WASPI

Guide to DWP complaints

STAGES 3 AND 4

INTRODUCTION

This Guide is for women born in the 1950s who have been affected by the changes to State Pension Age ('SPA'). Some of those changes were made two decades ago, others are more recent, but none were properly communicated to affected women. Many women were therefore left unaware of the changes until it was too late to allow them to make necessary changes.

If you have already made a complaint to the DWP then this Guide will help you pursue that complaint to the next stage and to address the response (or responses) that you have received from the DWP. The Guide may also assist those who are at the start of the process and who are yet to raise their concerns with the DWP. It includes draft text and some example responses that deal with many of the matters that have been raised by the DWP to date. This Guide is necessarily quite lengthy and detailed, but to help you navigate your way through it, we have included a section called 'How to use this Guide' to help you identify those parts which are most relevant to your complaint. You may also want to read WASPI's Guide to DWP maladministration in conjunction with this guide for further background information about the issue. This can be found on the WASPI website.

The Guide focuses on how the changes to SPA were communicated to women. **Complaints should not focus on the fact the changes were made, which was a decision of Parliament, and therefore cannot be considered maladministration. Instead, they should focus on how the changes were communicated, which is the responsibility of the DWP.**

There are other changes that were potentially unfair for some women, including National Insurance contributions; Pension Credit; contracting out; transitional arrangements to the new State Pension (post-2014 Act); and Bereavement Allowance (previously, Widow's Pension). If you were affected by these, then you can include them in your complaint.

It is essential that you are accurate and honest in respect of the account you give in any complaint.

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HOW TO USE THIS GUIDE

This Guide is designed to help those who have already completed Stages 1 and 2 of the DWP complaints process, to take their complaints on to Stages 3 and 4 of the process.

If you haven't yet started your complaint, then go to the Action page on the WASPI website, where you will find full details and template letters to use. Once you have completed Stages 1 and 2 of the DWP complaints process, then you can return to this guide to take you on to Stages 3 and 4.

Making or pursuing a simple complaint

If you have very limited time, then the simplest way to pursue your complaint is to follow the process set out at page 8: The simplest form of complaint. But, if you want to make sure that your complaint is as effective as possible, we recommend that you follow the further steps set out below.

Making or pursuing a detailed complaint

To make a more detailed complaint, you will need to follow the additional steps (steps A – G) set out below. As you will see, the Guide gives information concerning the different ways in which the DWP says that they have told women about changes to their SPA.

Each section explains how you might respond to the Stage 1 and 2 replies which you have already had. Your response will be different according to which particular communications you received from the government about changes to your SPA, so you will need to know what information you were sent or saw.

The structure of a detailed complaint, and this Guide, is therefore as follows:

A. Introducing your complaint (A.1 – A.2)
B. Confirming what you are complaining about (B.1 – B.2)
C. Explaining why there has been maladministration (C.1 – C.2)
D. Setting out the matters raised in the DWP's response (D.1 – D.20)
E. Explaining the injustice caused to you by the DWP's maladministration (E.1 – E.9)
F. Explaining the remedies you are seeking for the injustice you have suffered (F.1 – F.8)
G. Concluding your complaint

THE DWP COMPLAINTS PROCESS

You may already have sent your first two letters to the DWP and received answers to them. Here is just a reminder of what those first two stages entailed:

Stage 1 – Raising your concerns

The first thing you did was to write to the DWP to express your concerns. WASPI issued guidance on how to do so.

The first stage was to complain direct to the DWP:

The Pension Service
Department for Work & Pensions at Caxton House
Tothill Street
London
SW1H 9DA

There were three essential parts to expressing your concern:

a. Explaining what went wrong (i.e. what maladministration occurred);
b. Explaining how this affected you; and
c. Explaining what you would like the DWP to do as a result.

WASPI produced a template letter for this stage of the process, which can be found on the 'Action' page of their website.

Stage 2 – Complaint Resolution Manager

After that, and if you were dissatisfied with the response from the DWP, then the second stage was to make a formal complaint regarding the response you received to a Complaint Resolution Manager. This should be sent to:

The Pension Service 8
Post handling site B
Wolverhampton WV99 1AN

WASPI also produced a template letter for this stage of the process, which can be found on the 'Action' page of their website.

You should have received a Stage 2 response within 15 working days. If you did not you should immediately chase the DWP for a reply.

NB. The DWP describes this stage as 'Stage 1' of its process (as they do not treat the first stage outlined above as an official stage in their complaints process). As far as WASPI are concerned, however, you have completed 'Stage 2' when you have sent two letters to the DWP, as described in Stages 1 and 2 above.

If you are dissatisfied with the Stage 2 response, you then can pursue the complaint to Stage 3. You should begin this process as soon as possible and within the time period specified on any response.

It's at this point, Stage 3, where you will need to start to follow the advice in this Guide closely, as this is where we move on to the next stages in the complaints process. We have produced sample letters for stages 3 and 4 of the complaints process to help you and these can be found at Appendices 1 and 2 to this Guide. However, we advise you to write your own and that you look at sections A to G below for further advice about what you might wish to say.

The next stages in the complaints process are as follows.

Stage 3 – Director General ('the independent internal review')

The third stage is to request a review of your complaint by the Director General. This should be sent to:

The Department for Work and Pensions
Director General
PO Box 50101
London SW1P 2WU

You should receive a Stage 3 response within **15 working days**. If you do not, you should chase the DWP for a response.

If you are dissatisfied with the Stage 3 response, you can pursue the complaint to Stage 4. You should begin this process as soon as possible and in any event within 6 months of receiving the reply to your stage 3 complaint.

Stage 4 – Independent Case Examiner

The fourth stage is to request a review of your complaint by an Independent Case Examiner ('ICE'). This should be sent to:

Independent Case Examiner
PO Box 209
Bootle L20 7WA
Phone: 0345 606 0777
Web: www.gov.uk/ice

There is no specific requirement for an ICE to respond within a particular timeframe. However we understand the ICE has typically been responding to complaints in these cases relatively quickly. Their practice to date has been for an 'Initial Action Case Manager' to contact women, either by telephone or by letter, to ask what their complaint is about.

If you are contacted by phone you are likely to receive an initial call in which you will be asked to choose a password to be used in a follow-up call by an ICE investigator. During the second phone call, you will be asked to confirm whether or not your complaint is that:

> *"The Pension Service has since 1995, failed to provide you with timely and appropriate information relating to changes in your state pension age."*

Understandably, many women would prefer not to communicate by phone. If that is the case for you, then you may ask for all correspondence to be conducted in writing. However, if you are content to speak with the Initial Action Case Manager on the phone, we set out below how you might wish to respond.

