

Research Briefing

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The communication of State Pension age increases for women born in the 1950s

Summary

From the 1940s until April 2010, the State Pension age (SPA) in the United Kingdom was 60 for women and 65 for men. Legislation to increase the SPA has been introduced in several stages since the 1990s. In particular, the [Pensions Act 1995](#) legislated to increase the SPA for women from 60 to 65 in stages between April 2010 and 2020, to bring it into line with that for men. The [Pensions Act 2011](#) brought forward the increase in women's SPA to 65 to November 2018.

These changes have been controversial. In particular, they have given rise to a long-standing campaign with some women born in the 1950s arguing they have been hit particularly hard, with significant changes to their SPA imposed without sufficient notification. This led to an unsuccessful judicial review challenge to the increase in women's SPA, which was dismissed by the High Court in October 2019, and again by the Court of Appeal in September 2020.

The Parliamentary and Health Service Ombudsman (PHSO) conducted an [investigation into six sample complaints](#) about how the Department for Work and Pensions (DWP) notified women born in the 1950s about rises in their State Pension age. In [reports published in July 2021](#) and [March 2024](#) the PHSO found specific instances of maladministration in 2005 and 2006 in the way the DWP communicated these changes which meant that "some women lost opportunities to make informed decisions about their finances." It recommended that the six sample complainants receive compensation to

remedy this injustice. It also recommended that a remedy for others who had suffered injustice because of this maladministration should be identified. It laid its report before Parliament with a request that it intervene “to identify a mechanism for providing appropriate remedy for those who have suffered injustice”.

The Government has not responded formally to the PHSO’s findings or recommendations. The Secretary of State for Work and Pensions said on 24 March 2024 that the DWP would take time to fully and properly consider the PHSO’s findings, and that he would report back to the House “without undue delay”.

This briefing provides further information on the PHSO’s investigation and surrounding debate.

1 Background

From the 1940s until April 2010, the State Pension age (SPA) in the United Kingdom was 60 for women and 65 for men.

Legislation to increase the SPA has been introduced in several stages since the 1990s. These stages were:

- The [Pensions Act 1995](#) which legislated to increase the SPA for women from 60 to 65 in stages between April 2010 and 2020, to bring it into line with that for men. Women born between 6 April 1950 and 5 April 1955 would have a State Pension age of between 60 and 65, depending on their date of birth. Women born after 5 April 1955 would have a State Pension age of 65 – the same as men.
- The [Pensions Act 2007](#) legislated to increase the SPA for both men and women to 66 between 2024 and 2026, 67 by 2036, and 68 by 2046.
- The [Pensions Act 2011](#) brought forward the increase in women’s SPA to 65 to November 2018, at which point the equalised SPA for both men and women would start to rise to 66, which it reached in October 2020.
- [Section 26 of the Pensions Act 2014](#) brought forward the increase in the SPA for men and women to 67 to between 2026 and 2028.

These changes have been controversial. In particular, they have given rise to a long-standing campaign with some women born in the 1950s arguing they have been hit particularly hard, with significant changes to their SPA imposed with insufficient notification.

The Library estimates that in 2021 there were around 3.62 million women in the UK born between 6 April 1950 and 5 April 1960 (based on mid-2021

population estimates). Women born in this age group are affected by increases in the women's State Pension from 60, enacted from 1995 onwards.

The Library estimates that the number affected by the 2011 Pensions Act provision to bring forward increases to the State Pension age for women specifically was 2.62 million.

The Parliamentary and Health Service Ombudsman (PHSO) has investigated [six sample complaints](#) about how the Department for Work and Pensions (DWP) notified women born in the 1950s about rises in their State Pension age.

A PHSO investigation of this nature is usually conducted in three stages. The first stage looks at whether maladministration has occurred, the second on whether any maladministration led to injustice, and, if so, the third stage looks at what remedy should be applied.

In [a report of its first stage](#) of the investigation, published on 19 July 2021, the PHSO found that while accurate information was made publicly available by the DWP about these State Pension age increases through various means between 1995 (when they were first legislated for) and 2004, maladministration had taken place in 2005 and 2006 because the DWP failed to use feedback and research into public awareness to improve the way it notified affected women.

The [final report of the PHSO's investigation](#), on the second and third stages, was published on 21 March 2024. It concluded that the DWP's handling of the State Pension age changes meant that "some women lost opportunities to make informed decisions about their finances," which "diminished their sense of personal autonomy and financial control" and therefore led to injustice.

