

WEST MIDLANDS



PENSION FUND

Spring 2009

superlink

West Midlands Pension Fund Pensioners' Newsletter



Brian's Blog

This edition of Superlink has the usual mix of member input and information articles we hope you will find useful. Remember that the magazine is prepared at least a month in advance of you receiving it via your payslip – so if you feel we are not always commenting on the news stories of the day, you'll know why.

The issue of the 'credit crunch' seems to be presenting itself daily for business to deal with, and the implications for families and individuals continue to grow and will be felt for some time.

Once again, I'd like to remind members that the benefits and ultimately your pension, paid by the Fund, will not be affected in any way by the impact of the economic problems on the value of investments held by the Fund. The Fund has a well-diversified investment strategy. This reduces the exposure to any one particular type of investment and the Fund has a strong cash flow for the foreseeable future.

Within Superlink, we always try and cover topics that we think are useful to you – our members. I know the editorial board are working hard to ensure that topics are covered that members have raised with us over recent months. It does take time to research, refine and, eventually, edit the text to a format that is suitable for a magazine with over 60,000 readers of varying ages and interests.



You'll note that in this edition, we have asked for your views on a number of questions that have been posed by the Government as part of its '*Opportunity Age - meeting the challenges of ageing in the 21st century*'. Now is your chance to let us know what you think, so that we can respond on behalf of all Superlink readers.

A handwritten signature in blue ink that reads "B Bailey". The signature is written in a cursive, slightly slanted style.

Brian Bailey
Director of Pensions

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Opportunity Age - meeting the challenges of ageing in the 21st century

Within 20 years, half of the adult UK population will be over 50. One in four children born today will live beyond 100. Half a century ago, only one in ten children born would expect to reach 100.

As a consequence, the balance between generations is changing. We now have more people aged 65 and over in the UK than there are children under the age of 16. These are dramatic shifts that have far-reaching consequences for us all.

Our ageing population will change our society in many ways. Expectations are changing. People want to live more healthily, more actively and for longer than their parents or grandparents. Attitudes are beginning to change – many of us now think differently about what we want from our 'old age'. And we no longer tend to think that people are old until they are past their 70th birthday.

Significant reforms are being introduced to improve public services.



Rt Hon. Rosie Winterton

A far-reaching programme of pension reforms will significantly increase the number of people – particularly women – who qualify for a full state pension. The Department of Health has been undertaking extensive engagement on the principles that should underpin the long-term reform of care and support, which will lead to the publication of a Green Paper next year. You may also have seen the Department for Communities and Local Government-published *Lifetime Homes Lifetime Neighbourhoods*, a major new housing strategy to give older people greater choice, addressing the challenges and opportunities of an ageing population earlier this year.

But more can be done across society to enable everybody to make the most of the opportunities that will be created by demographic change.

Central Government wants to understand better what people want in order to enjoy the best possible in later life. This includes looking at how the services, opportunities and information – whether provided by the public sector, retailers, employers or voluntary organisations – will need to change to respond to the needs and aspirations of people as they grow older.

As part of this, we would like to hear whether people's experiences of ageing have so far matched expectations, and whether there have been times when people feel there should be more – or less – involvement or support from Government.

We also want to find out more about what younger people think about old age now, and what they expect their own later life to be like. What do they think will be most important to ensure that they can stay active, healthy and happy as they age?

In March 2005, the Government set out its strategy for older people and the ageing society in *Opportunity Age - meeting the challenges of ageing in the 21st century*.

Our new strategy is prompted in part by the completion of many of the activities outlined in *Opportunity Age*, and also by the growing awareness of the need for all parts of society to adapt to the challenges and opportunities posed by our ageing society.

This discussion paper and a series of events being run in November and December 2008 and January 2009 are part of the first stage of a review of the Government's strategy for meeting the challenges of our ageing society. The next step will be the publication of a more detailed set of ideas in spring 2009. We want to discuss the issues to be addressed in the strategy and give you the opportunity to tell us what you think is most important for a fulfilling later life.

We look forward to hearing your views.

Rt Hon. Rosie Winterton

MP Minister of State for Pensions and the Ageing Society

The questions Government have formulated to which we like to receive your answers are shown below:

- Q1** Do you have ideas about how goods and services could be improved to better meet the needs and preferences of people in or approaching later life?
- Q2** Have you come across services provided by the public or the private sector that have a) been well-designed for people in their later life, or b) that need to be improved?
- Q3** What planning did you/have you done for your own later life? How could you be helped to do this better?
- Q4** What are the key choices that you have had to make about your later life, have you felt in charge of those decisions and what, if any, support would have helped you to make these choices?
- Q5** What have you done/would you like to do in your later life?
- Q6** Do your plans for later life include working or being active in your community – if not, is there anything particular that discourages you from doing this?
- Q7** What sort of opportunities are/would be most attractive to you in later life and why?
- Q8** In what areas have you/your relatives needed support in later life? Who do you trust to give this? Who would you go to first for support?
- Q9** How could the way that information and support is provided be improved?
- Q10** What sort of social opportunities have you enjoyed/might you want to try in later life? Do you/would you know where to go to find these?

Let us have your thoughts and we'll co-ordinate a response to central Government on behalf of the readers of Superlink.

Are we really civilised?

Law and order was very harsh in medieval England. There was no democracy – the poor were ruled by kings, queens, the aristocracy and the church.

The few feared the many and thought harsh punishment would deter any revolt. It didn't, but cruel and barbaric punishment continued.



Medieval torture rack

We claim to be civilised and cling on to a weakening link of being Christian. But even the Christians (if they were in cahoots with the rulers) in medieval times could be just as ruthless.