We understand that women who are contacted by the ICE in writing, are being given two weeks in which to respond. WASPI are looking into how these deadlines may be extended to ensure you are not unfairly prevented from pursuing your complaints. However, in the meantime, unless an extended deadline is agreed, you MUST meet the existing deadline because if you don't this may result in your complaint being either rejected, or limited to the issue described above.

When you reply to the ICE, it is important to ensure that they understand the broad nature of your complaint. In many cases, your complaints will have included details of a wide range of

maladministration. This might include, for example, being given incorrect information by the DWP call centre, relying on inaccurate information on the DWP website, or specific delays in receiving information you have sought, such as optional state pension forecasts. If you complained about any of these things it is important that you ask the ICE to consider those aspects of your complaint. In addition to this, you should consider explaining the following to the ICE:

At the moment, I do not have full information about the way that the DWP communicated with women in my position about their state pension entitlements. However, there definitely should have been enough information given to me and others in my position to enable us to make informed choices about our future income early enough for those choices to make a real difference to our situation now, in 2017, and in the future. That did not happen. I believe this was maladministration. This is what my complaint is all about and it should not be narrowed down to whether or not, or when, I was notified of my SPA.

If they continue to ask about this, you might say something like:

I have set out my main complaints in my letter based on what I know to date, but as I have said, that is not my whole complaint. Women like me should have been given enough information to enable us to make informed choices about our future income, early enough for those choices to make a real difference to our situation now and in the future.

We would recommend that you keep a written, dated record of your phone call with the ICE.

If you are responding to a letter from the ICE, you may also want to follow the instructions above, but do so in writing. WASPI have created a template letter to assist you to do so.

If for any reason, you are not contacted by the ICE in response to your complaint, you should chase for an acknowledgment and confirmation of how long it should take. If you are told it will take more than three months, you should inform WASPI.

If the ICE has completed its investigation and you have received a substantive response and remain dissatisfied, then the next stage is to pursue the complaint to the Parliamentary and Health Service Ombudsman (the 'Ombudsman').

Pursuing a complaint to the Ombudsman

Once you have exhausted the DWP's complaints process, you can seek to make a complaint to the Ombudsman. The law says that you need an MP to refer the complaint to the Ombudsman when it is about a UK government department or another UK public organisation. If you want to pursue your complaint, please go to the Ombudsman's website and fill in the form for complaining about a government department. You will need to ask an MP to complete the last section of the form. You can find out who your local MP is here.

As WASPI have indicated in their advice it is a good idea to contact your MP before sending your Stage 2 complaint. However, if you have not yet done so, you should write to your MP or attend their constituency surgery as soon as possible after receiving a response from the ICE, to find out if they will support your complaint.

WASPI is also currently liaising with supportive MPs to identify those who may be willing to make a group complaint on behalf of women outside of their constituency, as it is hoped it will be possible for WASPI to co-ordinate a group complaint on behalf of many women with the support of as many local MPs as possible. If your local MP is not supportive of your complaint, you should contact your local group coordinator.

Where there is significant delay in the DWP's complaints process, it may be possible to complain to the Ombudsman regarding such delay. If you are concerned about delay in your case, you should let your group coordinator know and watch out for general communications from WASPI.

Further information about making a complaint is on the Ombudsman's website.

THE SIMPLEST FORM OF COMPLAINT

If you have already received a response from the DWP to your complaint at Stages 1 and 2, then you may want to respond to each of the points they have raised in their reply or replies. The remaining parts of the Guide (described in steps A - G below) will help you to address those points. However, you do not necessarily need to do so. At its simplest, you can pursue the complaints process simply by doing the following:

a. Introducing your complaint as set out in A.1 below;

b. Confirming that you are dissatisfied with how the DWP has responded to your concerns and that you wish them to undertake a review;

c. Confirming that you consider the failure properly to inform you of the change to your SPA in a timely manner constitutes maladministration and asking the DWP to read the WASPI Guide to Maladministration;

d. Explaining the injustice that has occurred to you as a result (see E.1 – E.9 below);

e. Confirming what you would like the DWP to do as a result (see F.1 – F.8 below).

There is a template for the simplest form of complaint at Appendix 3.

If you would prefer, however, to deal with the maladministration that occurred in more detail, then the remainder of this Guide will assist you to do so.

THE GUIDE FOR THOSE WHO HAVE COMPLETED STAGES 1 AND 2 OF THE DWP COMPLAINTS PROCESS

A Introducing your complaint

A.1 You should start your complaint with the purpose of your letter. For example:

I write in respect of the letter from [NAME], [TITLE], dated [DATE] and [LIST ANY PREVIOUS LETTERS], copies of all of which are enclosed. I am not satisfied with the response of the Department of Work and Pensions ("DWP") and would therefore ask you to consider it in accordance with the DWP's complaints policy.

A.2 You should then give a brief summary of the issue and how it has affected you, by way of introduction to your complaint. For example:

My complaint relates primarily to the extent of notice I received regarding the changes to my State Pension Age ("SPA") since 1995. I was born on [DATE]. For most of my working life, I had expected that I would reach SPA when I turned 60 on [DATE]. I planned my affairs accordingly.

It was only in [YEAR], just over [HOW LONG] before I turned 60, that I was informed that my SPA would, in fact, be [NEW SPA]. As a result I [DID/WILL] not reach my SPA until [DATE], more than [HOW LONG] after I had planned. As I explain below, the failure to provide me with proper and accurate notification of this change has caused me serious injustice and hardship, which the DWP has refused to acknowledge and remedy.

The reasons why I consider this failure constitutes maladministration are set out in my previous letters, but I summarise these again below in the context of addressing the responses I have received from the DWP.

B Confirming what you are complaining about

B.1 Many of the DWP's responses repeat that the changes to SPA were determined by Parliament and cannot be addressed through a complaint. If they have done so in their response to you, you should confirm that you are complaining about the failure to communicate those changes properly. For example:

Contrary to what is said in your letter, I have made entirely clear that I am not challenging (through the complaints process) the change itself, but rather the manner in which it was communicated. I would be grateful if any future letter could address the matters about which I am actually complaining.

B.2 Some DWP responses also refer to the changes made in 2011 even though those changes did not affect the women making the complaints. If you were born before 5 April 1953, you could add:

Moreover, the 2011 changes are of no relevance to me given they did not affect me and cannot therefore provide any justification for a shorter notice period.