The PHSO laid its report before Parliament with a request that it intervene "to identify a mechanism for providing appropriate remedy for those who have suffered injustice". The PHSO thought this would provide the quickest route to remedy for those who had suffered injustice because of DWP's maladministration. The Government has not responded formally to the PHSO's findings or recommendations. The Secretary of State for Work and Pensions has said the DWP would take time to fully and properly consider the PHSO's findings, and that he would report back to the House "without undue delay".

Further information on the broader policy issue of State Pension age increases for 1950s women can be found in the Commons Library briefing [Increases in the State Pension age for women born in the 1950s](#).

Further information on the timetable for increasing the State Pension age and the way it is reviewed can be found in the Commons Library briefing, [State Pension age review](#).

2 Debate around the rise in SPA for 1950s women

Raising the SPA for women has generated debate and prompted campaigning by and on behalf of women affected, both in and out of Parliament.

The campaign group [Women Against State Pension Inequality \(WASPI\)](#) says it agrees with SPA equalisation between women and men, but not with the way the changes were implemented. It says the changes were brought in without adequate notification, faster than initially promised, and with limited time to make alternative arrangements.¹ When the campaign launched in 2015, its aim was to “achieve fair transitional state pension arrangements for women born in the 1950s.” This translated as a non-means-tested ‘bridging’ pension to provide an income until State Pension age, and with recompense to cover losses experienced by those women who had already reached State Pension age.² It is now calling for “fair and fast compensation for all women affected by the lack of notice regarding the State Pension age increases (1995 and 2011 Pensions Acts) to reflect their financial losses, the sustained damage to their mental health and well-being, and the additional impacts”.³

Separately, on 3 October 2019, the High Court gave judgment on a claim for judicial review brought by two claimants (Delve and Glynn) with the support of the Backto60 campaign.⁴ The claimants’ grounds for challenge were that the mechanisms chosen to implement the increases in the State Pension age discriminated on grounds of age and sex. They also sought judicial review of the Government’s “alleged failure to inform them of the changes.”⁵

However, the High Court dismissed the claim on all grounds.⁶ Subsequently, the [Court of Appeal dismissed an appeal](#) against the High Court decision on 15 September 2020,⁷ and the [Supreme Court in March 2021](#) refused leave to appeal further on grounds that the claim had not been made within the time limits.⁸

¹ WASPI webpage, [1950s women unfairly prejudiced by State Pension age changes](#)

² WASPI, [What are we campaigning for?](#), [accessed 2017]

³ WASPI, [“Our Ask”](#), [accessed May 2024].

⁴ The Backto60 group campaigned for a “full restitution” of State Pension payments to the age of 60 for women affected.

⁵ Commons Library briefing, [Increases in the State Pensions age for women born in the 1950s](#), 19 November 2021, section 4.3 for more detail on these arguments.

⁶ [R \(on the application of Julie Delve and Karen Glynn\) v the Secretary of State for Work and Pensions : \[2019\] FWHC 2552 \(Admin\), press summary](#), 3 October 2019

⁷ [R \(Delve and Glynn\) \(Appellants\) v Secretary of State for Work and Pensions \(Respondent\) \[2020\] ECWA Civ 2552 Admin, press summary](#), 13 September 2020

⁸ [Supreme Court, Permission to Appeal, March and April 2021](#)

3 Investigation into the communication of SPA increases

Separately to the legal challenge, the WASPI campaign encouraged women born in the 1950s who felt they had not been adequately informed about increases to their SPA to make complaints of maladministration, first to DWP's Independent Case Examiner (ICE) and then to the Parliamentary and Health Service Ombudsman (PHSO). The PHSO subsequently looked at six sample complaints to reflect the "range of issues" being complained about.

As well as complaints about a lack of adequate notice about these changes, the PHSO's investigation has also looked into complaints about financial loss owing to the DWP's inadequate communication about the number of years of National Insurance contributions required to receive a full State Pension, as well complaints that the DWP's and the ICE's handling of complaints had a negative effect on the complainants' emotional wellbeing.⁹

In [the report from the first stage of its investigation](#), published on 19 July 2021, the PHSO found that between 1995, when equalisation was legislated for, and 2004, "accurate information about changes to State Pension age was publicly available in leaflets, through DWP's pensions education campaigns, through DWP's agencies and on its website".