It has taken a few hundred years for the move towards civilisation, and the mind boggles at the treatment meted out by human beings on one another. Such punishments included a person being made to hold a red-hot iron bar and walk three paces. The hand was then bandaged and left for three days. If the wound got better after three days, the culprit was innocent; if not, they were guilty.

The ordeal by water defies any logic. An accused person was tied up and thrown into water; if they floated, they were guilty of the crime. The ordeal by combat rested on who won without any evidence on the alleged crime. Whoever lost was usually dead.

Eventually, trial by jury was established and, after 1275, a law was introduced which allowed people to be tortured if they refused to go to trial before a jury.

Not much progress was being made towards a civilised society: thieves had their hands cut off and women who committed murder were strangled and then burnt. Other culprits could have their ears cut off, and high treason was punishable by being hung, drawn and quartered. Most towns had a gibbet. People were hung on these and their bodies left to rot over the weeks as a warning to others. There is a Gibbet Lane near Stourbridge.

Torture was a regular feature – and it still exists although always hotly denied. The diseased minds of those who concocted various devices beggars belief: the rack was one of the famous instruments of medieval torture; manacles were a set of handcuffs by which the victim would be hung for hours on end; and the water wheel led to the victim being dunked in water, as well as having their muscles and joints stretched.

It has taken a long time to get to the stage where, at last, hanging was abolished in this country. That 'great democracy' America still believes in the death penalty.

Punishment in schools

What is amazing is that far into the 20th century, punishments were still being administered in schools. It seems bizarre now, but there are still many adults alive who suffered the cane and other variations all known as 'corporal punishment'.

A popular suggestion in order to cope with 'six of the best' – although not exactly practical and likely to be detected – was to put a book down the back of your trousers. Other suggestions were that if caned on the hand, you were to quickly lick or spit upon the hand and it would mitigate the pain. Other recommendations were to rub onion on the hand, cover hand with Vaseline, rub soap on, rub with a leaf, warm your hand and, afterwards, press it against a cold wall. A little problem: "Just a minute, sir, but can I go and get some soap, Vaseline, onions and warm my hands?" Two strokes would have led to six of the best.



Other 'safety' solutions were to wear two pairs of decent gym shorts under your school trousers to lessen the sting or a pair of khaki serge cadet corps trousers (also highly recommended). Nevertheless, this could be a bit difficult if punishment was due the same day as the offence and you didn't have them on. Leather straps were also used, as well as a large plimsoll known

as 'The Pump'.

All school physical punishments are a 'bee-sting' compared with medieval times. But we still have a long way to go, particularly in many parts of the world. Readers will never see the end of man's inhumanity to man, but at least progress has been made. However, it has taken an unconscionable amount of time.

Barry Hosker (ex-Solihull housing department) contacted us about Max's article on the Coventry blitz:

Max Bowen's piece about the Coventry blitz reminded me of a conversation with a survivor about 25 years ago.

Ron Bradbury was, at the time, Solihull's emergency planning officer. I had just returned from a week at the Civil Defence training college in Yorkshire. The lecturers told us how we would have to go down into the bunker under the Council House in Solihull as the first warning of nuclear attack was given. The problem was obvious: we go down into safety and leave our families on the surface to be blown up and, furthermore, not to give them warning.

Ron told me of that night in 1940. He was in a bunker as a civil defence officer monitoring the damage. In the early hours, he had a report that his street had been totally destroyed along with all the residents. He stayed at his post for several hours before being allowed to search for his family. His was the only house in the street still standing and his family were safe.

Would my colleagues and myself have gone down? Who knows?

On a lighter side, when we first ventured into the 'bunker', all we found apart from hundreds of ballot boxes was a telex machine and several gas masks.

Susannah Griffiths

Nursing and residential care home fees - the financial implications

In the second of our features on legal issues, Susannah Griffiths, a partner at Wall, James & Davies Solicitors in Stourbridge since 1999 explains what powers the local authorities have and what can be done to safeguard your home.

There is an increasing concern about the cost of nursing and residential care home fees and who funds the cost. For many people their house is the main asset which they wish to leave as an inheritance to their family, and not use to pay home fees in their later years.

What power do the local authorities have?

If after assessment, the local authority's social services department decides that you have a need for community care, then that local authority is responsible for providing it. You will undergo a financial assessment to ascertain your



ability to pay the standard charge of that care. In this assessment, the local authority looks at your income and capital. Income is always taken into account as is a certain amount of your capital.

Your property is usually treated as capital and, therefore, even if you have few other assets apart from your house, you could be deemed able to pay for your home fees as a result of owning your own property. The local authority can insist that your property is sold and the proceeds of sale used to pay fees.

There are a few occasions when your property will not be included in your financial assessment; for example, where it remains occupied by a partner or a relative who is aged 60 or over or a younger relative who is incapacitated.

Can I give away my house?

If you dispose of capital prior to admission to a home and the local authority believes that one of the main intentions behind the disposal was to deliberately deprive it of an asset with which to pay future home fees, you will be treated as if you still own the property. The local authority will then seek to recover the standard charge from you or from the persons to whom you transferred the property. The local authority can investigate any disposal of capital, however many years it was prior to admission to a home.

Is it worth trying to give away my house?

For the above reasons, giving away your home may not be successful and there

are drawbacks to giving away your property:

1) Capital gains tax is charged on the gain on a disposal of capital at the rates at which the owner of the capital pays income tax. The gain is calculated as the net sale proceeds less the original purchase price (or March 1982 value if purchased prior to that date).

2) Parents are often unwilling to gift major assets to their children where there is a possibility of the child attempting to sell the house from under their parents, a child becoming bankrupt, dying or getting divorced.