C Explaining why there has been maladministration

C.1 You should then explain why there has been maladministration. There is no formal legal definition for maladministration, but it is defined by the DWP as "situations in which we have not acted properly or provided a poor service. For example: wrong advice, discourtesy, mistakes and delays."[1]

C.2 You could consider using the following introduction to this issue:

The DWP has accepted, and it has previously been found by the Parliamentary and Health Service Ombudsman, that the DWP has an obligation to communicate significant changes to pensions law and to do so in a manner that is "timely, complete and accurate" in order to ensure that an informed choice can be made by affected individuals.

That has clearly not occurred in this case given the matters set out below and previously in relation to my particular case. More generally, I would note that the then Pensions Minister, Steve Webb MP accepted in 2013 that many women were not made aware of the changes made by the 1995 Act. This was despite the Government's recognition at the time of the 1995 Act of the importance of allowing time for women to make arrangements to adjust for the changes. The need for appropriate notice periods has been emphasised by various bodies since then, including the Turner Commission, whose recommendations in this area were broadly accepted by the then Government. As emphasised by the House of Commons Work and Pensions Committee in its 2016 Report on the Communication of SPA Changes:

"We will never know how many women did not know, or could not reasonably be expected to know that their SPA was increasing. What is apparent with hindsight is that previous governments could have done a lot better in communicating the changes. Well into this decade far too many affected women were unaware of the equalisation of SPA at 65 legislated for in 1995. While the last and current Governments have done more to communicate SPA changes than their predecessors, this has been too little, too late for many women, especially given increases in the SPA have been accelerated at relatively short notice. Many thousands of women justifiably feel aggrieved."

The failure properly to communicate such changes to me clearly amounts to maladministration on the part of the DWP: it has been "too little, too late". There can be no justification for not attempting personal communications regarding the changes for 14 years or more.

D Setting out the matters raised in the DWP's response

D.1 You should set out the matters on which the DWP is seeking to rely in rejecting your complaint. You will need to check the responses the DWP has sent to you to find out which ones have been used by them in your case. They tend to include some or all of the following (in date order) and you will only need to respond to the ones the DWP has referred to in its responses:

a. publishing Leaflet EQP1A "Equality in SPA – A summary of the changes" (July 1995) (the "1995 Leaflet");

b. running a pensions education campaign in 2004 (the "2004 Campaign"), which included information on the future equalisation of SPA;

c. issuing around 16 million Automatic state pension forecasts ("ASPF letters") between 2003 to 2006 accompanied by a leaflet on SPA (the "SPA Leaflet"), which included information on how it was increasing for women;

d. from April 2009 to 2011 sending letters to women born between 6 April 1950 and 5 April 1953 informing them of the SPA changes;

e. writing to all those directly affected by the 2011 changes informing them of the change to their SPA, which was completed between January 2012 and November 2013; and

f. issuing optional state pension forecasts on request since 2000.

D.2 Suggestions for responding to each of the matters on which the DWP may seek to rely are set out below. You should respond to each issue the DWP has raised in its response to you in turn:

Pensions Act 1995 and the 1995 Leaflet

D.3 All women born after 6 April 1950 were affected by the Pensions Act 1995, which equalised SPA for men and women.

D.4 **If you were aware of the changes in 1995:** you should explain how you first heard about the proposal to change the SPA. You should explain what you understood about your own SPA from this coverage. If you were aware of the change to SPA, then you may not have a strong claim for maladministration, but this will depend on what you understood about the change at the time.

D.5 **If you were unaware of the proposed equalisation of SPA in 1995:** you should note this fact and give some explanation. For example:

I was unaware of the proposed changes at the time of the passage of the Pensions Act 1995 through Parliament. I have since learned that there were apparently a small number of press stories at the time reporting on the proposed changes to SPA as they were passing through Parliament, but I did not see these then. Even if I had, I do not consider that press reports would have been a sufficient means of the Government informing me of significant changes to my pension. I would have anticipated that where there were substantial changes to my rights, the Government would notify me directly.

You refer to the fact that the Government produced a leaflet called EQP1A "Equality in SPA – A summary of the changes" at this time, which set out the plans to equalise SPA. I was never sent a copy of this leaflet. I did not even know of its existence until very recently. I understand that the Government did not send this leaflet to those affected by the changes in the 1995 Act, but instead relied on women to request a copy from their local benefits agency. I had no reason at all to request such a leaflet, because [I was unaware of these changes / I had no contact with the Benefits Agency as I was in work throughout that period / I had no reason to believe that my SPA was not 60, as it had been throughout my life].

The Government claimed in its evidence to the House of Commons Work and Pensions Committee that this leaflet was enclosed with responses to all voluntary requests for State Pensions Statements from July 1995 onwards. [I did not make a voluntary request for a State Pension Statement / I requested a State Pension Statement but did not receive a leaflet / I requested a State Pension Statement but do not remember receiving a leaflet.]

Pensions Education Campaign (2001 – 2004)

D.6 The DWP has also relied upon a pensions education campaign that ran between 2001 and 2004, but has accepted that only a very small part of this campaign related to the changes to SPA.

D.7 **If you saw any of the Government's campaign materials:** you should explain what you saw, where and when (e.g. TV or press adverts, magazine 'advertorials', a 'women's pensions pack' or the Government's online pensions calculator). You should also explain what you learned and whether there was sufficient information to allow you to understand what the changes to SPA would mean for your own situation. If there was not sufficient information to do so, then you will need to make that clear.

D.8 **If you never saw any of the Government's campaign materials:** you should state that fact and explain, if you can, why you might not have seen any of these materials. You might also want to note that survey evidence suggests many women did not see these materials or understand their relevance to their own situation. For example:

I have no recollection of any of the education campaign the Government claims to have conducted between 2001 and 2004, and understand I am not alone in this respect.

In 2004, the DWP published a research report 'Public awareness of SPA equalisation'. The research was intended to contribute to the design of the DWP's marketing campaign about the future equalisation of SPA and to improve the DWP's understanding of when people engage with issues regarding state pensions (although nothing further was done to try and communicate these changes until 2009). It found that only 43% of all women who would be affected by the increase in SPA were able to identify their SPA. This fell even lower for women who were out of work (46% v 36%) and for those in routine or manual work, as opposed to those in managerial/professional occupations (46% and 38% respectively). The Report noted that this low level of awareness was:

"a cause for concern and showed that information about the increase in SPA is not reaching the group of individuals who need to be informed the most."

Automatic state pension forecasts (May 2003 – November 2006)

D.9 The Government has repeatedly relied on the fact that 'Automatic State Pension Forecasts' ("ASPFs") were sent to women between 2003 and 2006.

