advisors - that this position is the best for our membership as it consolidates the position achieved, recovers the outstanding pay rises, removes the long hated NPD, and gives us a clear set of conditions going forward.

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It also allows us to take legal action against the Government, if so advised, to redress the ridiculous position we find ourselves in in relation to our pensions.

The TACOS position that has been agreed is in line with the mandate given by you the members. The Fitness test will be non consequential for 12 months from today and the Force have given a commitment to pay the Unsocial Hours payment in 2018, if affordable, but the desired EEPA of 65 has not been given. The mandate was met however, in that the Minister did negotiate for it, but it was not achieved.

They have now set out their final position and it is this FINAL position that has opened the potential for legal challenges which we are actively examining as we speak, which is why we have moved forward on the rest.

We are not happy with this outcome, however it is positive that this is now concluded, our pay position is secured and consolidated and we have a challenge to take forward on pensions. Hopefully this will give some respite for you, our members, going into the future.

On the issue of the Pay rises and the NPD, we have asked the Department for a timeline for remuneration, although clearly the relevant dates are September 2014, September 2015 and April 2016 for the NPD.

I appreciate that this will not satisfy every member, but it is the best we have been able to achieve, given the back drop of what is happening in other parts of the public sector, not least of all the changes to TACOS being forced on junior doctors by the Government. In relation to the pension issue, you have my guarantee that it is not concluded yet.

On the issue of the other elements, such as the pay freeze, we have asked that consultation on those elements now take place to allow clarity on their implementation, as this has not occurred yet.

The contents of this package are significantly better than those originally offered by the Department and movement on such things as the 42 hour week, allowances being given, sickness on rest days being removed along with the removal of limits on sick pay and the removal of the NPD and the payment of the pay rises makes this offer the best that can be achieved in the current climate.

As stated earlier the issues around the pension age are not concluded and will be followed to the limit of the law, should the legal advice support that.

Eamon Keating
National Chairman