



STATE PENSION INEQUALITY FOR WOMEN

The Rt Hon Rachel Reeves MP
Chancellor of the Exchequer
HM Treasury

The Rt Hon Liz Kendall MP
Secretary of State for Work and Pensions
Department for Work and Pensions
BY EMAIL

23 January 2025

Dear Secretary and Chancellor,

Re: Government response dated 17th December 2024 to the Parliamentary and Health Service Ombudsman's (PHSO) report on 'Women's State Pension age: our findings on injustice and associated issues' dated 21st March 2024

We write in our capacity as members of the All-Party Parliamentary Group on State Pension Inequality for Women in relation to the Government's recent response to the PHSO report on 'Women's State Pension age: our findings on injustice and associated issues' dated 21st March 2024.

As members of the APPG we have received countless testimony from women who were not adequately notified of their state pension age changing, the financial and emotional hardship that caused and cases of those who lost everything as a result: Their jobs, homes and dignity.

It was the APPG's view during the PHSO's investigation that not only had Department for Work and Pensions (DWP) maladministration impacted on 1950s-born women financially, but it had also caused extraordinary emotional, physical and psychological distress; profound, devastating or irreversible impacts; and that these impacts have been widespread and have forced many 1950s-born women to endure a reduced quality of life for a considerable period. We know that this was also a concern you both share, having supported women on this matter in your own constituencies.

As you are aware, the final PHSO report's key finding was that the failure by the DWP to adequately inform thousands of women that their state pension age was increasing constituted maladministration. Further, the report stated that as a result, some women had lost opportunities to make informed decisions about their finances and the failure of the DWP to communicate adequately also diminished the women's sense of personal autonomy and financial control.

The report recommended that the DWP should acknowledge its failings, apologise and that the women affected were entitled to compensation. The issue here was not whether the women suffered injustice and whether they were entitled to redress; the report made clear that they had, and are.

Further, we note that the PHSO also made the extremely rare decision to lay this report before Parliament, with the request that Parliament identify a mechanism for appropriate remedy rather than

with the DWP directly. This was based on what the DWP had said during the investigation leading the PHSO to be of the view that the DWP would not be forthcoming with any such remedy, and that Parliamentary intervention was now the only viable option in seeking implementation of the report's recommendations. This was done in accordance with Section 10(3) of the Parliamentary Commissioner Act to make a Special Report to Parliament.

As you are aware, the Government responded to the report on 17th December 2024 accepting the PHSO's findings on maladministration, which was welcome, but disappointingly declined to accept the PHSO's approach to injustice or remedy, offer any other alternative approach to remedy, or to allow Parliament the opportunity to identify an appropriate mechanism, as was the PHSO's initial hope.

In response, the PHSO has stated that *"the Government's decision not to accept in full the recommendations is disappointing"* and as you can imagine many of those women who have suffered this injustice are simply devastated and perplexed by the Government's response.

We are therefore writing today to ask you, respectfully, to:

- **review the Government's approach to the PHSO's March 2024 report;**
- **to meet with us as an APPG to discuss ways forward towards justice for these women, and;**
- **ultimately to allow time for a Parliamentary debate and vote on redress mechanisms as was intimated by the PHSO.**

We wholeheartedly welcome the Government's apology to impacted women and we recognise the difficult financial landscape the Government finds itself in. **But we are clear: An apology alone is not sufficient and we must see a remedy forthcoming to address the clear and apparent injustice these women have faced.**

Further, it is gravely concerning that a precedent may be set by this case where the Government rejects the independent Ombudsman's central recommendations, and have not proposed a suitable alternative, without robust debate in Parliament, particularly in an instance where state-level injustice has been acknowledged and an apology given. Indeed, fears have been raised with us regarding the perceived efficacy of the Ombudsman overall as a tangible vehicle in holding future Governments to account if its recommendations can be so easily dismissed without further consideration.

It is our understanding that there have been only nine occasions where Ombudsmen have felt the need to put down a Special Report, the first being in July 1978 published as HC 598 *"Rochester Way, Bexley – Refusal to meet late claims for compensation"*. In most of these cases, the Government has given way on at least some of their objections to the Ombudsman's recommendations. In the very rare cases where the Government did not accept the central recommendations, they have typically implemented some alternative mechanisms for redress of some form, and we would urge you to follow this precedent, working alongside the groups representing those women affected who have already made a range of suggestions from redress schemes through to mediation.

We are also concerned the Government have not, as of writing, yet proposed debating this in the House and putting this decision or any suggested redress mechanisms to a Parliamentary vote. This is important given that only six sample complaints were considered as part of the Ombudsman's report, out of thousands of women impacted. A debate would therefore allow the wider experiences of constituents to be represented to the Government and considered through appropriate democratic mechanisms. Many women and campaigners have made it clear they did not feel the Ombudsman's

recommendations went far enough based on their own experiences or those of loved ones, and we hope you will agree given the injustice faced that these women are owed a fair and robust hearing.

We also highlight concerns raised regarding statistics and studies that were referenced during the Secretary's statement outlining why the Government were not accepting the PHSO's recommendations.

The Minister's statement reported that *"[p]ublished research, which is referenced by the Ombudsman in their report, also shows that 73% of women aged 45-54 said that they were aware of State Pension age increases in 2004. By 2006, 90% of 1950s-born women knew about State Pension age changes"*.