D.10 **If you received an ASPF:** you should:

a. explain when you received it;

b. if you can remember or if you still have a copy of the letter, indicate whether or not your letter contained any information about your own SPA;

c. indicate whether you were aware of the information contained in the enclosed leaflet and whether or not you requested a copy of the 'Pensions for Women – Your guide' (PM6) referred to in that leaflet

d. If you did not request a guide, you could explain why you did not make such a request - for example, you may not have realised the significance of the enclosed leaflet if you had always believed your SPA to be 60, or you may have thought that important information about changes to your SPA would be featured more prominently in the letter, rather than only available on request.

D.11 **If you did not receive an ASPF:** You should note this fact and, if you are able to, you might explain why you think this is the case. For example, you may have moved house and the HMRC (whose records were used to obtain address details) may not have had an accurate record of your address.

Government letters (April 2009 – 2013)

D.12 The Government has been keen to emphasise in respect of these complaints that those affected by the changes to SPA in the 1995 and 2011 Acts were notified directly by the DWP by direct mailing between April 2009 and 2013. You should address in your complaint whether or not you received such a letter and what you understood from that letter. You might also want to question why, given the results of the survey in 2004, nothing further was done until 2009. For example:

In light of the results of the survey in 2004 described above, it is inexplicable that nothing further was done until 2009, when you began to send letters to women affected by the SPA Changes. I consider this to be an acknowledgment by the Department that, prior to this time, many if not most women were unaware of the changes. Why else would there be a need for a personalised letter?

D.13 **If you received a Government letter between April 2009 and 2013:** you should:

a. explain when you received the letter (how old you were and how long there was until you turned 60);

b. set out whether or not you read the letter and the accompanying leaflet and, if so, what you learned about your SPA from this letter;

c. highlight whether or not this was the first notification you received about the change to your SPA; and

d. If you were born after 5 April 1953, then you may also consider complaining that the letters were paused while the 2011 Act went through Parliament causing further unnecessary delay.

D.14 **If you did not receive a Government letter between 2009 and 2013:** you should:

a. confirm you did not receive a letter; and

b. explain why this might be - you may want to refer to the way in which the mailing was conducted, in particular to the fact that the Government did not confirm the addresses they used were accurate and current, and did not take any action with respect to letters that were returned to them unreceived.

Pensions Act 2011

D.15 The purpose of the Pensions Act 2011 ("the 2011 Act") was to bring about faster equalisation of men's and women's SPAs and to accelerate the timetable for the rise of SPA to 66. It affected those born

after 6 April 1950 and before 6 April 1960.

D.16 To the extent it affected you, you should note how and when you became aware of the Government's plans to accelerate the equalisation of SPA. This might be through the letters referred to above.

Optional state pension forecasts

D.17 In defending its position, the DWP has repeatedly referred to the fact that women could request optional state pension forecasts that would have informed them of any changes to their SPA.

D.18 **If you requested and received a state pension forecast;** you should:

a. explain when this request was made and the forecast received;

b. whether you identified from the forecast that your SPA was changing;

c. if you did not identify that your SPA was changing, you should explain why – this may just be that you did not see this information as it was not the information you were looking for and the change was not drawn to your attention;

d. if you still have the forecast, it may be helpful to look at it again and explain where your SPA was communicated within the document and whether any attention was drawn to the change.

D.19 **If you requested, but did not receive a state pension forecast:** you should explain when this request was made and, if you know, why you never received the forecast. For example, we understand that for a period in 2007 and 2008, the Pension Service computer systems were being updated and such forecasts were not therefore issued at this time.

D.20 **If you never requested a state pension forecast:** you should note this fact and, if possible, explain why you never requested such a forecast – this might, for example, be because you believed you understood when your SPA would be and how much would be paid, and you had no reason to suspect it had changed.

E Injustice

E.1 You should consider and explain in your letter what injustice has occurred as a result of the DWP's maladministration and the fact that it has been caused by the maladministration of the DWP.

E.2 There are likely to be at least four types of injustice that women may have experienced as a result of the DWP's maladministration:

a. Lost opportunities to make informed choices when considering pensions, savings or employment options and/or to take remedial action in relation to an increase in SPA due to misleading and incomplete information provided by the DWP regarding the increase;

b. Financial loss of the amount that was expected to be received between the expected SPA and the actual SPA;

c. A sense of outrage because the public bodies responsible for determining SPA failed to communicate substantial and significant changes with sufficient notice so as to avoid the lost opportunities and financial loss described above; and

d. Distress, anxiety and uncertainty caused to them and their families by the above.

E.3 Not all of the above will affect all women (some may not be affected at all), and there may be other personal injustices not covered by the above. Moreover, the exact nature of the injustice will also be personal even within the above categories.

E.4 For example, some women may have lost opportunities by taking early redundancy, settling their divorce in a particular way or arranging their savings on the basis of a SPA of 60. Such matters are almost impossible to unravel after they have been decided and this should be explained in any complaint.

E.5 For some, the impact of the financial loss may mean they were/are unable to support themselves and their families, which will particularly exacerbate the distress, anxiety and uncertainty. This does not mean, however, that such distress, anxiety and uncertainty will not also affect others whose plans or expectations have been undermined.

E.6 Your complaint should explain as clearly as possible the particular injustices that have been caused to you as a result of the DWP's maladministration.

How the maladministration caused the injustice

E.7 As to financial loss, the DWP has already sought to argue to many women that their financial loss was caused by the changes to SPA, as opposed to any failure to communicate about them.

E.8 You should therefore also explain how you consider the maladministration has caused the injustice, and that it has not simply been caused by the fact of the changes to SPA. This is likely to be because, had there been proper communication of the changes in good time, you would have had a proper opportunity to make informed choices or different plans, and to reduce or even avoid the financial losses altogether. If that is the case, the financial loss clearly was caused by the maladministration and not by the change itself.

E.9 If possible, you should explain what you would have done differently had you known about the changes with sufficient warning.

F Remedies

F.1 You should consider and explain in your letter what remedies you are seeking as a result of the injustice that has been caused.

F.2 There are generally four types of remedies that can be sought:

a. a sincere and meaningful apology;

b. an explanation of what happened and/or went wrong;

c. a commitment to put things right (for example by changing a procedure or revising published material); and/or

d. a financial payment.

F.3 You can seek one or more of these remedies. We explain a little more below about the potential financial payment, as this is the most complex of the potential remedies.

Financial Payments

F.4 According to the DWP, the purpose of a financial payment is "wherever possible, to return the individual to the position they would have been in but for the maladministration." If this cannot be achieved then a payment should be "reasonable and proportionate in light of the individual circumstances of the case."

F.5 You should therefore consider what financial loss has occurred as a result of the DWP's maladministration.