However, DWP research reporting in 2003/4 found low levels of public awareness about changes and that only 43% of all women affected by the changes knew their State Pension age was 65, or between 60 and 65 years. The PHSO found that, following this, the DWP failed to give due weight to consideration around research which demonstrated a need for "appropriately targeted" information. As a consequence, the PHSO found maladministration had taken place in 2005 and 2006 in terms of how the DWP notified women affected by the rise in the State Pension age from 60 to 65:

Despite having identified more it could do, DWP failed to provide the public with as full information as possible. DWP failed to make a reasonable decision about next steps in August 2005. It did not 'get it right'. And its failure to use feedback to improve service delivery meant it did not 'seek continuous improvement'. That was maladministration.

[...]

DWP then failed to act promptly on its 2006 proposal to write directly to affected women, or to give due weight to how much time had already been lost since the 1995 Pensions Act. It did not 'get it right' because it did not meet the requirements of the Civil Service Code, and it did not take all relevant considerations into account. And it failed again to use feedback to improve

⁹ Parliamentary and Health Service Ombudsman (PHSO), [Complaints about communication of changes to women's State Pension age](#), last updated 21 November 2023

service delivery and ‘seek continuous improvement’. That was also maladministration.¹⁰

It concluded that this maladministration led to a delay of 28 months before the DWP wrote directly to affected women about changes in their SPA. It therefore followed that “affected women should have had at least 28 months’ more individual notice of the changes”, which would have provided more opportunity for these women to adjust their retirement plans.¹¹

4

Next stages of the PHSO investigation, 2021-2023

The PHSO then progressed to the second stage of its investigation, to decide whether maladministration led to injustice.

In August 2022, the PHSO said it had shared its “provisional views” from the second stage of its investigation (deciding whether there has been injustice) with the six complainants, their MPs, the DWP, and the Independent Case Examiner (ICE), who were all being given an opportunity to comment. The PHSO said that in order to conclude this investigation as efficiently as possible, it was adjusting its usual approach by starting the third stage of its investigation early to “begin considering what action we think DWP should take to remedy the apparent injustice”. It would then publish its findings from the second and third stages of its investigation at the same time.¹²

On 8 December 2022, the PHSO reported it had “completed and closed” stage two of its investigation, but said it would only publish its full report once the full investigation was complete. It provided a summary of its stage two findings, which were that:

- there was maladministration in DWP’s communication about National Insurance qualifying years
- there was maladministration in DWP’s complaint handling
- there was no maladministration in the Independent Case Examiner’s (ICE) complaint handling

¹⁰ PHSO, [Women’s State Pension age: our findings on the Department for Work and Pensions’ communication of changes, HC 444](#), 19 July 2021, p6

¹¹ As above.

¹² PHSO, [Complaints about communication of changes to women’s State Pension age](#), as updated in August 2022

- maladministration in the DWP’s communication about State Pension age and about National Insurance qualifying years, and its complaint handling, did not lead to all the injustices claimed.

The PHSO said it was considering what actions the DWP should take to remedy the injustice found as part of the third and final stage of its investigation. The PHSO also said that it aimed to conclude its full investigation within the first three months of 2023.¹³

In February 2023, however, the WASPI campaign launched a judicial review challenge against the PHSO’s stage two report. They claimed that a finding in this unpublished report – that the sample claimants did not suffer direct financial loss as a result of DWP maladministration – was based on an “irrational” calculation. A full explanation of the WASPI campaign’s legal case is provided in [a press release about the judicial review challenge](#), published on 24 February 2023.¹⁴

Subsequently, following discussions between lawyers on behalf of the PHSO and the WASPI campaign, a settlement was agreed to, whereby the unpublished stage two report would be quashed and the PHSO would reconsider its findings.¹⁵ The High Court subsequently made [a Court Order \(PDF\)](#), dated 12 May 2023, which quashed the PHSO’s stage two report and provides for it to be reconsidered. Further information has been provided by the WASPI campaign in [an FAQs document](#), published on 14 April 2023.¹⁶

The PHSO updated their [webpage on this issue on 3 April](#) 2023 to say that it was “confident that we have completed a fair and impartial investigation”, but that as a result of the legal challenge it had agreed to look again at its stage two report. It noted that its final publication would be delayed as a result and it was unable to say when it would be available.¹⁷