How can my house be safeguarded?

There are two possible ways of trying to safeguard your house:

a) Gift of house

If you do wish to give away your house, then we would not recommend that it is given directly to an individual because of the risks set out above. Instead, it should be given to a trust. The trust would protect you, as it would state that you could live in the house for as long as you wished without paying any rent but paying all of the usual outgoings. Only when you had died, or could no longer live in the house, would your children or other

beneficiaries have an interest in the trust. Using a trust also means that if the house is sold when you are living there or within a period thereafter a capital gains tax exemption is available. However, it is impossible to say what the risks are of (a) the local authority finding out about the gift and (b) the local authority taking any action in respect of the gift.

b) Planning through your wills

This is the preferred option and we recommend the use of a trust in your will(s). We believe that where a couple own their house, it is possible to safeguard one half of it from the local authority. The steps are as follows:

- 1) Ensure that husband and wife own the house jointly as tenants in common. This means that each owns half of the house and can dispose of their half as they wish. If they own the house as joint tenants, on the death of the first joint tenant his/her share automatically passes to the survivor. This can be achieved by a simple deed.
- 2) In both wills provide that on the first death the deceased's half of the house will pass to a trust. The beneficiaries will include the

spouse who should be permitted by the trustees to occupy the trust's half of the property.

In the event of the survivor going into a home, the local authority can only treat half of the property as forming part of that person's capital even though the survivor is occupying the trust's half of the house. In addition, it cannot be claimed that the survivor has given half of the house to a trust as it was not theirs to give but the deceased spouse's. Therefore, the local authority should have no claim over one half of the property.

Even if the above are not implemented or are unsuccessful, it may be possible for the property to be sold and an attorney acting on behalf of the resident to purchase a life policy of which the capital may be disregarded by the local authority, and Susannah Griffiths would be able to advise further on this.

Should you have any queries on any matters raised in this article, please contact Susannah at Wall, James & Davies Solicitors, 15-23 Hagley Road, Stourbridge, West Midlands DY8 1QW. Alternatively, telephone 01384 371622 or email sgriffiths@wjandd.co.uk

Scuba diving

Brian Jervis wrote to us and sent us his thoughts on a recent experience.



Although I had done recreational diving since it really took off in the UK in the late 1960s, I had never met a bureaucratic obstacle before when turning up at a dive school to book a diving trip.

However, last October when I went to a dive school at the Red Sea in Egypt, where I had dived some wonderful dives in previous years, I was amazed when,

after plunging into water from the dive boat, the dive instructor insisted on holding on to me and would not let me swim free under water. The rest of the party, including some youngsters, were off enjoying themselves without restriction. Imagine my chagrin after diving for over 40 years.

The simple explanation was that, as they were a PADI (USA) registered school, the stringent policy from the United States had caught up with them and legal liability was reigning supreme. The rule now was, that if you want to enjoy all the pleasures of scuba diving, you take the PADI Open Water Certificate which takes, on average, four full days of theory and practice training with an approved school.

This was a serious dilemma – was I to give up diving for ever and accept that I was no longer entitled to have this particular pleasure in this brave new world? We were halfway through our week at the Red Sea, so the time remaining excluded a solution this time round. I discussed possibilities with the school dive Instructor of taking a PADI Open Water Course on a future occasion. He looked at my details on the waiver form, commented on my 73 years and said he personally had never taken anyone over 60 on the course, never mind someone of my age, even if I had been doing it for years.

Not to be deterred, and charged with determination not to be beaten by the system or my age, I went back in December to do the course and, with some trepidation at what I might have to encounter, presented myself at 9am on Monday at the school.

The first thing I was required to do was

to swim 300 metres across the bay, which I did and I returned to my examiner. "I'm glad you did that OK," he said. "As, although I didn't say before, you couldn't have proceeded any further if you hadn't been able to do that."

The four days continued (with a rest day off on the Wednesday) with mixes of theory back at base and practical, fully kitted-up, in the sea in the company of my examiner. I thought I was breezing through until the last test in the water Friday teatime as light was fading and I had to finish then in order to have to have 24 hours after last dive before flying out on the Saturday. Being already tired from previous exertions, I was required to take off the buoyancy jacket complete with heavy gas bottle while treading water, swing it round in front and put it on again. This requirement caught me by surprise and I had never done it before. After a dozen attempts, I couldn't do it and, becoming more and more exhausted, I was convinced I had failed the whole four-day course. I think a divine hand came in at that moment and I suddenly got it on.

I flew home the next day with my PADI Open Water Certificate, happy and relieved at the narrow squeak I had overcome, and in the knowledge that I was in their records as the oldest diver to qualify at that school.

Renew your licence

Unwitting motorists face £1,000 fines as thousands of photo card driving licences expire.



Thousands of motorists are at risk of being fined up to £1,000 because they are unwittingly driving without a valid licence. They risk prosecution after failing to spot the extremely small print on their photo card licence which says it automatically expires after ten years and has to be renewed, even though drivers are licensed to drive until the age of 70.

The issue has come to light a decade after the first batch of photo licences were issued in July 1998, just as they start to expire.

Motoring organisations blamed the Government for the fiasco and said 'most' drivers believed their licences were for life.

A photo driving licence shows the expiry date as item '4b', but many have

commented that officials had failed to publicise sufficiently the fact that new-style licences, unlike the old paper ones, expire after a set period and have to be renewed.

To make matter worse, drivers will have to pay £17.50 to renew their card - a charge which critics have condemned as a 'stealth tax' and which will earn the Treasury an estimated £437 million over 25 years. Official DVLA figures reveal that while 16,136 expired this summer, so far only 11,566 drivers have renewed, leaving 4,570 outstanding.

