



## **DEFENCE POLICE FEDERATION**

Established by Act of Parliament

### **Circular 03/20**

Re-Issue

Our Ref: 01/03/03/2020/03

19<sup>th</sup> February 2020

Dear Member

### **PENSION AGE DISCRIMINATION CLAIMS**

This letter is being sent to all members who are registered with us, for a group claim on the Pension Issues.

The purpose of this letter is to ascertain whether or not we have any members with significant claims for damages. By this we mean evidenced loss or medical issues attributable to this process.

We will be lodging a group claim for damages to the courts, so if you do not have anything specific and evidenced there is no need to respond to this letter, as your claim will be processed alongside everyone else's.

Only respond if you are sure you have evidence and you have a specific claim above that of the group claim we will submit.

The following is from our legal team and explains the process:

As you know, the primary remedy we have sought for members such as you, who were required to transfer to alpha pension scheme when older colleagues were not, has been to secure your return to your previous pension scheme. That has been achieved. The Employment Tribunal has made a formal Declaration saying that you are entitled to be treated as if you had not been required to transfer, and you are therefore entitled to the benefits provided for in your previous section of the Principal Civil Service Pension Scheme, at the same age that would have applied if you had not been required to transfer.

It will take a little time to make formal changes to the pension scheme rules to take effect, but that delay should not affect you. The Tribunal's Declaration overrides the rules and is effective now.

DPF, Unit 131, China Works, Black Prince Road, London, SE1 7SJ

Tel: 0203 176 6509

Email: [admin2@dpf.org.uk](mailto:admin2@dpf.org.uk) - [www.dpf.org.uk](http://www.dpf.org.uk)

That is not the end of the matter however. We have also made a claim on your behalf for reimbursement of any out-of-pocket losses you may have suffered as a result of the changes made in 2015. We have also made a claim to compensate you for the distress, upset and anger – described by lawyers as “injury to feelings” – that you may have been caused. I am writing now to ask if there are any particular circumstances in your case that we need to put forward on your behalf.

## **1. Financial losses**

This refers to expenditure you have incurred which you would not have incurred if the 2015 changes had not been made, or payments that you would have received that you have not received as a result of your transfer. In other words, this concerns losses that you have suffered that are capable of being calculated in monetary terms.

We anticipate that few members will have incurred additional expenditure but there may be exceptions. You may, for example, have sought and paid for independent financial advice to assist you with your pension planning.

Most members will not yet have lost any pension benefits as a consequence of transferring to alpha. There may be exceptions again: you might have retired or left the service as a consequence of the transfer, with the result that your pension has been smaller than it would have been if you had stayed in the Principal Civil Service Pension Scheme.

If you believe that you have suffered such a financial loss, please complete the attached form and return it to us.

You should send it to:

[admin2@dpf.org.uk](mailto:admin2@dpf.org.uk) or

DPF, Unit 131, China Works, Black Prince Road, London, SE1 7SJ

We are aware that there may be tax consequences for members because they have been transferred to alpha and are now being transferred back to the Principal Civil Service Pension Scheme. You do not have to tell us about that. We will take this issue up on behalf of all members.

## **2. Distress, upset and anger – “injury to feelings”**

All members will have experienced a degree of injury to feelings because of what has happened. We will put forward a claim on that basis for everyone.

Some members may have been more upset or angry about what has happened than others. For instance, some may have had to change their retirement plans or other financial arrangements which, whilst it has not caused a financial loss (see above), it has caused more mental suffering than is common to all of the members who had to transfer to alpha. Some members may have become depressed to the point that they sought medical help.

If you believe that this applies to you then please complete the attached form and return it to us.

You should send it to:

[admin2@dpf.org.uk](mailto:admin2@dpf.org.uk) or

DPF, Unit 131, China Works, Black Prince Road, London, SE1 7SJ

**Please note** that any information that you send to us will be kept in the strictest confidence. We will send it to our lawyers so that they can evaluate your claim. We will not circulate anything you say more widely (even to the Employment Tribunal) without your permission.

If you want to make a claim for your specific financial losses or injury to feelings, please be sure to keep any evidence such as receipts or medical reports safe. We are not asking you to send it to us at this stage, but if an additional claim is to be made on your behalf it will be important to be able to produce this evidence at a later stage.

An electronic version of this form is available at: [www.dpf.org.uk/latest-news/pension-damages-claim](http://www.dpf.org.uk/latest-news/pension-damages-claim)

We will require a response to this, to process your claim, by the 28<sup>th</sup> February 2020.

Yours Sincerely

**Eamon Keating**  
**National Chairman**