5 The PHSO’s final report in March 2024

The PHSO published the final report of its investigation, [Women’s State Pension age: our findings on injustice and associated issues](#), on 21 March 2024. This combined stages two and three of its investigation.¹⁸

¹³ PHSO, [Complaints about communication of changes to women’s State Pension age](#), as updated in December 2022

¹⁴ WASPI, [Judicial review](#), 24 February 2023

¹⁵ WASPI, [Victory in the Judicial Review](#), 3 April 2023

¹⁶ WASPI, [FAQs regarding the Judicial Review and the PHSO’s acceptance of his legally flawed Stage 2 Report](#), 14 April 2023.

¹⁷ PHSO, [Complaints about communication of changes to women’s State Pension age](#), as updated in April 2023

¹⁸ PHSO, [Women’s State Pension age: our findings on injustice and associated issues](#), 21 March 2024

The report considered the injustice which had resulted from the maladministration identified in its previous July 2021 report, and set out its thinking about potential remedy.

It concluded that the DWP's handling of the State Pension age changes meant that "some women lost opportunities to make informed decisions about their finances," which "diminished their sense of personal autonomy and financial control."¹⁹ The PHSO also found maladministration in the way DWP had handled complaints: it did "not adequately investigate or respond to the complaints that it was considering or avoid unnecessary delay." This "caused complainants unnecessary stress and anxiety and meant an opportunity to lessen their distress was lost. For some complainants, it also caused unnecessary worry and confusion."²⁰

With regard to changes in the number of qualifying years needed for a full State Pension when the new State Pension was introduced in 2016, the PHSO said that although DWP had made "timely and accurate information" available, it had not adequately used research showing that too many people did not understand how they were affected to improve its service and performance. This was also maladministration, although it "did not lead to an injustice for the sample complainants."²¹

The report said that what the DWP had told the PHSO during its investigation led it to "strongly doubt it will provide a remedy", and that complainants had also told PHSO they doubted the DWP's "ability or intent to provide a remedy." The PHSO said that given the scale of the impact of DWP's maladministration, and the urgent need for a remedy, it was taking "the rare but necessary step" of laying its report before Parliament. The PHSO thought this would provide the quickest route to remedy for those who had suffered injustice because of DWP's maladministration.²²

It asked Parliament to "identify a mechanism for providing appropriate remedy" for the maladministration leading to injustice that it had identified. To these considerations, it shared its thinking, which was that:

- The DWP should acknowledge the maladministration the PHSO had found and apologise for the impact it has had on complainants and others similarly affected.²³

¹⁹ As above, para 12

²⁰ As above, para 9 and 18

²¹ PHSO, [Women's State Pension age: our findings on injustice and associated issues](#), 21 March 2024, para 13

²² As above, para 21

²³ As above, para 487

- The six sample complainants should be paid financial compensation at level 4 of the [PHSO's 'severity of injustice scale'](#) (PDF), which is £1,000 to £2,950.²⁴
- A remedy for others who had suffered injustice because of the maladministration should be identified. The [PHSO had previously said](#) that if it made recommendations to remedy, it would ask the DWP to apply them beyond the six complainants to “everyone who has been similarly affected by any failings we identify.”²⁵ It estimated that “compensating all women born in the 1950s at the level 4 range would involve spending between around £3.5 billion and £10.5 billion of public funds.”²⁶

6 The Government's position on the PHSO investigation and response to its findings

Governments since 2011 have responded consistently to broader criticisms of the policy to increase the SPA for women born in the 1950s by saying the issues were debated when the 2011 Act was before Parliament and that they would “make no further changes to the pension age or pay financial redress in lieu of a pension.”²⁷ They have also said that any further change to the policy would create new inequality between men and women and cause “younger people to bear a greater share of the cost of the pensions system.” This “would be unfair and undermine the principle of inter-generational fairness that is integral to our state pension reforms.”²⁸

During the course of the PHSO's investigation, the Government consistently declined to comment, saying it would be inappropriate to do so while the investigation is ongoing.²⁹ It also stated that it was cooperating with the PHSO in its investigation.³⁰

Following publication of the PHSO's final report, the Secretary of State for Work and Pensions, Mel Stride, gave the Government's initial response to the PHSO report in a statement to the House of Commons on 25 March 2024. Mr Stride did not commit to implementing the PHSO's recommendations. Instead,

