

WOMEN'S STATE PENSION – WHY SOME ARE MISSING OUT



A recent investigation has revealed that potentially hundreds of thousands of married women who retired before April 2016 on small state pensions are missing out on a state pension boost based on their husband's pension records.

Why are some married women missing out?

The state pension system changed in April 2016. Under the previous system women needed 30 'qualifying years' on their national insurance (NI) record to get the full state pension. Some women would have needed 39 years if they hit state pension age before April 2010. Years on your national insurance record are built up from being in work and paying national insurance contributions. However, many women had not built up the full number of years and as such would only receive a small individual state pension based on their own working record.

The previous system therefore allowed married women retiring before April 2016 to claim an enhanced rate of state pension when their husband turned 65 and became eligible to start claiming their own state pension. At current rates, this can represent as much as £80.45 a week, equivalent to 60% of the full basic state pension rate of £134.25.

Whilst women used to have to claim the additional uplift, a rule change in March 2008 meant that married women on low pensions should have been awarded this 60% rate automatically when their husband turned 65.

Women could have missed out in one of two ways depending on when their husband retired:

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If your husband reached state pension age ON or AFTER 17 March 2008

This 60% amount should have been paid automatically if you qualified. However, some women missed out due to a failure of the Department for Work and Pensions (DWP) computers to automatically award the uplift.

If your husband reached state pension age BEFORE 17 March 2008

Here the boosted payment was not automatic, and you needed to claim it. However, many women were not aware and so did not claim, meaning they missed out on the increase.

It is important to note that the 17 March 2008 date is important because if your husband reached state pension age *after* this date, and you suffered from the computer glitch, you can claim everything you're owed from the date you qualified (or the date of the computer glitch if later). However, if your husband reached state pension age *before* this date you can only backdate a claim for missed payments for up to 12 months.

Eligibility

You could be eligible for this pension boost if:

- You are a married woman who reached pension age before 6 April 2016 AND
- Your husband is over state pension age AND
- Your basic weekly state pension is less than 60% of his basic weekly amount

Preparation

Both partners in the marriage must check their annual state pension statements and check the line on the statement listing only the amount of basic state pension. It is important to note that this is not the total amount you receive each week; this amount may include additional payments like pension credit. **In 2020/21 the full basic state pension for those who reached state pension age before April 2016 is £134.25. 60 per cent of that is £80.45 – if your basic payment is less than this, you are missing out.**

How to Claim

If you think your state pension is lower than you should be receiving then you need to get in contact with the Department for Work and Pensions, which can be found [here](#).

If your husband hit the state pension age before 17 March 2008, meaning you did not receive the automatic payments you were meant to claim for, you need to make a claim as soon as possible. Due to being able to only backdate the amount you are owed by 12 months, the sooner you apply the more you are entitled to. In this way you will get the previous 12 months, as well as the £80.45 weekly amount in future.

For those whose husbands hit state pension age on or after 17 March 2008, it's slightly different. You missed out on what should have been automatic payments and will get backdated payments to when things went wrong. There is less urgency for your claim, but the sooner you make it, the sooner you'll get the payment, and get an increased weekly pay-out too.

Due to the reduced number of staff dealing with this type of enquiry, as a result of the COVID-19 crisis, there may currently be a delay in payments being processed.

A DWP spokesperson said: "We are aware of a number of cases where individuals have been underpaid state pension. We corrected our records and reimbursed those affected as soon as errors were identified. We are checking for further cases, and if any are found awards will also be reviewed and any arrears paid."

For further information or assistance please contact a member of our Pensions team.

Call us on **01753 888211** or email **info@nhllp.com**