With another 300,000 photo card licences due to expire over the coming year, experts fear the number of invalid licences will soar, putting thousands more drivers in breach of the law and at

risk of a fine.

At the heart of the confusion is the small print on the tiny credit card-sized photo licence, which is used in conjunction with the paper version.



Just below the driver name on the front of the photo card licence is a series of dates and details – each one numbered. Number 4b features a date in tiny writing, but no explicit explanation as to what it means.

The date's significance is only explained if the driver turns over the card and reads the key on the back which states that '4b' means 'licence valid to'.

Even more confusingly, an adjacent table on the rear of the card sets out how long the driver is registered to hold a licence – that is until his or her 70th birthday.

A total of 25 million new-style licences have been issued but – motoring experts say – drivers were never sufficiently warned they would expire after ten years.

Motorists who fail to renew their licences in time are allowed to continue driving. But the DVLA says they could be charged with 'failing to surrender their

licence', an offence carrying a £1,000 fine.

AA president, Edmund King, said: "It is not generally known that photo card licences expire; there appears to be a lack of information that people will have to renew these licences. People think they have already paid for them once over and that is it. It will come as a surprise to motorists and a shock that they have to pay an extra £17.50."

The AA called on the Government to use the annual £450 million from traffic enforcement fines to offset the renewal charge. Before photo card licences were introduced, old-style paper licences were valid until the age of 70. Many motorists still believe this to be the case with the new ones.



Driving instructor Tony Carter, of Canterbury, said: "It's outrageous – everybody thinks their driving licence is for life. Why, when you have already paid £50 for your photo card licence, should you pay the Government an extra £17.50 every ten years? It's another stealth tax. Drivers will be very annoyed."

Today, the DVLA said the date of expiry was carried on the new-style

licences, even though the AA says this is 'not clear'.

The agency was unable to say whether motorists were told the licences would expire when they were first issued. It said it was issuing postal reminders to drivers whose photograph was due to expire, to get the renewal message across. But a spokesman admitted this was the limit of the DVLA's publicity. Experts say many drivers will slip through the net because DVLA records are inaccurate and many motorists have changed address, making it impossible to trace them.

A DVLA spokesman said: "Previous experience has shown that wide-scale

publicity is less effective and can generate enquiries and concerns from those not affected. Instead, DVLA focussed on targeted publicity to ensure that we got the message to the right person at the right time."

The DVLA is allowing L-test candidates with out-of-date photo card licences to sit their driving tests as long as they provide a valid passport. This concession will end in January next year, raising the prospect that some L-test candidates will be turned away.

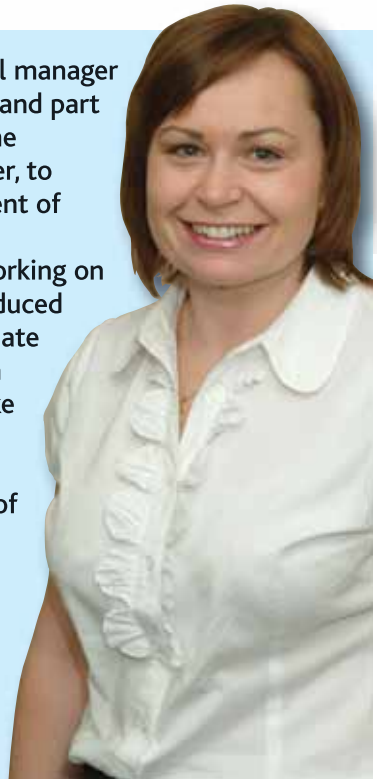
The DVLA said no one had so far been charged with failing to surrender a licence.

As you'll be aware, the previous pensions payroll manager retired last year. I've recently joined the service and part of my responsibility will be the production of the pension payroll. My primary focus will be, as ever, to ensure the effective, accurate and timely payment of your pension.

To assist in this, my team and I are actively working on implementing a new payroll system to be introduced in April 2009. Migrating to an improved, up-to-date payroll system will secure greater efficiencies in our operations for the future. Our aim is to make this implementation transparent to you as a member.

Should you wish to contact me or a member of my team on any payroll-related issue, please do not hesitate to get in touch. As always, you can find our contact details on your pension advice slip.

Julie Gibson
Financial Services Manager



Buying a house in Spain

Alec Sumner (ex-Birmingham Council) got in touch with his thoughts on moving abroad in retirement.

Many of your members may well be considering buying a retirement home in Spain, or elsewhere overseas. This is an overview of my wife's and my experiences when we bought a new build house in Spain. It may be of help to your readers.

We have been planning our retirement for some years and have researched the process by reading books, magazines, looking at websites, visiting property exhibitions and talking to people who have gone before us. Even so, we still fell foul of some of the processes.