²⁴ As above, para 489

²⁵ PHSO, [Complaints about communication of changes to women's State Pension age](#), as updated in November 2023

²⁶ PHSO, [Women's State Pension age: our findings on injustice and associated issues](#), 21 March 2024, paras 494 and 504

²⁷ [PQ 49721 \[State Retirement Pensions: Females\], 27 October 2016](#)

²⁸ [HC Deb 8 February 2018 c1693](#)

²⁹ [PQ 201325 \[State Retirement Pensions: Women\], 18 October 2023](#)

³⁰ [PQ 183885 \[State Retirement Pensions: Women\], 11 May 2023](#)

he said the DWP would take time to fully and properly consider the Ombudsman's findings, and that he would report back to the House “without undue delay.” He said:

The ombudsman has taken five years to produce his final report. As the chief executive of the ombudsman herself has set out, the DWP has fully co-operated with the ombudsman's investigation throughout this time and provided thousands of pages of detailed evidence. We continue to take the work of the ombudsman very seriously, and it is only right that we now fully and properly consider the findings and details of what is a substantial document. The ombudsman has noted in his report the challenges and complexities of this issue. In laying the report before Parliament, the ombudsman has brought matters to the attention of the House, and we will provide a further update to the House once we have considered the report's findings.³¹

Mr Stride also noted that the Court of Appeal had held that the High Court was entitled to conclude there had been “adequate and reasonable notification given by the publicity campaigns implemented by the Department over a number of years.”³²

There has been no further clarification on when the Government might issue its full response to the PHSO's report. In response to a parliamentary question from Stephen Morgan on the Secretary of State's planned timetable for responding to the findings and recommendations in the report, the Pensions Minister Paul Maynard said in a written answer on 1 May 2024 that “a further update to the House will be provided once the report's findings have been fully considered”.³³

The DWP received the PHSO's provisional views for comment in November 2023.³⁴ In its final report, published on 21 March 2024, the PHSO said that what DWP had told it during its investigation led it to “strongly doubt” that it would provide a remedy, because of:

The costs involved, the time it would take, the amount of resource it would involve, and the negative impact delivering a remedy would have on it being able to maintain other services. It told us it considers that providing remedy would be inconsistent with good administration or guidance published by HM Treasury (“Managing Public Money”). It also told us that using taxpayer funds to pay compensation for the consequences of the maladministration would

³¹ [HC Deb cc1280-1301](#)

³² The first PHSO report in July 2021 said that although the High Court had ruled that there was no legal duty to communicate changes in the State Pension age, this did not amount to a positive finding that the steps taken were adequate, and pointed out that the High Court had not and could not give a judgment “about what good administration required”: PHSO, [Women's State Pension age: our findings on the Department for Work and Pensions' communication of changes, HC 444](#), 19 July 2021, para 71

³³ [PQ 23268 \[State Retirement Pensions: Women\], 1 May 2024](#)

³⁴ [PQ 22116 \[State Retirement Pensions: Women\], 19 April 2024](#)

likely need parliamentary and Treasury approval and, potentially, primary legislation.³⁵

Complainants told the Ombudsman that they doubted “DWP’s ability or intent to provide a remedy.”³⁶ Their experience of making complaints to DWP had been that DWP did not “adequately investigate or respond to the issues complained about.”³⁷ The PHSO reported that each of the six sample complainants felt aggrieved with DWP’s response because it had “not acknowledged failings in its communication about their State Pension ages, and has not provided a remedy for its maladministration.”³⁸

On publication of the final report, the PHSO Chief Executive, Rebecca Hilsenrath said:

DWP has clearly indicated that it will refuse to comply. This is unacceptable. The Department must do the right thing and it must be held to account for failure to do so [...] Parliament now needs to act swiftly, and make sure a compensation scheme is established. We think this will provide women with the quickest route to remedy.³⁹

7

What level of compensation did the PHSO recommend?

