



Ministry
of Defence

Public Sector Equality Duty
Armed Forces Pension Scheme:
Retrospective Remedy –
Equality Impact Assessment

6 March 2023

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Chapter 1. Introduction

- 1.1. When public service pension reforms were introduced in 2015, the government agreed to provide for transitional arrangements that allowed those closest to retirement to stay in their legacy schemes. Following a legal challenge, the courts found these arrangements to be directly discriminatory on the grounds of age and indirectly discriminatory on the grounds of sex and race. The government accepted the judgment had implications across public service pension schemes with similar transitional arrangements. Subsequently, the Public Service Pensions and Judicial Offices Act 2022 (PSPJOA) was enacted to provide the legislative framework for remedying the impact of the unlawful discrimination on members of public service pension schemes, including for the Armed Forces Pension Schemes (AFPS).
- 1.2. The Ministry of Defence has implemented the first (prospective) part of the remedy by closing all legacy schemes in relation to service after 31 March 2022¹. All Service personnel continuing in service on and after 1 April 2022, do so as members of the reformed scheme.
- 1.3. This document sets out the consideration given to the Public Sector Equality Duty under section 149 Equality Act 2010 by MOD in relation to the retrospective remedy, i.e. to remedy the unlawful discrimination between the point at which the transitional provisions came into force in 2015 and 1 April 2022. It includes brief précis of MOD policy decisions to supply background and context. These précis do not contain full detail and should not be regarded as definitive policy positions; full detail is contained in the retrospective remedy consultation document.

¹ The Armed Forces Pensions (Amendment) Regulations 2022 (S.I. 2022/323).

Chapter 2. Proposal Outline

- 2.1. The MOD is now delivering the second (retrospective) part of the remedy which, under the PSPJOA, will roll back eligible members to their legacy pension scheme for the remediable period (1 April 2015 – 31 March 2022). Members will then be offered (generally at the point at which pension benefits become payable) the choice of legacy scheme benefits, or reformed scheme benefits for the remedy period.
- 2.2. Members already in receipt of pension benefits (and those in receipt of dependants' benefits) will be able to make an immediate choice. Active and deferred members will be able to make the choice when their pension benefits become payable, whether this is on discharge or at pension age (deferred choice).
- 2.3. The government wants to ensure all members are treated in line with the Public Sector Equality Duty in respect of the scheme design available to them after the discrimination has been addressed.

Chapter 3. Approach

- 3.1 This document records the Equality Impact Assessment (EqIA) undertaken by the MOD for the retrospective element of the McCloud remedy. The EqIA fulfils the requirement placed on the MOD by the Public Sector Equality Duty (PSED²), as set out in section 149 of the Equality Act 2010³, to have due regard to the need to:
- a. Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010.
 - b. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - c. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.2 The aim of the McCloud remedy is to correct direct age discrimination and indirect race and sex discrimination in relation to pensions. Following analysis of the implementation proposals, the MOD asserts that no specific considerations arise in relation to the duty to advance equality of opportunity and foster good relations.
- 3.3 This EqIA builds on the assessments previously undertaken by the MOD for the prospective remedy and on analysis conducted by HMT and other government departments. It is integral to the MOD McCloud project with equality impacts being considered throughout the remedy development process. Impacts will continue to be considered in our response to the consultation and through to implementation.
- 3.4 The evidence for this EqIA is based on management information relating to the McCloud cohort, i.e. AFPS members who are in scope for the McCloud Remedy. The MOD does not hold complete data on the other protected characteristics under the Equality Act 2010 as personnel are not required to provide these details but asked to

² http://www.equalityhumanrights.com/sites/default/files/meeting_the_duty_in_policy_and_decision-making.pdf

³ www.gov.uk/guidance/equality-act-2010-guidance

do so voluntarily. Whilst voluntary disclosure means we are not able to gather complete and accurate data, this is mitigated by the availability of whole-workforce data. Where required, assumptions and inferences have been made based on [UK Armed Forces Biannual Diversity Statistics \(April 22\)](#) and [Quarterly Service Personnel Statistics \(April 22\)](#).