An example is with our contract for our house. We were shown the show house and told what we see is what we get, and three extras were listed: a pool, alarm system and solar water heating. In practice, we also had a door bell, front path, garden tap and several other items which were not listed on the contract, and so we arranged for those to be installed separately. When we took possession, these things were already installed by the builders. We queried this and were told: "But these are always included." However, the show house also had central heating and plumbing for two appliances (washing machine and dishwasher) which were not included in our finished house. We had to change the kitchen to accommodate our two



appliances and make alternative arrangements to heat our home in winter (yes, it does get cold here in winter). How were we to know what is or is not included if there are assumptions about what is always put in? *Always do thorough research and check on the smallest details.*

We worked out what we could afford in sterling, and gave that amount to the agents as the maximum we could pay. The house we decided on was priced in euros with a conversion to sterling at a nominated exchange rate. We were shown the sterling price in a brochure and were told this price and worked out

that we could afford it. When we looked at preliminary contracts, the price was in euros. On checking, we found that the sterling price would be more than we planned as the exchange rate was less than the nominated rate given by the agents. However, we were lucky when we exchanged our money and were able to still afford to buy. Some of our neighbours have found they were substantially short of the money needed to pay for their homes and have had to take out mortgages or drop out of the purchase completely. *Check the conversion from sterling to euros for yourself, and allow for a drop in that rate.*

Prospective neighbours who have loans to cover the full purchase price tell us that they cannot take possession of their homes until all the paperwork is in place from the town hall and utility companies, as their loan provider will not allow completion until everything is in place. As a result, some are now having to rent as they have sold their homes in the UK in anticipation of moving in soon, only to find that it may be two to three years before all the paperwork will be in place. *If this is the case, perhaps it would be better to go for a house already completed and with all of the paperwork rather than a new build.*

Our contract gave a six month leeway to the completion date given by the builders. However, our agents repeatedly told us the house was on target to be completed on time and so we made arrangements to leave our UK home, have our furniture moved and to travel

to Spain to complete the purchase. When we got here, we found the house was only a shell and was not expected to be completed for at least another three months. We checked with the agents and were told they only rely on the information given by the builders, and the builders said the house was completed. But they have an independent inspector who is supposed to check progress. The agents would not believe the photos we showed them, preferring to believe the builders and inspectors. *If possible, get an independent report of building progress.*

The contract says that the building will be completed on time but, if not, there is a withdrawal clause for the buyer. If the sale cannot be completed because of local administration, this is not the responsibility of the builders, and so cannot be used a reason for the buyer to withdraw, without paying penalties (usually loss of all monies paid so far). There was great surprise and concern when we turned up on site to see that the house was unfinished. We believe the builders were blaming the local town hall for the delay in completion, by saying the house was ready when it was not, and so this was the reason given by the builders for not being able to complete the sale on time. If the buyers knew the properties were not ready they could withdraw, according to the clauses in the contracts. We moved in before our house was completed because we were homeless and desperate, but many of our neighbours have still not completed and as the site is still not finished, the town hall technical department will not

make inspections until the whole of a development is completed. *Check the clauses in the contract and check on progress. Ask the local town hall for their estimate of when they will complete their administration process.*

As in the UK, the agents are acting for the builders/sellers, not the buyers. So the agent will tell the buyer what they think the buyer wants to hear, rather than the truth, and this is very easy when the buyer is 1,000 miles away. When buyers turn up onsite, it is plain to see the embarrassment this causes. We challenged our agents as to why they were telling us blatant lies, and were told: "If we told prospective buyers, it would be perhaps three years before they would be able to move in, we would not sell any properties." Our response was that we would be prepared to wait as this was the house we wanted in the place we liked and we could have made more appropriate arrangements to stay in the UK until the house was ready. As it is, the messing about cost us several thousand pounds for temporary accommodation, storing furniture, transport to and medical care back in the UK, buying extra clothing (ours was in storage) and many other extra expenses not budgeted for. *Make a contingency plan for unexpected long delays.*

Now that we are in residence, we have had to cope with a plethora of administration and this has taken many months. We are still not quite done, but are almost there. The Spanish authorities

have been especially helpful and have encouraged us in our progress. The UK government departments (Pensions, Inland Revenue, Health) have been careless at the least and negligent at the worst. Their inefficiency has caused considerable stress, several letters, emails and phone calls to try to get our status established. Over a year since we moved here, we are still trying to sort out my tax code and get our address recorded accurately with HM Revenue and Customs. It took months to get our health care established, and all because of lax administration by civil servants who are more conscientious and careful.

Having given a dire warning about the pitfalls, I have to say we are very happy here and would not consider moving back to the UK for a minute. We thought we had done plenty of research, but still fell down on some basic issues. By expecting to live a different lifestyle, we have not experienced the culture shock that some other ex-pats have. We know of several who could not adapt to this lifestyle, expecting to live in a sunny version of England, and who have moved back to the UK. *Anyone coming here must remember: we are the immigrants – and must adapt to the Spanish way of life, not expect the Spanish to become English.*

The Spanish have a term for people who are retired but not yet pensioners: *jubilado*. We are jubilant to be able to live here and take advantage of such a beautiful country and the different way of life that Spain offers.

Spring

WORDSEARCH COMPETITION

Enter our fantastic competition and win a set of 'Impressionist' placemats and coasters, plus a great Beano jigsaw.

Here is a list of items associated with spring. See how many you can find. The words can go up, down, diagonally or backwards.



- | | |
|-----------|----------|
| APRIL | PUDDLES |
| BEES | RAINCOAT |
| BIRDS | ROBIN |
| BLOSSOM | SEEDS |
| BUGS | SHOWERS |
| DAISY | SPRING |
| EASTER | SUN |
| FLOWERS | THUNDER |
| INSECTS | TULIP |
| KITE | UMBRELLA |
| LIGHTNING | WARM |
| MARCH | WIND |
| MUD | WORMS |
| PLANTS | |

To enter, send your completed word grid to:
 West Midlands Pension Fund,
 PO Box 3948
 Wolverhampton
 WV1 1XP.

DON'T FORGET TO INCLUDE YOUR NAME AND ADDRESS.

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M	W	U	D	T	M	P	Z	I	L	E	S	F	G	K
F	I	I	C	K	D	R	S	A	P	L	T	B	M	R

One lucky winner will be drawn at random by the Director of Pensions on 30 April 2009.

Ombudsman schemes – what are they and what can they do for you?

