

PFEW Pension Compensation Claim – FAQs updated 1 November 2020

Who is eligible to claim?

To be eligible you will have been serving on 1 April 2012 and a member of a Police Pension Scheme on that date. You will still have been serving and be a member of a Police Pension Scheme on 1 April 2015. You will not have received full protection in respect of the change of Police Pension Schemes (not have been allowed to remain in the scheme you were in prior to 1 April 2012 for the remainder of your service).

I've only recently become a member, am I eligible?

The PFEW legal funding criteria state that to be eligible for funding in claims such as this, a member must have commenced subscribing to PFEW within six months of joining the police service and remained a subscribing member whilst serving, except for any period of unpaid leave such as a career break or maternity leave or time spent as a Temporary Superintendent.

I have since retired, am I still eligible?

If you are retired and you fit the above criteria and moved to the 2015 Police Pension Scheme prior to retiring, then you are likely to be eligible.

I joined the police service after 1 April 2015, am I eligible?

If you joined the Police Service on or after 1 April 2015, you will have joined the 2015 Pension Scheme and therefore you are not in one of the affected groups.

I opted out of the Police Pension Scheme because of the changes, am I eligible?

Where a member opted to leave the Police Pension Scheme because of the transitional protections, and did not join an alternative pension scheme, it is likely to be difficult to establish a link between the decision to opt out and the discrimination. The member will have elected to put themselves in a worse position by being out of a pension scheme altogether, rather than transferring into the 2015 CARE Scheme. If the member opted to make alternative arrangements to mitigate the loss caused by being moved into the 2015 CARE Scheme and can prove the reason they decided to leave the Police Pension Scheme was because of the transitional provisions, then the member may have grounds to bring a claim. Any such claim may now be out of time and would require evidence of the reason for the member's decision to be considered further.

I joined after 1 April 2012, am I eligible?

Unfortunately for those who joined after the 1 April 2012 are not eligible to claim because all who joined after that date were treated equally (required to move into CARE as of 1 April 2015) so no discrimination occurred.

Eligibility criteria

- You have given your consent to pursue a claim in the Employment Tribunal (ET).
- You fall into one of the groups affected by the transitional provisions of the 2015 Pension Scheme, which forced members to transfer into the 2015 Scheme either immediately or with tapered protection.
- You started working as a police officer before 1 April 2012.
- Your service ended after 2 April 2015.
- You have contributed to your Police Pension Scheme before 1 April 2012.

Non-eligible criteria

- You did not meet the eligibility criteria of being a serving officer on 1 April 2012 and a member of a Police Pension Scheme on that date, and still a serving officer and be a member of a Police Pension Scheme on 1 April 2015.
- You have stated that you have received full protection and remained in the 1987 and 2006 schemes, and therefore not in the affected groups.
- You have stated that you were not subject to tapering, nor were you required to automatically transfer into the 2015 Scheme on 1 April 2015, and therefore not in the affected groups.
- You have not been a subscribing member of PFEW within six months of joining the police service or did not remain a subscribing member whilst serving, except for any period of unpaid leave such as a career break, maternity leave or time spent as a Temporary Superintendent.
- You were an existing PFEW member, however, you were not paying your membership due to long term sickness. Therefore, you are not eligible to claim unless you have been placed on no pay and it is the period of no pay when you have not contributed.
- Resigned and cancelled your PFEW membership with immediate effect prior to your leaving date.
- As a member you have either not contributed or opted to leave the Police Pension Scheme. on the dates stipulated *1 April 2012 – 1 April 2015*.
- You have not given your consent to pursue a claim in the Employment Tribunal.

What are the next steps for eligible applicants?

1. Your details will be passed to Penningtons Manches Cooper the lawyers who have been instructed by PFEW to represent you.
2. In December or early January 2021, you can expect to receive an invite from Penningtons to sign up to an extranet site called "PFEW Pensions Compensation Claim". Please note you may not all receive the invite at the same time.
3. The invitation will be sent from Charlene Robertson at Penningtons. Please check your spam/junk folder.
4. The invitation is time limited, so please sign up as soon as you receive it.
5. The extranet site is there to provide you with updates and information on the claim as it progresses.