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Minister for Finance & Personnel



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Your reference:

Our reference: COR/1047/2010

Mrs Daphne Leahy  
3 Warren View Court  
Newcastle  
Co Down  
BT33 ORS

15 December 2010

Dear Mrs Leahy:

Thank you for your letter of 7 December to Sammy Wilson MP MLA regarding the terms of the NICS equal pay settlement. The Minister has read your letter and asked me to reply. You have raised the issue of the exclusion of staff who retired from the NICS before 1 August 2008 from the terms of the settlement and made a number of points regarding that exclusion.

The dates you mention of 1999 and 2007 are not relevant for the purposes of the equal pay settlement since this was a negotiated settlement to end equal pay claims lodged by NIPSA in February 2009 and to prevent further claims. No equal pay claims were lodged with the Industrial Tribunal by NIPSA in 1999 or in 2007.

While it has been stated that the statutory six month time limit for submitting equal pay claims was used as a frame of reference in determining the 1 August 2008 eligibility date, you are correct that it would not be illegal to include anyone in the settlement who left before that date. However, while the number of retirees is known there is no rationale for extending the settlement to them, or to all other leavers, whose numbers run to thousands over the same six year period, or indeed to anyone who has been employed by the NICS in the affected grades since the introduction of equal pay legislation in the mid 1970s.

The Minister can fully understand people who are disgruntled about missing out on the settlement payments, but equally there is a very clear obligation to the taxpayer to meet legal responsibilities whilst protecting so far as possible the public purse. Apart from the six month period in the current settlement, which has a firm legal basis, there is no particular rationale for any other cut-off period. Going beyond the settlement terms to make payments to people who have no legal right to them would have implications for other spending programmes.

Yours sincerely

**SIOBHAN TWEEDIE**

Private Secretary to Sammy Wilson MP MLA