Complaining is something most of us find difficult and unfortunately, all too often, absolutely exhausting. Organisations are often so big and impersonal, that simply having a complaint acknowledged can be a huge task. Many people think it is not worth complaining as nothing ever changes. The ombudsman schemes seek to provide ordinary people with the ability to complain and, more importantly, affect real changes to the services complained about, as a result.

All ombudsman schemes are committed to give a better and speedier service to complainants and ensure lessons are learnt for the future, which result in service changes for those coming behind. Hence, complaining is a valuable check and balance on the excesses of process-driven procedures, which ensures the people's voices can not only be heard, but can help to develop better services as a result. This article seeks to give a very broad outline of the ombudsman schemes available to people in England.

What is an ombudsman?

The British and Irish Ombudsman Association (BIOA) define the role of an ombudsman as someone who can, **"investigate and resolve, determine or make recommendations, with regard to complaints against those whom the ombudsman is empowered to investigate."**

The ombudsman is not the answer in all cases. They can resolve problems for individuals, obtain redress (including financial compensation) and get changes made to poor administrative practices. However, they are not able to define a particular interpretation of the law, which is a matter for the courts. There are also limits to what they can do in emergencies, though they can ask for a stay of action pending their consideration of the case.

There are 23 ombudsman schemes in the UK and they all have to meet strict criteria. This includes – to mention just three of the requirements placed on them – full independence from the bodies they investigate, being accessible

and providing a free service. The range of areas covered goes from financial services to local government. For more information see www.bioa.org.uk

Both Scotland and Wales have their own public services ombudsman, but these are not covered in this article.

All ombudsman schemes are independent of the bodies or people they investigate. They are not on anyone's 'side', but seek the truth of the situation and seek to put right any errors, unfairness or hardship caused. They will conduct their investigations in private and do not disclose the names of complainants in their published reports. They have the power to award or recommend remedies for complainants, but they do not seek to punish any of the parties involved.

There is no right of appeal against a decision made by them, but the complainant can decide to take their case through the courts if they are not satisfied with the ombudsman's decision.

In the first instance, complaints must normally be directed to the service being complained about. This gives them an opportunity to respond and explain and often they will put right things once they are alerted to the problem. There are strict time limits laid down for their response. If the complainant is not satisfied with the internal response or the time taken to respond, an individual can complain via the ombudsman. Most large organisations take ombudsman complaints very seriously and will try to

resolve issues locally, if at all possible. They do not want to become embroiled in investigations which take up staff time and may result in the authority being named and shamed. Hence, it is always worthwhile considering approaching the ombudsman if you are not satisfied with the outcome of your complaint to an organisation.

There are some differences between different ombudsman schemes. The Parliamentary and Local Government Ombudsman scheme deals with injustice caused by 'maladministration'. They look at how decisions have been made or policies introduced and the processes involved. They do not look at the decisions (or policies) themselves. This is an important distinction. If your complaint is that to have a particular service is unfair, the ombudsman will not be able to assist, as this is a matter of policy. However, if your complaint is that the process of having a particular service causes unfairness or hardship, as a result of the way it is operated, the ombudsman could investigate this. Maladministration includes such things as delay, incompetence, rudeness, giving wrong information, arbitrariness, discrimination and even neglect. The main test looks at whether the authority or body has acted reasonably in accordance with the law, as well as its own policies and generally accepted standards of administration.

The Financial Ombudsman and the Independent Housing Ombudsman

Schemes are able to consider a wider range of complaints than simply maladministration. They can decide what would have been 'fair and reasonable' in the circumstances of the case. The Health Service Ombudsman is able to look at clinical judgements of practitioners.

The ombudsman schemes act as an alternative to court action in cases where there is no redress through the courts or the ombudsman believes it would be unreasonable to expect the complainant to exercise that right. The ombudsman makes wide use of this discretion. so even if you have the right to pursue action through the courts, it may be worth considering using the ombudsman as an alternative if you could not face court action.

Some confusion has arisen in the past as to which ombudsman to complain to, if complaints cover more than one area; this was resolved in August 2007. Now ombudsman schemes can work together to resolve cross-cutting complaints. They now have the power to share information, conduct joint investigations with the complainant's consent, share staff and issue joint reports. This simplifies things for the complainant with the ombudsman considering whether a joint investigation is appropriate rather than the complainant having to decide which Scheme to complain to.

The following table gives examples of frequently asked questions, but details of the main schemes are given at the end for further information.

Frequently asked questions

	Financial Ombudsman	Health Service Ombudsman (England)	Housing Ombudsman	Local Government Ombudsman	Parliamentary Ombudsman
Is it free?	Yes	Yes	Yes	Yes	Yes
Can I complain direct to the ombudsman?	Yes, but complain to firm first	Yes, but complain to NHS first	Yes, but complain to landlord first	Yes, but complain to council first	No, go through your MP
What parts of Britain does the ombudsman cover?	England, Scotland and Wales	England	England	England	UK
How long do I have to put a complaint in?	6 months from firm's final letter	12 months from first knowing of the matter	12 months from exhausting landlord's procedures	12 months from first knowing of the matter	12 months from first knowing of the matter

	Financial Ombudsman	Health Service Ombudsman (England)	Housing Ombudsman	Local Government Ombudsman	Parliamentary Ombudsman
Can the time limit be waived?	Yes, but rarely used	Yes	Yes	Yes	Yes
Can someone complain on my behalf?	Yes	Yes	Yes	Yes	Yes
Does the complaint have to be in writing?	No, but signature needed	Yes	No, but signature needed	No	Yes
Is the ombudsman's finding binding on the organisation complained about?	Yes	No, but refusal to follow findings is very rare	No, but refusal to follow findings is very rare	No, but refusal to follow findings is very rare	No, but refusal to follow findings is very rare
Can financial compensation be recommended?	Yes	Yes, but it is very unusual	Yes	Yes	Yes
Can I go to court about the same matter at the same time?	No, but you can after if you don't accept the decision	No	No, but you can after if you don't accept the decision	No	No, but you can after if you don't accept the decision