We presume at the time of writing that this 90% figure may have been extrapolated from the '2006 DWP Attitudes to Pension survey' but at the time of writing this letter we are unable to verify its origin. We would be grateful if you would confirm this.

The only 90% figure in that survey appears to relate to a bar chart at Figure 4.6 which shows that 90% of those 45-54 knew of state pension age changes.

On review of this survey report, it appears that 1,950 adults aged between 18 and 69 took part in the study, which is low, but the statistics reported also neither appear to show how many were women born in 1950s overall, nor how many women survey participants born in the 1950s were in this 45-54 age group figure. It is our understanding that women born in the 1950s in 2006 would have been between around 47 to 56 (so the 90% figure doesn't account for any women in the 55-64 range nor do we know how many in the 45-54 group were age 47-56). Further, we are not aware of the specific question that was asked of participants in the survey to determine such a response and we would be grateful if you would provide more information about the statistics referred to in the Secretary's statement, the data groups referred to and the questions asked to the relevant data groups to illicit responses given that these figures appear to form a crucial basis of the Government's reasoning in rejecting recommendations for redress.

Notwithstanding this, while the PHSO report does explain *"[r]esearch showed the majority of people knew about reforms to the State Pension brought about by the 2014 Act..."* (p7) it goes on to explain in the next paragraph that *"[h]owever, research also showed that too many people did not understand their own situations and how the new State Pension affected them personally. The gap between awareness and understanding was highlighted by the Work and Pensions Committee and the National Audit Office. DWP did not adequately use this research and feedback to improve its service and performance. In this respect, DWP did not demonstrate principles of good administration. That was maladministration"*.

Then later in the report, the Ombudsman explained *"[t]he options appraisal document refers to what research in 2004 and 2005 had shown about awareness of equalising State Pension. This suggests to us that DWP was mindful of the possibility that women were labouring under a misapprehension about their State Pension age"* (p57). As such, omitting this from the wider contextual commentary in the Government's response causes concern.

The APPG have engaged with several national and regional campaign groups who have worked tirelessly to raise awareness of this injustice, including WASPI, WASPI2018, CEDAW in LAW, CASPI, 1950s Women of Wales, and PP4J as well as countless individual constituents who have contacted us as their MPs about their own personal experiences. It is clear to us from our engagement with them that the DWP's maladministration threw thousands of women into unexpected financial difficulties after they had grown up, lived and worked through a time period where gender pay and gender

pension gaps were even larger than they are today, with women expected to shoulder the majority of household and caring responsibilities, with less protections in place for parental rights, and more likely to face gender-based discrimination.

As such, we maintain that the Government's most welcome apology must be supported with a mechanism of material redress and we urge you to respectfully review the Government's approach to the PHSO's March 2024 report, to meet with us as an APPG to discuss ways forward towards justice for these women, and ultimately to allow time for a Parliamentary debate and vote on redress mechanisms as was intimated by the PHSO.

Yours sincerely,

Rebecca Long-Bailey, MP for Salford, Co-Chair of the APPG on State Pension Inequality for Women

Lord Bryn Davies of Brixton, House of Lords, Co-Chair of the APPG

Liz Jarvis, MP for Eastleigh, Officer of the APPG

Sir Julian Lewis, MP for New Forest East, Officer of the APPG

Neil Duncan-Jordan, MP for Poole

Euan Stainbank, MP for Falkirk

Graham Leadbitter, MP for Moray West, Nairn & Strathspey

Robin Swann, MP for South Antrim

Jonathan Brash, MP for Hartlepool

Kirsty Blackman, MP for Aberdeen North

Chris Webb, MP for Blackpool South

Michelle Scrogham, MP for Barrow and Furness

Sarah Hall, MP for Warrington South

Bell Ribeiro-Addy, MP for Clapham and Brixton Hill

Lord Prem Sikka, House of Lords

Ian Byrne, MP for Liverpool West Derby

Kate Osborne, MP for Jarrow

Roz Savage, MP for South Cotswolds

Alex Brewer, MP for North East Hampshire

Rachael Maskell, MP for York Central

Kim Johnson, MP for Liverpool Riverside

Anna Sabine, MP for Frome and East Somerset

Sarah Champion, MP for Rotherham

Lorraine Beavers, MP for Blackpool North and Fleetwood

Pete Wishart, MP for Perth and Kinross-shire

Wendy Chamberlain, MP for North East Fife

Charlotte Nichols, MP for Warrington North

Kirsteen Sullivan, MP for Bathgate and Linlithgow

Richard Burgon, MP for Leeds East

Nadia Whittome, MP for Nottingham East

Jim Shannon, MP for Strangford

Warinder Juss, MP for Wolverhampton West

Lillian Jones, MP for Kilmarnock and Loudoun

Cat Eccles, MP for Stourbridge

Clive Lewis, MP for Norwich South

Emma Lewell Buck, MP for South Shields

John McDonnell, MP for Hayes and Harlington
Douglas McAllister, MP for West Dunbartonshire
Julia Buckley, MP for Shrewsbury
David Smith, MP for North Northumberland
Patricia Ferguson, MP for Glasgow West
Zarah Sultana, MP for Coventry South
Steve Darling, MP for Torbay
Ian Lavery, MP for Blyth and Ashington
Imran Hussein, MP for Bradford East