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Circular: 2025HOC0086MR

Date: 25 February 2025

To: All Members

Dear Brother/Sister

Injury to Feelings Claims: Update

We are writing to update you on the Injury to Feelings (ITF) claims arising from age discrimination proceedings the Union supported in response to changes introduced to pension provision in 2015. As previously reported the first group of claims in Wave 1 have now settled.

We set out below an update in regard to the position of all claims insofar as we are able to do so. We would stress again that the negotiations taking place are conducted on a without prejudice basis and therefore we are limited in what we can say.

Wave 1 Progress

Wave 1 is comprised of approximately 5,000 claimants whose cases were lodged in 2015 and were all “unprotected members” pursuant to the transitional arrangements that were introduced. Please note that not all the cases of members in this group have yet settled. It will depend on precisely when you provided instructions to Thompsons. The Government Legal Department (GLD) goes through an extensive identity verification process to check each claimant has a legitimate claim, and separately to that the FBU must confirm that all claimants are current FBU members.

Future Waves

- **Tapered Protection Claimants:** This cohort comprises of nearly 3,000 members who applied for legal assistance in 2015 and had tapered protection on their pension in accordance with the transitional arrangements. Settlement discussions have begun in regard to this group of claimants and when any concrete proposals are made our solicitors will notify you of that.
- **Wave 2:** This wave comprises over 2,000 claimants who applied for legal assistance in 2020. The Claimants in this group comprise of both fully protected and tapered members. Settlement discussions have also begun in regard to this cohort of claimants and if and when any proposals are made our solicitors will notify you of that.
- **Wave 3:** This wave relates to a very specific set of circumstances. Wave 3 claimants have been contacted by Thompsons. Settlement discussions have begun in regard to this cohort of claimants and again if and when any proposals are made our solicitors will notify you of that.

- **Scottish and Northern Ireland Claims:** These claims had been stayed by their respective devolved administrations. The FBU are discussing these claims with Thompsons and we are hopeful we can report on progress soon.

We are trying to progress negotiations in such a way that they deal with all outstanding waves of claims together, but it is possible they will have to be dealt with in the order in which they were lodged. Our solicitors will provide you with an update on that when they are able to do so.

Next Steps and Member Guidance

The legal process is ongoing, and while it is good news that some cases have now settled, we ask members whose cases have not yet concluded to remain patient as we continue our efforts to try and bring proceedings to an end. Contacting local officials or head office for updates will not accelerate this process.

If you are uncertain about your claim status or wave assignment, please do the following:

1. **Check your email history and junk folders:** If you have been contacted by Thompsons Solicitors (or previously by Walkers Solicitors) regarding ITF claims, you are likely to have an active claim. These communications should indicate your wave assignment.
2. **Consider your application timing:** The date of your application affects your wave assignment. Applications from 2015 are generally in Wave 1 or the Tapered group, while those from 2020 are in Wave 2.
3. **Make sure your FBU membership is up to date:** if you are unsure about your membership status contact your brigade organiser here - <https://www.fbu.org.uk/regions-nations>

If you have not received communications from either solicitor but have documentary evidence of your claim application, please forward this information to head office so we can request an investigation by Thompsons. This evidence of claim should be sent to Joel Spires Joel.Spires@fbu.org.uk

Yours in solidarity,



Mark Rowe
National Officer