If you would like to know more about ombudsman schemes, please contact the following who will be able to assist:

Financial Ombudsman Service	www.financial-ombudsman.org.uk	0845 080 1800
Health Service Ombudsman	www.ombudsman.org.uk	0845 015 4033
Independent Housing Ombudsman	www.ihos.org.uk	0845 712 5973
Local Government Ombudsman (England)	www.lgo.org.uk	0845 602 1983
Parliamentary Ombudsman (UK)	www.ombudsman.org.uk	0845 015 4033
Public Services Ombudsman for Wales	www.ombudsman-wales.org.uk	0845 601 0987
Public Services Ombudsman for Scotland	www.scottishombudsman.org.uk	0870 011 5378

(Note: Health and Parliament Ombudsman are the same person)

(Note: this article relies on an article from the National CAB Adviser 131)

From old to new pence

Stan Letts wrote to us about a previous article in *Superlink* that jogged his memory.



Half Penny
1/2d



Penny
1d



Threepence
3d



Sixpence
6d



One Shilling
1s or 1/-



Two Shillings
2s or 2/-



Half Crown
2s 6d or 2/6

Page seven of the Winter 2008 edition of *Superlink* concerning the changeover to decimal currency reminded me of my own experience at the time.

Historians will give the date as Monday 15 February 1971, but many folk will forget that not everything changed on that day. In fact, the bus industry didn't 'go decimal' until six days later, on Sunday 21 February. The reason given at the time was that the new currency had

to be given time to get into the pockets and purses of the general public; it was no good all the bus fares going decimal when all people had was the old coinage.

In those days, I was one of four divisional schedules officers with the Midland Red bus company with my own remit covering parts of Staffordshire, Shropshire and all of the Black Country (the last-named being the reason I was transferred to WMPTE in late 1973).

Recently, a cynical colleague suggested that the changeover was an excuse for the bus operators to take unfair advantage by hiding a big fares rise. I can state that this was not so. For a start, the traffic commissioners, who licensed both times and fares, would have disallowed it, but also as I was one of the team compiling all the new faretables, I can vouch for absolute fairness. Having more than a thousand faretables to rewrite was a mammoth task, but a simple one.

Only those fares below a shilling (that is between 1d. and 11d) had to be converted to a decimal equivalent in new pence ('p'). Although a half-new penny coin had been issued, and the old 'tanner' (6d) remained in use but was now worth 2½p, the new decimal fares were rounded to the nearest whole new penny. As many fares were rounded down as were rounded up. For fares over a shilling, we simply added five new pence for each old shilling.

In those days, the Midland Red was chronically short of drivers, so while I 'drove a desk' for the company during the week, I helped them out by driving buses at weekends. And on Sunday 21 February 1971, I volunteered to do a full shift on a one-man-operated bus. Was that bravery or folly? I was on the 215 service between Bearwood and Quinton. This wasn't the five-minute direct run along the Hagley Road West, but a fifty-minute meander via Smethwick, Langley, Oldbury, Lion Farm and Brandhall.



The poor passengers were all at sixes and sevens with trying to work out how to pay the strange new fares with these strange new coins in their pockets (I had a lot of gentle guiding to do that day). We had to accept old coins, too, but in multiples of six which would translate directly into the new currency. If someone wanted, say, a five new pence ticket, it was quite acceptable for them to pay twelve old pennies, and so on. We weren't allowed to give change in old money, only in new money.

Paying-in at the end of the shift also had its complications, as we had to pay-in the day's takings in both old and new currency in separate lots. When the company paid in the garage's takings to the bank, again old and new were kept separate, and presumably the bank then consigned all the old coins to the melting pot. As far as I can recall, the old coinage became rare very quickly, and the conversion was relatively painless.

Bits and Pieces

Campaign for respect and responsibility

Former City Council employee, **Gurdev Rai**, contacted the Fund about his campaign for respect and responsibility. Mr Rai, well-known within the Wolverhampton community, feels that modern society's morals and standards do not take account of respect and responsibility. Mr Rai feels so strongly on this issue that he has written to the Council's Chief Executive, Richard Carr, donating a sum of £500 towards the cost of establishing an illuminated sign stating 'Respect and Responsibility', hoping for it to be mounted on a civic building in the city. Mr Rai informs us that he has also sent a donation of £500 to the Prime Minister Gordon Brown, in order that a



similar sign could be mounted on a suitable parliamentary building with the purpose of reminding everyone in London (and the wider world) to act with respect and responsibility.

Turning railings into munitions

You may remember some time ago an article in *Superlink* about the need to cut down iron railings to assist with the war effort. **William Hetherington** wrote to inform us that all was not as it seems. He remembers a scandal after the war when many railings that had been cut down were discovered abandoned in the countryside. It seems the iron work may not have been suitable to melt down into munitions and, as such, the embarrassment was too great to be shared publically, and many pieces of iron work were left to rot in the countryside. William says the moral of the tale is that while there is good authority during such times to turn swords into ploughshares, the reverse is unlikely to be conducive to the public good, and may not produce the results as first expected.

'A wartime childhood in Coventry' continued...