- 3.5 The data analysis has sought to identify potential and actual differential impacts by reference to the protected characteristics associated with those cohorts affected by each substantive policy change.
- 3.6 Chapter 4 provides an overview of the protected characteristics of the 'McCloud cohort', pension scheme members in-scope for the McCloud Remedy.
- 3.7 Chapter 5 examines the changes proposed in each policy area, identifying, and analysing the impact of each policy area on the protected characteristics of the McCloud cohort and outlining mitigation measures where required.
- 3.8 The impacts of the measures within the Act were initially assessed in HM Treasury's EqIA⁴ and the MOD's prospective remedy EqIA⁵. The impacts of any consequential amendments that may be required for the AFPS are considered further in the MOD's consultation on the retrospective measures to implement the remedy provisions set out in the Act and in this EqIA.
- 3.9 The MOD's consultation on the retrospective remedy for AFPS and this EqIA will be published together in March 23.
- 3.10 Further analysis on the detailed changes to scheme regulations (excluding all those measures where the final policy is set out via the primary legislation, where impacts have already been assessed) for the core McCloud remedy measures and reformed pension scheme measures will be conducted by AF Remuneration; mitigations will be considered where additional impacts of the policy on protected characteristics are identified.

⁴https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/958191/20210202_Final_EqIA_for_Publication.pdf

⁵[Equality Impact Assessment for McCloud Pension Remedy – Prospective](#)

Chapter 4. Summary of Evidence-Cohort Characteristics

4.1 Primary analysis has focused on eliminating discrimination, the core issue identified by the McCloud judgment, at an overall remedy level. Further analysis has then been conducted on the detailed policy changes required to implement the remedy.

4.2 The breakdown of the cohort by protected characteristic is at Table 1:

Characteristic	Number	%
Male	125,733	90.49%
Female	13,220	9.51%
Ethnic Minority	14,122	10.16%
Marital Status (Divorced) Pension Debit Members*	1,516 (1,506 men/10 women)	99.34% men 0.66% women
Marital Status (Divorced) Pension Credit Members*	1,466 (1,453 women/13 men)	99.11% women 0.89% men
Protected members (Older)	8,763	6%
Transition members (Younger)	130,190	94%

Table 1: McCloud Cohort Protected Characteristics

Notes:

Estimates and extrapolations where exact data is not held.

* Debit Members have pension sharing orders following divorce/dissolution.

** Credit Members are former partners of a member and the recipient of the sharing order.

4.3 The implementation of the pension reforms created ‘protected’ members who were able to stay on their legacy schemes and ‘transition’ members who were forced onto the reformed schemes, with the differential in treatment depending on age.

4.4 Armed Forces’ records and the information held by Defence Business Services do not capture the full detail of all protected characteristics as declarations for certain characteristics are voluntary. Where large numbers of personnel have chosen not to declare, analysis is of a lower quality or conducted in less detail. Where possible, total population data has been used to provide estimates. The statistics used are the latest available and, where used in relation to the in-scope cohort, can be taken as broadly indicative rather than directly representative.

Reserves Forces

- 4.5 The MOD estimates that approximately 2,000 Reserve members of the Armed Forces are Full Protection members in a reserve pension scheme.

Chapter 5. Proposals-Identification & Analysis

- 5.1 The MOD's proposals have been assessed by reference to the public sector equality duty contained in the Equality Act 2010⁶ and consideration of the 'Three Aims' of the Equality Duty⁷. The purpose of the McCloud remedy is specifically to remove age discrimination and the MOD does not believe that the proposals will result in any direct, or indirect discrimination. The proposals will apply equally to all eligible individuals regardless of protected characteristics. Eligibility criteria will apply in the same way to all groups. The analysis is set out in more detail below.
- 5.2 These policy précis provide background and context. They do not contain full detail and should not be regarded as definitive policy positions; full detail is contained in the consultation document.

Added Pension

- 5.3 Policy Choice: The MOD has to decide how to manage reformed scheme voluntary contributions within the remedy, as different forms of voluntary contributions operate in different ways which complicates potential approaches to providing a remedy.
- 5.4 The options for the treatment of voluntary contributions were:
- a. To pay compensation based on reformed scheme voluntary contributions made by the member.
 - b. Converting additional pension purchased in the reformed scheme to additional reckonable service in the legacy scheme.
 - c. A combination of approaches.
- 5.5 The MOD has decided to make compensation payments where members have made reformed scheme voluntary contributions (minus original tax relief but with interest).