The PHSO recommended level 4 compensation for the six complainants in line with its [guidance on financial remedy](#) (PDF), which is between £1,000 and £2,950. This is to remedy a “significant and/or lasting injustice that has, to some extent, affected someone’s ability to live a relatively normal life”. The PHSO’s guidance notes the following about the principles used in determining how it decides what to recommend:

In deciding what to recommend, we look to put the person affected back into a position where they would have been, had there not been a negative impact on them. If this is not possible, for example where the injustice is distress or unnecessary pain, we may suggest a financial payment to the complainant instead. To assist us in considering an appropriate level of financial remedy, as well as casework policy and guidance, we use our severity of injustice scale (our scale). We also refer to previous cases where we have made similar recommendations. This is called our Typology of Injustice. In determining an appropriate amount to recommend, we take into consideration financial

³⁵ PHSO, [Women’s State Pension age: our findings on injustice and associated issues](#), 21 March 2024, para 481

³⁶ As above, para 21

³⁷ As above, para 250

³⁸ As above, para 455

³⁹ PHSO, [DWP failed to adequately communicate changes to Women’s State Pension age](#), 21 March 2024

amounts recommended or already paid by other organisations, awarded by courts, or paid following mediation before legal action.⁴⁰

The PHSO acknowledged that not all women born in the 1950s would have suffered injustice. Some were aware their SPA had changed and some would not have had the opportunity to do things differently in any case. However, there would still be “a significant number of women born in the 1950s who had also suffered injustice because of maladministration in DWP’s communication about the 1995 Act.”⁴¹

The PHSO reported that the impact maladministration had on women would have varied by circumstance. This might depend on how much their State Pension age had risen (in some cases weeks, in other cases, years) and how close to 60 they would have been when DWP should have written to them.⁴² The PHSO added that other factors included women’s employment status, caring responsibilities, health and domestic life. How these factors interacted would vary from person to person.⁴³

The PHSO said that, as a matter of principle, redress should reflect individual impact. However, in this case, it stated that the numbers affected, the need for remedy to be delivered without delay, and the cost and administrative burden of assessing potentially millions of individual women’s circumstances “may indicate the need for a more standardised approach”:⁴⁴

Compensating all women born in the 1950s at the level 4 range would involve spending between around £3.5 billion and £10.5 billion of public funds, though we understand not all of them will have suffered injustice. Our Principles for Remedy acknowledge that public bodies need to balance responding appropriately to people’s complaints and acting proportionately within available resources. But they also say finite resources should be used as an excuse to provide a fair remedy.⁴⁵

The PHSO said it could not recommend remedies for any losses not resulting from maladministration, which meant it could not consider the impact of changes in the law about SPA.⁴⁶ It also distinguished between direct and indirect financial loss:

- **Direct financial loss** is the “loss of money someone would have been entitled to if the maladministration had not happened.” For example, how much benefit someone would have been paid without the maladministration, and

⁴⁰ PHSO, [Our guidance on financial remedy](#) (PDF) p4

⁴¹ PHSO, [Women’s State Pension age: our findings on injustice and associated issues](#), 21 March 2024, Paras 495-7

⁴² As above, paras 498-99

⁴³ PHSO, [Women’s State Pension age: our findings on injustice and associated issues](#), 21 March 2024, para 500

⁴⁴ As above, para. 502

⁴⁵ As above, para 504

⁴⁶ As above, paras 342-4

- **Indirect financial loss** is dependent on choices an individual would have made if the maladministration had not happened.⁴⁷

The PHSO found, for example, that the DWP's maladministration in the communication of the SPA changes resulted in indirect, rather than direct, financial loss. It also said that it did not think "a longer period of notice would necessarily have meant women having greater chances to do something different."⁴⁸

8 Will the PHSO's recommendations be implemented?

The PHSO is not able to enforce its recommendations on Government. Government departments are often able to come to agreement with the PHSO on an acceptable outcome. If the PHSO believes that an injustice has been done that is unlikely to be remedied it can make a report to Parliament, which it has done in this case. The Public Administration and Constitutional Affairs Committee (PACAC) might follow up any special report made to Parliament, and hold oral hearings. However, an inquiry is not a requirement in House of Commons Standing Orders.⁴⁹

On publishing the PHSO's final report, the PHSO Chief Executive Rebecca Hilsenrath wrote to several select committee chairs, including the chair of PACAC on 21 March to "consider what mechanism is the most effective for delivering justice to the women who are affected and for holding DWP to account."⁵⁰

The chair of PACAC, Dame Jackie Doyle-Price, [wrote to the Secretary of State on 14 May 2024](#) (PDF) to express the Committee's disappointment that the Government had not given a target date for publishing its response to the PHSO's report.⁵¹

⁴⁷ As above, para 348

⁴⁸ As above, para 500

⁴⁹ Commons Library briefing [The Parliamentary Ombudsman: role and proposals for reform](#)

⁵⁰ Work and Pensions Committee, [Letter from Rebecca Hilsenrath to William Wragg MP, 21 March 2024 \(PDF\)](#)

⁵¹ Public Administration and Constitutional Affairs Committee (PACAC), [Letter from Dame Jackie Doyle-Price MP to Mel Stride, 14 May 2024 \(PDF\)](#)

9

How did the WASPI campaign respond to the PHSO's final report?