F.6 One measure of this might be the State Pension you should have received had it been paid from the age you thought it was going to be paid until the age you actually received it. It is not, however, necessary that you specify an amount at this stage – you can just refer generally to the amount you should have been paid.

F.7 An alternative way of looking at this issue might reflect the different arrangements you would have made had you known about the change – for, example you might not have left employment or you might have arranged your savings differently. If possible, you should indicate how much better off you might have been as a result.

F.8 A further loss might be any remedial steps you have had to take as a result of the delay in paying your State Pension that could have been avoided had you known about the change. For example, you might have had to take a loan, and the interest payments could reflect part of your financial loss.

G Conclusion

G.1 You may want to conclude your letter with a short closing sentence. Something like:

Thank you for considering my complaint. I look forward to receiving your response.

Kind regards

[NAME]

We hope that you have found this guide and the attached templates useful in preparing your complaint letters.

If you have any questions or require any further assistance in preparing your complaint, contact your local group coordinator (email addresses are in the Group Directory on the WASPI website).

APPENDIX

1. TEMPLATE COMPLAINT FOR WOMEN BORN BEFORE 5 APRIL 1953
STAGES 3 AND 4 OF THE COMPLAINTS PROCESS

This is a more detailed letter than Template 3 below and we recommend you using it where possible.

2. TEMPLATE COMPLAINT FOR WOMEN BORN AFTER 5 APRIL 1953
STAGES 3 AND 4 OF THE COMPLAINTS PROCESS

This is a more detailed letter than Template 3 below and we recommend you using it where possible.

3. TEMPLATE FOR THE SIMPLEST FORM OF STAGE 3 AND STAGE 4 COMPLAINT

This is the simplest form of complaint and so may not be as effective as others. Please only use this if you simply don't have time to use other templates.

4. TEMPLATE FOR RESPONDING TO STAGE 4 ICE REQUEST FOR CLARIFICATION OF YOUR COMPLAINT

This is a template letter to help you to respond to the ICE if they ask for clarification of your complaint.

1. TEMPLATE COMPLAINT FOR WOMEN BORN **BEFORE 5 APRIL 1953**

STAGES 3 AND 4 OF THE COMPLAINTS PROCESS

NB: This template is written from the perspective of a woman, born before 5 April 1953, who received no communication from the DWP until she received a letter between 2009 and 2013. The sections in square brackets and bold will obviously need to be amended to reflect personal information and the remaining text should only be used if it is accurate in your particular situation.

Stage 3 complaint address:
The Department for Work and Pensions
Director General
PO Box 50101
London
SW1P 2WU

Stage 4 complaint address:
Independent Case Examiner
PO Box 209
Bootle
L20 7WA

Dear **[Director General / Independent Case Examiner]**

Re: My complaint regarding maladministration in respect of communication of changes regarding the State Pension Age
My National Insurance Number: AB 12 34 56 C

I write in respect of the letters from **[Include names and dates from previous letters]**, copies of all of which are enclosed. I am not satisfied with the response of the Department of Work and Pensions ("DWP") and would therefore ask you to consider it in accordance with the DWP's complaints policy.

My complaint relates primarily to the extent of notice I received regarding the changes to my State Pension Age ("SPA") since 1995.

I was born on **[DATE]**. For most of my working life, I had expected that I would reach SPA when I turned 60 on **[DATE]**. I planned my affairs accordingly.

It was only in **[YEAR, just over TIME PERIOD]** before I turned 60, that I was informed that my SPA would, in fact, be **[AGE]**. As a result I **[did/will]** not reach my SPA until **[DATE]** more than **[TIME PERIOD]** after I had planned. As I explain below, the failure to provide me with proper and accurate notification of this change has caused me serious injustice and hardship, which the DWP has refused to acknowledge and remedy.

The reasons why I consider this failure constitutes maladministration are set out in my previous letters, but I summarise these again below in the context of addressing the responses I have received from the DWP.

Contrary to what is said in your letter, I have made entirely clear that I am not challenging (through the complaints process) the change itself, but rather the manner in which it was communicated. I would be grateful if any future letter could address the matters about which I am actually complaining.

The DWP has accepted, and it has previously been found by the Parliamentary and Health Service Ombudsman, that the DWP has an obligation to communicate significant changes to pensions law and to do so in a manner that is "timely, complete and accurate" in order to ensure that an informed choice can be made by affected individuals.

That has clearly not occurred in this case given the matters set out below and previously in relation to my particular case. More generally, I would note that the then Pensions Minister, Steve Webb MP accepted in 2013 that many women were not made aware of the changes made by the 1995 Act. This was despite the Government's recognition at the time of the 1995 Act of the importance of allowing time for women to make arrangements to adjust for the changes. The need for appropriate notice periods has been emphasised by various bodies since then, including the Turner Commission, whose recommendations in this area were broadly accepted by the then Government. As emphasised by the House of Commons Work and Pensions Committee in its 2016 Report on the Communication of SPA Changes:

> *"We will never know how many women did not know, or could not reasonably be expected to know that their SPA was increasing. What is apparent with hindsight is that previous governments could have done a lot better in communicating the changes. Well into this decade far too many affected women were unaware of the equalisation of SPA at 65 legislated for in 1995. While the last and current Governments have done more to communicate SPA changes than their predecessors, this has been too little, too late for many women, especially given increases in the SPA have been accelerated at relatively short notice. Many thousands of women justifiably feel aggrieved."*

The failure properly to communicate such changes to me clearly amounts to maladministration on the part of the DWP: it has been "too little, too late". There can be no justification for not attempting personal communications regarding the changes for 14 years or more.

<u>Pensions Act 1995 and the 1995 Leaflet</u>

I was unaware of the proposed changes at the time of the passage of the Pensions Act 1995 through Parliament. I have since learned that there were apparently a small number of press stories at the time reporting on the proposed changes to SPA around that time, but I did not see these then. Even if I had, I do not consider that press reports would have been an appropriate way for the Government to inform me of significant changes to my pension. I would have anticipated that, where there were substantial changes to my rights, the Government would notify me directly.

You refer to the fact that the Government produced a leaflet called EQP1A "Equality in SPA – A summary of the changes" at this time, which set out the plans to equalise SPA. I was never sent a copy of this leaflet. I did not even know of its existence until very recently. I understand that the Government did not send this leaflet to those affected by the changes in the 1995 Act, but instead relied on women to request a copy from their local benefits agency. I had no reason at all to request such a leaflet, because **[I had no reason to believe that there was any change to my SPA]**.