⁶ <https://www.gov.uk/guidance/equality-act-2010-guidance>

⁷ Elimination of discrimination, harassment, victimisation; advancing equality of opportunity; fostering good relations.

- a. By paying compensation based on contributions, the MOD will deliver the fairest outcome and members will be in the same financial position they were in prior to the discrimination.
- b. Members may use the compensation payment to purchase additional retirement benefits, subject to meeting specific criteria.
- c. Members may choose to use their compensation payment to make private pension arrangements.

5.6 **Sex, Race and Age:** Fewer than 1000 (less than 1%) of the McCloud cohort have purchased added pension:

- a. 851 Men, 106 Women
- b. 858 White, 99 Ethnic Minority

5.7 This breakdown is broadly in line with the breakdown of the wider McCloud cohort and the serving Armed Forces population.

5.8 The Government Actuary's Department (GAD) consider the methods used for the conversion option to be extremely complex and unsatisfactory. Conversion leads to considerable volatility of outcome, increases the potential for error and risks further inequity as members can gain or lose value due to factors such as length of service or seniority. Both length of service and seniority correlate closely with age and sex (i.e., more likely to affect older members and men) and therefore risk introducing further inequalities linked to protected characteristics. This risk is unacceptable to the MOD and to the McCloud cohort.

5.9 The repayment approach allows the remedy to deliver an equitable solution to all of those in-scope regardless of protected characteristic, with no difference in eligibility or value arising in response to possession of any protected characteristic.

Commutation

5.10 **Policy Choices:** Under the remedy, pensioner members with remediable service can elect to receive either legacy scheme or reformed scheme benefits. Commutation is giving up part or all of the pension payable in exchange for a lump sum. The AFPS

have different commutation terms and elections may therefore change the value of lump sums and pensions. Members who have already taken benefits may be required to repay them or may be eligible for an additional payment. Where members have already made commutation decisions, these may not be re-visited.

5.11 All in-scope members will receive a detailed statement showing the options and consequences of the different choices available, as applicable to the member's individual circumstances. We cannot predict which or how many members will elect to change to a scheme with different commutation arrangements for the remediable period.

5.12 **Age:** The remedy seeks to rectify age-based discrimination which denied eligible members access to certain schemes based on age. The MOD has no way of predicting future behaviour so cannot predict if age will be a factor influencing decisions connected to different commutation outcomes. However, age is not a factor relevant to commutation outcomes linked to remedy elections and the MOD has no evidence to suggest that our approach will lead to inequitable outcomes based on age.

5.13 **Other Protected Characteristics:** The approach taken to commutation is available to all in-scope members regardless of protected characteristics. We have no evidence that inequitable outcomes will accrue to members as a result of sharing a protected characteristic.

Dependant Benefits

5.14 **Policy Choices:** When an eligible AFPS member dies, dependant benefits may be payable. What is payable and to whom differs depending on the scheme rules. When an eligible member dies before making an election or when a member makes an election and dies before it comes into payment, the MOD will allow the appropriate decision maker to make the remedy election. The eligible decision maker will be provided with a remediable service statement (RSS) showing the benefit options of the legacy and reformed schemes to enable them to compare benefits and make an informed decision for the deceased member's remediable service.

5.15 The eligibility for survivor benefits varies by scheme, reflecting changing societal norms and expectations over time.

5.16 The choices the MOD has made relating to survivor benefits widens the scope of who the eligible decision maker may be but does not directly alter the amounts available; they confirm who the eligible decision maker is in different circumstances.

5.17 **Age:** When an eligible member dies before making an election and:

- a. the eligible survivors are all children under 18 and live in different households, or
- b. the eligible children are all over 18 but cannot agree on a single eligible decision maker to make the election,

the AFPS scheme administrators will be the eligible decision maker and make the election on behalf of eligible survivors.