In evidence to the Work and Pensions Committee, the WASPI campaign supported the PHSO's report overall. In written evidence, it described the PHSO's final report as “not perfect”, but that it “got many basic things right.”⁵² In oral evidence to the Committee given on 7 May 2024, the WASPI chair, Angela Madden, said:

[...] we are pleased with the report. It has identified that there was maladministration—big tick for us. It has identified that the remedy should be compensation—big tick for us. It has also laid the report before Parliament, which we are really happy with because we feel that Parliament is the right place for that decision to be made.⁵³

She noted, however, that the level of compensation recommended in the report is “on the low side”. In its written evidence to the Committee, WASPI also argued that the PHSO had been “very conservative” in many of its findings on injustice and modest in its approach to remedies. It also described the PHSO's approach to direct financial loss as “narrow”, which it did not understand. It said that any compensation system should be based on the following principles:

Speedy—with 1950s-born women dying every day, there must be no delay. The system must be established and working within weeks, not years, and capable of making rapid, straightforward, comprehensible decisions. The lessons of the Windrush compensation scheme must be learned.

Simple—the simplicity of the system must go hand in hand with its speed. Women should be able to input basic, easily verifiable eligibility information online or using a short form. They should be always given the benefit of the doubt.

Sensitive—we agree with the Ombudsman that any compensation scheme dependent on detailed enquiries into the circumstances of individual 1950s-born women would delay—and so deny—justice. However, there are two clear quantitative indicators which would assist in ensuring that any compensation scheme is sensitive to differing circumstances. They are, first, how much notice each woman ought to have had of the changes to their State Pension age, and secondly, how long they had to wait until their State Pension age.⁵⁴

Given the different circumstances of affected women, WASPI said that a flat rate of compensation would be “arbitrary”, but that a fair system could be

⁵² Work and Pensions Committee, [Written evidence from WASPI to Work and Pensions Select Committee \(WSP00001\), April 2024](#)

⁵³ Work and Pensions Committee, [Oral evidence: PHSO Report on women's State Pension age, HC70, 7 May 2024, Q3](#)

⁵⁴ Work and Pensions Committee, [Written evidence from WASPI to Work and Pensions Select Committee \(WSP00001\), April 2024](#)

designed to take account of different factors. This, it argued, should also not be capped at the PHSO's proposal of compensation paid at level 4 of its guidance on financial remedy.⁵⁵

In oral evidence to the Work and Pensions Committee on 7 May 2024, Jane Cowley, the WASPI campaign director, elaborated on the approach the campaign would recommend. She stated this should be “two-pronged”, with one prong “operating quickly, swiftly and easily” with recommended levels of compensation tailored to the length of notice provided to affected women about the change in their State Pension age, and the other prong would be for more difficult and complicated cases which would take longer to process.⁵⁶

At the same oral evidence session, Rebecca Hilsenrath of the PHSO responded that this suggested two-tier approach was “interesting” and that “there might be room within that space for some sort of low-level immediate payment with a provision for further payment beyond that.” She also noted that the PHSO's findings and recommendation for remedy at level 4 were based on the six sample claimants and that the PHSO were “not ruling out the fact that there might be other elements, other cases where a different level of compensation might be appropriate.” She also noted it was not just about the amount of notice and that there were “lots of different factors” to be considered for each affected woman to assess how they were impacted.⁵⁷

10

Work and Pensions Committee's response

Following its evidence session on 7 May 2024, the chair of the Work and Pensions Committee, Sir Stephen Timms, wrote to the Secretary of State on 15 May 2024, to say the evidence the Committee had seen “indicated support for a rules-based system” and outlined this two-pronged approach:

This would be a system where payments would be adjusted within a range (based on the PHSO's severity of injustice scale) to reflect the extent of change in the individual's State Pension age and the notice of the change which the individual received. This would mean that the less notice you had of the change and the bigger the change in your SPA, the higher the payment you would receive.