The Government claimed in its evidence to the House of Commons Work and Pensions Committee that this leaflet was enclosed with responses to all voluntary requests for State Pensions Statements from July 1995 onwards. **[I did not make a voluntary request for a State Pension Statement so I never received a copy of that leaflet].**

Pensions Education Campaign (2001 – 2004)

I have no recollection of any of the education campaigns the Government claims to have conducted between 2001 and 2004, and understand I am not alone in this respect.

In 2004, the DWP published a research report 'Public awareness of SPA equalisation'. The research was intended to contribute to the design of the DWP's marketing campaign about the future equalisation of SPA and to improve the DWP's understanding of when people engage with issues regarding state pensions (although nothing further was done to try and communicate these changes until 2009). It found that only 43% of all women who would be affected by the increase in SPA were able to identify their SPA. This fell even lower for women who were out of work (46% v 36%) and for those in routine or manual work, as opposed to those in managerial/professional occupations (46% and 38% respectively). The report noted that this low level of awareness was:

> *"a cause for concern and showed that information about the increase in SPA is not reaching the group of individuals who need to be informed the most."*

Automatic State Pensions Forecasts (May 2003 – November 2006)

[I never received an automatic state pension forecast. I do not know why this might be.]

Government letters (April 2009 – 2013)

In light of the results of the survey in 2004 described above, it is inexplicable that nothing further was done until 2009, when you began to send letters to women affected by the SPA Changes. I consider this to be an acknowledgment by the Department that, prior to this time, many if not most women were unaware of the changes. Why else would there be a need for a personalised letter?

[IF YOU RECEIVED A LETTER IN 2011 OR EARLIER:

In these circumstances I consider it entirely inexcusable that my letter was not sent until [YEAR], just [PERIOD] before I turned 60. I read the letter and the leaflet which it contained and it became apparent to me that my new SPA was [AGE]. I reiterate that this was the first notification I received of the change to my SPA.]

[IF YOU RECEIVED A LETTER IN 2012 OR LATER:

In these circumstances I consider it entirely inexcusable that my letter was not sent until [YEAR], just [TIME PERIOD] before I turned 60. I read the letter and the leaflet which it contained and it became apparent to me that my new SPA was [AGE]. I must reiterate that this was the first notification I received of the change to my SPA.]

[I understand that notification of the changes to SPA under the 1995 Act was paused whilst the Pensions Act 2011 passed through Parliament. I think this is inexcusable. It delayed notification to me of the changes which took place in 1995 until it was so close to my anticipated retirement date that I could not meaningfully change my plans.]

[IF NO LETTER WAS RECEIVED AT ALL:

In any event, I never received such a letter. This may be because of the way I understand the mailing was conducted, in particular that the DWP did not confirm the addresses they used were accurate and current, and did not take any action with respect to letters that were returned to them unreceived.]

Optional State Pension Forecasts

[I understand that the DWP has repeatedly referred to the fact that women could request Optional State Pension Forecasts that would have informed them of any changes to their SPA].

[I never requested a state pension forecast. This was because until 1 January 2011, I had always believed by SPA to be 60 and I had no reason to believe that this would change. After that date, I was aware that my SPA would now be 61 years and nine months. Therefore I did not see any need to request an optional state pension forecast].

Injustice

[As a result of the DWP's maladministration, I lost the opportunity to save adequately to support my family during my retirement. Had the DWP provided proper information to me about the change to my SPA earlier, I would have saved a higher percentage of my income for my retirement].

[I also suffered financial loss of the amount that I expected to receive between my expected SPA and my actual SPA.

[In addition, I experienced a sense of outrage because the public bodies responsible for determining SPA failed to communicate substantial and significant changes with sufficient notice so as to avoid the lost opportunities and financial loss described above].

[Finally, my family and I have experienced significant distress, anxiety and uncertainty by the DWP's maladministration. GIVE EXAMPLES OF REASONS FOR DISTRESS, ANXIETY AND UNCERTAINTY].

How the maladministration caused the injustice

[I want to make it clear, that the injustice I have described above has not been caused by the fact of the change to my SPA itself. It has been caused by the failure of the DWP to inform me of those changes in good time so as to allow me to make different plans for my retirement as described above and to properly save for my retirement. If the DWP had notified me adequately, I would have been able to avoid the financial losses described above altogether.]

Remedies

[I would like you to provide me with the following:

(a) a sincere and meaningful apology for the maladministration I have described above;

(b) an explanation of what happened and what went wrong; and

(c) a financial payment to reflect my financial loss]

[I consider that any financial payment should reflect, at least, the amount I would have received, had I received my SPA from the age I had understood it would be paid until the date I became entitled under the new SPA].

[EXPLAIN ANY FURTHER LOSSES].

Conclusion

Thank you for considering my complaint. I look forward to receiving your response.

Kind regards

[NAME]

2. TEMPLATE COMPLAINT FOR WOMEN BORN **AFTER 5 APRIL 1953**

STAGES 3 AND 4 OF THE COMPLAINTS PROCESS

NB: This template is written from the perspective of a woman, born after 5 April 1953, who received no communication from the DWP until she received a letter between 2009 and 2013. The sections in square brackets and bold will obviously need to be amended to reflect personal information and the remaining text should only be used if it is accurate in your particular situation.

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PO Box 50101
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PO Box 209
Bootle
L20 7WA

Dear **[Director General / Independent Case Examiner]**

Re: My complaint regarding maladministration in respect of communication of changes regarding the State Pension Age
My National Insurance Number: AB 12 34 56 C

I write in respect of the letters from **[Include names and dates from previous letters]**, copies of all of which are enclosed. I am not satisfied with the response of the Department of Work and Pensions ("DWP") and would therefore ask you to consider it in accordance with the DWP's complaints policy.

My complaint relates primarily to the extent of notice I received regarding the changes to my State Pension Age ("SPA") since 1995.

I was born on **[DATE]**. For most of my working life, I had expected that I would reach SPA when I turned 60 on **[DATE]**. I planned my affairs accordingly.

It was only in **[YEAR, just over NUMBER OF YEARS]** before I turned 60, that I was informed that my SPA would, in fact, be **[AGE]**. As a result I **[did/will]** not reach my SPA until **[DATE]** more than **[TIME PERIOD]** after I had planned. As I explain below, the failure to provide me with proper and accurate notification of this change has caused me serious injustice and hardship, which the DWP has refused to acknowledge and remedy.

The reasons why I consider this failure constitutes maladministration are set out in my previous letters, but I summarise these again below in the context of addressing the responses I have received from the DWP.

Contrary to what is said in your letter, I have made entirely clear that I am not challenging (through the complaints process) the change itself, but rather the manner in which it was communicated. I would be grateful if any future letter could address the matters about which I am actually complaining.