Josephine Hoban wrote to us about the article 'A wartime childhood in Coventry'. Josephine, although now 80, remembers vividly the night of 14 November 1940: as usual, the night started with air raid sirens warning of the impending disaster, which could strike at any moment, or not at all. Josephine, then aged eleven, took up the family's usual position, beneath the table in the back room. But this night held something special for the family in their house in Crecy Road, Cheylesmore (in what was, at the time, new accommodation next to a field containing an anti-aircraft gun). Events which seem incomprehensible, even by today's standards, unfolded that night which saw a parachute landmine fall directly outside Josephine's family home, resulting in devastation on a huge scale. Although not severely injured, Josephine's father was taken to hospital and it was some weeks before they found him after contacting the local hospitals.



© Hans Wild

A bit of light relief

A family was entertaining some pious friends for dinner. The hostess, keen to show that they upheld Christian standards in their own home, asked her five-year old son to say grace. He looked blank.

There was an awkward pause, followed by a reassuring smile from his mother: "Well, darling, just say what Daddy did at breakfast this morning."

Obediently, the boy repeated: "Oh God, we've got those awful people coming for dinner tonight."

COMPETITION WINNER

The winner of the cuddly monkey from our Christmas wordsearch was Mrs P Crowley of Sutton Coldfield.

Congratulations Mrs Crowley.



A scene at one of the rare services held in the shell of the Coventry Cathedral after it was gutted by fire in the blitz.

Is the amount of your pension changing?

Do you get housing and/or council tax benefit?

If the amount of your West Midlands or another employer's pension is changing and you get housing and/or council tax benefits, you need to tell your local council about the change.

What do they need to know?

They need to know the new rate of your employer's pensions and the date of the change(s). They will need to see the

notice from your employer/pension company.

There is no need to notify the Pension Service about an increase to your employer's pension, but you should retain the advice slip in case it is needed in the future.

To contact your council, see below:

Birmingham City Council

Benefit Service
PO Box 8267
Birmingham
B4 7XF
Tel: 0121 464 7000.

Coventry City Council

Benefits Service
PO Box 3899
Coventry
CV1 2PW
Tel: 02476 831800

Dudley Council

Benefit Services Division
Council House
Priory Road
Dudley
DY1 1HF
Telephone 01384 818100

Sandwell Council

(offices based at Lodge
Road, West Bromwich or
Sandwell Council House,
Oldbury)
Postal address is:
Sandwell MBC (Benefits)
PO Box 239

Sale
M33 6GU
Tel: 0845 351 0020

Solihull Council

Housing and Council
Tax Benefits
PO Box 8118
The Council House
Solihull
B91 9WZ
Tel: 0121 704 6214

Walsall Council

Revenues and Benefits
Walsall Council
Civic Centre
Darwall Street
Walsall
WS1 1XU
Tel: 0845 111 2855

Wolverhampton City Council

Benefits Service
PO Box 3300
Wolverhampton
WV1 1ZT
Tel: 01902 551166

You may have noticed (as we have) an odd statement about victim surcharge when reading press reports of magistrates' hearing. As the item intrigued us, we've done a little research on this – here is what we have found out courtesy of the BBC website.

Victim surcharges on court fines

All fines for criminal offences will carry an additional 'victims surcharge' of £15, the Home Office has announced.

The levy will be added on top of every fine handed out in court for a criminal offence from 1 April 2007.

It will be paid into a fund aimed at helping improve services for victims of crime, and will be fixed at a flat rate regardless of the size of the fine.

However, they will not apply to fixed penalty

notices after earlier plans provoked an outcry from motorists.

'Punished financially'

The measure was introduced as part of the Domestic Violence, Crime and Victims Act 2004.

The Home Office says it is part of a series of moves by Home Secretary, John Reid, to "rebalance" the criminal justice system in favour of victims.

Paul Fawcett from the charity Victim Support said he had mixed



feelings about the levy.

"On one hand, if you're going to have a system in place where criminals are punished financially, it makes sense that this goes to victims of crime," he said. "But on the other, the government should be able to find the funds for victims come what may."

(Nearly) The End Column

The Fund has moved to Mander House, situated in the heart of the city. Some of us have a nostalgic view of the Grade II listed building being vacated, but I suppose the move will make it easier for the staff to nip out for some shopping (or a sandwich or two). Good luck to them all. The usual first class service will continue.

The End Column by Max Bowen



Which do you prefer: prison or work?

In prison: You spend the majority of your day in an 8x10 cell.

At work: You spend most of your time at a 6x3 desk.

In prison: You get three meals a day.

At work: You get a lunch break and you have to pay for it.

In prison: You can watch TV and play games.

At work: You can get fired for watching TV and playing games.

In prison: You spend most of your life looking through bars from the inside waiting to get out.

At work: You spend most of your time wanting to get out and inside bars.

In prison: All expenses are paid by taxpayers with no work required.

At work: You get to pay all the expenses to go to work and then they deduct taxes from your salary to pay for prisoners.

In prison: There are wardens who are often portrayed as sadistic.

At work: They are called managers.

Who is the buffoon who introduced the fluorescent vests with the tabard saying 'Community Payback' while they're on community service instead of in a prison? Well, yes, it's Jack Straw. The culprits parading this nonsense have already been punished without having to go about with a blatant message. Not quite like the Jews with their yellow badge during the war, but not far off. The money wasted could have been better spent on helping the reprobates by pointing them in the right direction.



This nonsense is already boycotted by many charities that benefit from the service. If Jack Straw insists on continuing this farce, then there are many others who should be wearing an orange jacket.

Bankers: I retired with a huge bonus.

Gas company chairmen: I enjoy upping prices.

Tax evaders: I'm an honest robber.

Builders: I love excessive quotes.

Company directors: The bargain price is the actual price.