[...]

Beyond this, there should be some flexibility for individuals to make the case, after they have received the payment using the rules-based system we have outlined, that they experienced direct financial loss and that they are therefore

⁵⁵ As above

⁵⁶ Work and Pensions Committee, [Oral evidence: PHSO Report on women's State Pension age, HC70](#), 7 May 2024, Q14

⁵⁷ As above, Q61-62

due a higher level of compensation. Such a system would need specific criteria for people to be able to apply.

He asked that the Government bring forward proposals for a remedy “by the summer recess.”⁵⁸

11

Other proposals for action

The [All-Party Parliamentary Group \(APPG\) on State Pension Inequality for Women](#) has campaigned in support of affected women born in the 1950s. In January 2022, it [published a submission to the PHSO’s investigation](#) (PDF). This welcomed the PHSO’s findings of maladministration in July 2021, although it noted “several 1950s-born women and campaigning groups have approached the APPG and argued that the timeline for maladministration outlined by the PHSO does not reflect the larger scale injustice committed by the DWP.”

It therefore recommended that the PHSO “broaden its timeline of maladministration” to include what it believed to be injustices prior to 2004 and offered to provide further evidence of this. It argued that the level of injustice suffered by affected women merited compensation in line with level 6 in “severity of injustice” scale:

It is the APPG’s view that not only has DWP maladministration impacted on 1950s-born women financially, but it had also caused extraordinary emotional, physical and psychological distress to the cohort. We feel that the injustice caused by maladministration falls squarely in Level 6 on the category of injustice scale. We believe that it is clear, both through our own work as a group and individual work as parliamentarians, that there has been “profound, devastating or irreversible impacts” on 1950s-women, and that these impacts have been widespread and have forced 1950s-born women to endure a reduced quality of life for a considerable period.⁵⁹

More recently, under the [Ten Minute Rule](#) in the House of Commons, Alan Brown MP (SNP) moved to introduce a Private Members’ Bill on 7 February 2024 “to require the Secretary of State to publish proposals for a compensation scheme for women born between 6th April 1950 and 5th April 1960 inclusive who have been affected by increases in the state pension age” – the [State Pension Age \(Compensation\) Bill 2023-24](#).

This Bill would require the Secretary of State to publish proposals for a compensation scheme for 1950s women within three months of the Act coming into force, covering eligibility, the amounts of compensation, how they would be administered and the timeframe for compensation. It proposes

⁵⁸ Work and Pensions Committee, [Letter from Sir Stephen Timms MP to Mel Stride](#), 15 May 2024 (PDF)

⁵⁹ APPG on State Pension Inequality for Women, [Submission to the PHSO investigation into communication of changes to women’s State Pension age](#), January 2022 (PDF)

a remedy at different levels of the Ombudsman’s severity of injustice scale, based on date of birth as follows.⁶⁰

Dates of birth	Range of changes to state pension age	PHSO compensation scale
6 April 1950 to 5 April 1951	Between 1 day and 1 year	Levels 1 (£0) and 2 (£100-£450)
6 April 1951 to 5 October 1952	Between 1 year, 1 day and 2 years	Level 3 (£500-£950)
6 October 1952 to 5 April 1953	Between 2 years, 1 day and 3 years	Level 4 (£1,000-2,950)
6 April 1953 to 5 December 1953	Between 3 years, 2 months, 1 day and 5 years	Level 5 (£3,000-£9,950)
6 December 1953 to 5 April 1960	Between 5 years, 2 months, 1 day and 6 years	Level 6 (£10,000 or more)

Mr Brown said that purpose of the Bill was to provide parliamentary intervention to force the Government’s hand in the event the DWP “still will not admit its failure to communicate adequately and its maladministration” when the PHSO concludes its investigation. He stated the Bill would deliver a “simple framework” of “fair and fast compensation.”⁶¹

The Bill received its First Reading stage and is [scheduled for Second Reading on 17 May 2024](#). The text of the Bill was published on 23 April 2024.⁶²

⁶⁰ [State Pension Act \(Compensation\) Bill, 2023-24](#)

⁶¹ [HC Deb 7 February 2024 cc275-278](#)

⁶² [State Pension Act \(Compensation\) Bill, 2023-24](#)

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