The DWP has accepted, and it has previously been found by the Parliamentary and Health Service Ombudsman, that the DWP has an obligation to communicate significant changes to pensions law and to do so in a manner that is "timely, complete and accurate" in order to ensure that an informed choice can be made by affected individuals.

That has clearly not occurred in this case given the matters set out below and previously in relation to my particular case. More generally, I would note that the then Pensions Minister, Steve Webb MP accepted in 2013 that many women were not made aware of the changes made by the 1995 Act. This was despite the Government's recognition at the time of the 1995 Act of the importance of allowing time for women to make arrangements to adjust for the changes. The need for appropriate notice periods has been emphasised by various bodies since then, including the Turner Commission, whose recommendations in this area were broadly accepted by the then Government. As emphasised by the House of Commons Work and Pensions Committee in its 2016 Report on the Communication of SPA Changes:

> *"We will never know how many women did not know, or could not reasonably be expected to know that their SPA was increasing. What is apparent with hindsight is that previous governments could have done a lot better in communicating the changes. Well into this decade far too many affected women were unaware of the equalisation of SPA at 65 legislated for in 1995. While the last and current Governments have done more to communicate SPA changes than their predecessors, this has been too little, too late for many women, especially given increases in the SPA have been accelerated at relatively short notice. Many thousands of women justifiably feel aggrieved."*

The failure properly to communicate such changes to me clearly amounts to maladministration on the part of the DWP: it has been "too little, too late". There can be no justification for not attempting personal communications regarding the changes for 14 years or more.

<u>Pensions Act 1995 and the 1995 Leaflet</u>

I was unaware of the proposed changes at the time of the passage of the Pensions Act 1995 through Parliament. I have since learned that there were apparently a small number of press stories at the time reporting on the proposed changes to SPA around that time, but I did not see these then. Even if I had, I do not consider that press reports would have been an appropriate way for the Government to inform me of significant changes to my pension. I would have anticipated that, where there were substantial changes to my rights, the Government would notify me directly.

You refer to the fact that the Government produced a leaflet called EQP1A "Equality in SPA – A summary of the changes" at this time, which set out the plans to equalise SPA. I was never sent a copy of this leaflet. I did not even know of its existence until very recently. I understand that the Government did not send this leaflet to those affected by the changes in the 1995 Act, but instead relied on women to request a copy from their local benefits agency. I had no reason at all to request such a leaflet, because **[I had no contact with the Benefits Agency as I was in work throughout that period]**.

The Government claimed in its evidence to the House of Commons Work and Pensions Committee that this leaflet was enclosed with responses to all voluntary requests for State Pensions Statements from July 1995 onwards. **[I did not make a voluntary request for a State Pension Statement so I never received a copy of that leaflet].**

Pensions Education Campaign (2001 – 2004)

I have no recollection of any of the education campaigns the Government claims to have conducted between 2001 and 2004, and understand I am not alone in this respect.

In 2004, the DWP published a research report 'Public awareness of SPA equalisation'. The research was intended to contribute to the design of the DWP's marketing campaign about the future equalisation of SPA and to improve the DWP's understanding of when people engage with issues regarding state pensions (although nothing further was done to try and communicate these changes until 2009). It found that only 43% of all women who would be affected by the increase in SPA were able to identify their SPA. This fell even lower for women who were out of work (46% v 36%) and for those in routine or manual work, as opposed to those in managerial/professional occupations (46% and 38% respectively). The report noted that this low level of awareness was:

> *"a cause for concern and showed that information about the increase in SPA is not reaching the group of individuals who need to be informed the most."*

Automatic State Pensions Forecasts (May 2003 – November 2006)

[I never received an automatic state pension forecast. I do not know why this might be. I have lived at the same address for over ten years.]

Government letters (April 2009 – 2013)

In light of the results of the survey in 2004 described above, it is inexplicable that nothing further was done until 2009, when you began to send letters to women affected by the SPA Changes. I consider this to be an acknowledgment by the Department that, prior to this time, many if not most women were unaware of the changes. Why else would there be a need for a personalised letter?

[IF YOU RECEIVED A LETTER IN 2011 OR EARLIER:

In these circumstances I consider it entirely inexcusable that my letter was not sent until [YEAR], just [PERIOD] before I turned 60. I read the letter and the leaflet which it contained and it became apparent to me that my new SPA was [AGE]. I reiterate that this was the first notification I received of the change to my SPA.]

[IF YOU RECEIVED A LETTER IN 2012 OR LATER:

In these circumstances I consider it entirely inexcusable that my letter was not sent until [YEAR], just [PERIOD] before I turned 60. I read the letter and the leaflet which it contained and it became apparent to me that my new SPA was [AGE]. I must reiterate that this was the first notification I received of the change to my SPA.]

[I understand that notification of the changes to SPA under the 1995 Act was paused whilst the Pensions Act 2011 passed through Parliament. I think this is inexcusable. It delayed notification to me of the changes which took place in 1995 until it was so close to my anticipated retirement date that I could not meaningfully change my plans.]

[IF NO LETTER WAS RECEIVED AT ALL:

In any event, I never received such a letter. This may be because of the way I understand the mailing was conducted, in particular that the DWP did not confirm the addresses they used were accurate and current, and did not take any action with respect to letters that were returned to them unreceived.]

Pensions Act 2011

[I was one of the women affected by both the Pensions Act 1995 and Pensions Act 2011. I became aware of the changes to my SPA in the 2011 Act at the same time as I became aware of those introduced by the 1995 Act. As noted above, that was not until 1 January 2012].

Optional State Pension Forecasts

[I understand that the DWP has repeatedly referred to the fact that women could request Optional State Pension Forecasts that would have informed them of any changes to their SPA].

[I never requested a state pension forecast. This was because until 1 January 2012, I had always believed my SPA to be 60 and I had no reason to believe that this would change. After that date, I was aware that my SPA would now be 65 years and four months. Therefore I did not see any need to request an optional state pension forecast].

Injustice

[As a result of the DWP's maladministration, I lost the opportunity to save adequately to support my family during my retirement. Had the DWP provided proper information to me about the change to my SPA earlier, I would have saved a higher percentage of my income for my retirement].

[I also suffered financial loss of the amount that I expected to receive between my expected SPA and my actual SPA.

[In addition, I experienced a sense of outrage because the public bodies responsible for determining SPA failed to communicate substantial and significant changes with

sufficient notice so as to avoid the lost opportunities and financial loss described above].