5.18 This policy decision is made to ensure that, where there is no agreement or the potential for competing claims, eligible children quickly receive the maximum benefits due to them.

5.19 There is a clear difference in treatment between those who are over and those who are under 18 years. However, the Equality Act 2010 only prohibits discrimination between adults, i.e. those over 18. Therefore, discrimination against under 18s – in this case removing their ability to make an election – is not unlawful. Notwithstanding this, MOD notes that in any case the age of majority in the UK is 18, and under the law it is at this age that individuals acquire legal capacity in many financial matters (e.g. to enter into legally binding contracts, to hold a credit card and take out a loan). Given the potentially significant legal and financial ramifications from making an election, it is considered appropriate to apply the same age limit to the ability of a person to make an election. Therefore, the difference in treatment between dependants aged under and aged over 18 is objectively justifiable.

5.20 **Other Protected Characteristics:** We do not have reliable data on the protected characteristics of dependants, however:

- a. the value of payments to individuals is not determined in relation to any protected characteristic, and
- b. we have no evidence that the composition of these groups is linked to any particular protected characteristic.

5.21 Our analysis does not suggest that this policy presents any inequality in principle against any protected characteristic, rather it secures a maximal and timely resolution for survivors in specific circumstances.

Early Payment of Deferred Pension

5.22 **Policy Choices:** Each AFPS has its own rules regarding early payment; these are summarised but not amended by MOD policy which outlines who is eligible to claim an early pension and describes the administration arrangements for early payment claimants.

5.23 MOD policy for the remedy is that, where a member has previously requested to receive early payment of their deferred pension on an actuarially reduced basis, whether in relation to pension under a legacy scheme or under the reformed scheme, they will remain bound by this decision for relevant service when making their remedy election. A separate decision must be made for each pension scheme.

5.24 The election made differs depending on if the early pension is in payment before the remedy implementation (immediate choice election) or claimed afterwards (deferred choice election). These arrangements are consistent with the wider cohort, do not affect remedy eligibility and do not amend existing early payment rules; there is no financial impact linked to the administration rules.

5.25 Where financial impact exists, it does so in relation to the election made by the member. The outcomes of the available choices will be outlined in the RSS members receive to support their decision making.

5.26 The election taken may impact on the value of the pension based on service accrued in the remediable period, the relevant actuarial reductions and the rules relating to the selected scheme.

5.27 **Age:** The ability to claim early pension, and the age from which it may be done, varies across the schemes.

5.28 The legacy scheme that an individual is a member of is a function of their type and time of service; neither the reformed nor legacy schemes have been found to be discriminatory.

5.29 Therefore, whilst members seeking early payment of deferred pension may receive different amounts according to their scheme rules, the differential is not a function of the remedy.

5.30 All members seeking early pension are treated in exactly the same way in terms of eligibility and value, regardless of protected characteristic.

III Health Retirement (IHR)

5.31 **Policy Choices:** The policy on IHR centralises advice on remedy management in cases of IHR across all the schemes, with the primary focus on when different IHR applicants are to make their remedy election, which in all cases will be supported by a detailed statement of benefit options.

5.32 This policy aligns IHR with normal remedy procedures regarding immediate or deferred elections depending on whether pension benefits are in payment and when an individual retired. The difference in treatment concerns the ill health award and some members of the Reserve Forces Pension Scheme 2005 (RFPS 05). Only 47 members are in scope for this issue.

RFPS 05

5.33 Members of RFPS 05 will be given an immediate rather than a deferred choice if they are:

- a. Transition members medically discharged with no legacy pension but with Tier 1 benefits from the reformed scheme,

or,

- b. Full protection members not entitled to an ill health pension because the condition was not assessed as significant or permanent, but who would be entitled to reformed scheme equivalent Tier 1 benefits.

5.34 The variance in outcome gives this group an immediate election rather than a deferred choice in order to prevent:

- a. Transition members repaying a Tier 1 lump sum, with interest, if they elect to remain with RFPS 05 benefits.
- b. Unreasonable delays for Full Protection members who wish to elect for reformed scheme benefits, and thereby qualify for reformed scheme Tier 1 benefits.