[Finally, my family and I have experienced significant distress, anxiety and uncertainty because of the DWP's maladministration. GIVE EXAMPLES OF REASONS FOR DISTRESS, ANXIETY AND UNCERTAINTY]

How the maladministration caused the injustice

[I want to make it clear that the injustice I have described above has not been caused by the fact of the change to my SPA itself. It has been caused by the failure of the DWP to inform me of those changes in good time so as to allow me to make different plans and to properly save for my retirement. If the DWP had done so, I would have been able to avoid the financial losses described above altogether.]

Remedies

[I would like you to provide me with the following:

(a) a sincere and meaningful apology for the maladministration I have described above;

(b) an explanation of what happened and what went wrong; and

(c) a financial payment to reflect my financial loss.]

[I consider that any financial payment should reflect, at least, the amount I would have received, had I received my SPA from the age I had understood it would be paid until the date I became entitled under the new SPA.]

[EXPLAIN ANY FURTHER LOSSES].

Conclusion

Thank you for considering my complaint. I look forward to receiving your response.

Kind regards

[NAME]

3. TEMPLATE FOR THE SIMPLEST FORM OF **STAGE 3 AND STAGE 4** COMPLAINT

NB: The most effective complaints will address all the issues raised by the DWP in its responses to your earlier letters. If you have time, WASPI strongly recommends that you prepare a detailed complaint letter as described in stages A – G in the Guide. However, if you are unable to do so, then the following template may help you to prepare the simplest form of complaint.

The sections in square brackets and bold will obviously need to be amended to reflect personal information and the remaining text should only be used if it is accurate in your particular situation.

Stage 3 complaint address:
The Department for Work and Pensions
Director General
PO Box 50101
London
SW1P 2WU

Stage 4 complaint address:
Independent Case Examiner
PO Box 209
Bootle
L20 7WA

Dear **[Director General /Independent Case Examiner]**

Re: My complaint regarding maladministration in respect of communication of changes regarding the State Pension Age
My National Insurance Number: AB 12 34 56 C

I write in respect of the letter from **[Include names and dates from previous letters]**, copies of all of which are enclosed. I am not satisfied with the response of the Department of Work and Pensions ("DWP") and would therefore ask you to consider it in accordance with the DWP's complaints policy.

I was born on **[DATE]**. For most of my working life, I had expected that I would reach SPA when I turned 60 on **[DATE]**. I planned my affairs accordingly.

It was only in **[YEAR, just over one year]** before I turned 60, that I was informed that my SPA would, in fact, be **[AGE]**. As a result I **[did/will]** not reach my SPA until **[DATE]** more than **[TIME PERIOD]** after I had planned. As I explain below, the failure to provide me with proper and accurate notification of this change has caused me serious injustice and hardship, which the DWP has refused to acknowledge and remedy.

I consider that the failure properly to inform me of the change to my State Pension Age ("SPA") in a timely manner constitutes maladministration. The DWP's maladministration is

clearly set out in the WASPI Guide to Maladministration and I ask that you consider the issues raised in that Guide. I wish to make clear that I am not challenging (through the complaints process) the change to SPA itself, but rather the manner in which it was communicated, and in my particular case, the failure to notify me at all.

Injustice

[As a result of the DWP's maladministration, I lost the opportunity to plan my affairs properly for my retirement. Although I have saved all my life, I had never anticipated that I would need to wait a further five years before drawing my state pension. Had the DWP provided proper information to me about the change to my SPA earlier, I would have organised my finances differently and made different choices, especially as I approached the age of 60. For example, I would not have retired as early and I would have saved a higher percentage of my income for my retirement].

[I also suffered financial loss of the amount that I expected to receive between my expected SPA and my actual SPA.

[In addition, I experienced a sense of outrage because the public bodies responsible for determining SPA failed to communicate substantial and significant changes with sufficient notice so as to avoid the lost opportunities and financial loss described above].

[Finally, my family and I have experienced significant distress, anxiety and uncertainty because of the DWP's maladministration. GIVE EXAMPLES OF REASONS FOR DISTRESS, ANXIETY AND UNCERTAINTY].

Remedies

[I would like you to provide me with the following:

(a) a sincere and meaningful apology for the maladministration I have described above;

(b) an explanation of what happened and what went wrong; and

(c) a financial payment to reflect my financial loss]

[I consider that any financial payment should reflect, at least, the amount I would have received, had I received my SPA from the age I had understood it would be paid until the date I became entitled under the new SPA].

[EXPLAIN ANY FURTHER LOSSES].

Conclusion

Thank you for considering my complaint. I look forward to receiving your response.

Kind regards

[NAME]

4. TEMPLATE COMPLAINT FOR RESPONDING TO **INDEPENDENT CASE EXAMINER** STAGE 4 OF THE COMPLAINTS PROCESS

Independent Case Examiner
PO Box 209
Bootle
L20 7WA

Dear **[INSERT NAME OF INITIAL CASE MANAGER WHO SIGNED YOUR LETTER]**

Re: My complaint regarding maladministration in respect of the communication of changes regarding the State Pension Age
My National Insurance Number: [AB 12 34 56 C]
ICE REF: [DWPXXXXX/XX]

I write in response to your letter of **[DATE]** in which you ask me to clarify the issues raised in my complaint.

I understand that you are seeking clarification as to whether my complaint is as follows:

> **The Pension Service have since 1995, failed to provide you with timely and appropriate information relating to the changes in your state pension age.**

At the moment, I do not have full information about the way that the DWP communicated with women in my position about their state pension entitlements. However, it is certainly the case that enough information should have been given to me and others in my position to enable us to make informed choices about our future income, early enough for those choices to make a real difference to our situation now in 2017, and in the future. That did not happen. I believe this was maladministration. This is what my complaint is all about and it should not be narrowed down to whether or not or when, I was notified of my state pension age.

I have set out my main complaints in my letter, based on what I know to date, but as I have said that is not my whole complaint. Women like me should have been given enough information to enable us to make informed choices about our future income early enough for those choices to make a real difference to our situation.

Thank you for considering my complaint. I look forward to receiving your response.

Kind regards

[NAME]

CONTACT US:

WASPI
www.waspi.co.uk

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This guide has been created by Bindmans LLP for WASPI.

Bindmans LLP is a limited liability partnership, registered in England and Wales. Our registration number is OC335189 and its registered office is 236 Gray's Inn Road, London WC1X 8HB. Our VAT number is GB 234 2718 76. The term 'partner' refers to a member of the LLP, or an employee or consultant who is a lawyer with equivalent standing and qualifications. Our services are provided by solicitors of England and Wales. Bindmans LLP is authorised and regulated by the Solicitors Regulation Authority.

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