5.35 This policy decision is a protective measure which seeks to minimise disruption to a vulnerable category of the McCloud cohort who are more likely to be disabled or otherwise infirm and reduce unnecessary administrative effort and expense.

5.36 These arrangements do not affect the value of the remedy outcome that in-scope RFPS 05 members will receive. Being in-scope for this policy is not linked to any other protected characteristics, and this policy does not alter eligibility for or value of remedy outcome. Remedy eligibility and outcome remain the same for all members of the McCloud cohort regardless of their protected characteristics or their status in relation to this policy.

Late Retirement/Deferment

5.37 **Policy Choices:** This policy provides guidance to the scheme administrator on how to implement the remedy for eligible members who have taken late retirement from

the reformed scheme or who deferred their pensions, with particular focus on the RSS and calculation methodology.

5.38 A member who has made a late claim of deferred legacy pension, who has been paid arrears and then chooses reformed scheme equivalent benefits, would be required to repay the arrears, and pay any interest due on the overpayment.

Late Retirement & Pension Uplift

5.39 Only the reformed scheme has provision for late retirement from service, allowing members to take their pension later than the scheme's Normal Pension Age (NPA) of 60, with a late retirement uplift. A member with accrued benefits in both legacy and reformed schemes, retiring after the Normal Pension Age of both schemes, will only have their reformed scheme benefits uplifted.

5.40 Legacy schemes do allow deferral and each scheme has its own rules regarding length of deferral, late claims, and the treatment of arrears. Each scheme has different rules regarding eligibility for late retirement or deferment.

5.41 The RSS will outline the benefits, costs and consequences associated with the available options.

Race/Sex:

5.42 The choice to take late retirement or to defer payment of pension is an individual one normally based on circumstances relating to income and employment.

5.43 316 in-scope members have applied for deferment or late retirement. The race and sex profile of this cohort is broadly in-line both with the McCloud cohort and the wider Armed Forces population, and so MOD does not believe that the policy will affect any particular group of people with protected characteristics more than another.

5.44 The outcomes for those in-scope for the remedy policy on late retirement and deferment is not affected by the possession of any protected characteristic.

Medical Officers & Dental Officers (MODOs)

5.45 **Policy Choices:** The Medical Officers and Dental Officer (MODO) bonus scheme is a pay related retention initiative providing an in-service lump sum. A condition of the MODO bonus scheme is that those claiming the pay bonus lose their rights to EDP 05 benefits.

5.46 As part of the remedy, HMT requires a MODO who received a bonus during the remedy period and elects to take reformed scheme benefits, to repay the bonus plus interest. Those who return to their legacy, bonus-bearing scheme receive arrears with interest on the bonus.

5.47 MODOs who were moved from AFPS 05 to the reformed scheme will be returned to AFPS 05 on rollback and will therefore have access to the bonus scheme for the remedy period. Those who were paid a pro-rata bonus in the remedy period will receive a top-up payment with interest. However, if they subsequently make an election for new scheme benefits for the remedy period (potentially several years after receiving the bonus), they will have to repay the proportion of the bonus they received in relation to the remediable service.

5.48 The MODO policy is specific to the MOD, requiring specific instructions to the pension administrators, but the principles, dates, rates of interest etc. are as per the PSPJOA and HMT direction; the outcomes for MODOs must be the same as for the wider McCloud cohort in terms of being restored to the position they would have been in had the discrimination not occurred.

5.49 The MOD has applied HMT direction to the MODO context and not generated any new policies or sought to deliver different outcomes to those directed in the Act.

Redundancy

5.50 **Policy Choices:** Section 22(2)(i) of the Act allows the MOD to decide how to implement the remedy for those with remediable service who have been/are made redundant and are eligible for a redundancy payment. This gives schemes the

flexibility to implement the Act in the most effective way and largely concerns the point when an election is to be made.

- a. In-scope members made redundant after they have earned their immediate pension or EDP will make their election and receive benefits at the point of redundancy.
- b. Personnel who have left or leave before remedy implementation will have an immediate choice to receive legacy scheme benefits or equivalent reformed scheme benefits.
- c. Members who are made redundant after 1 October 2023 will be given a deferred choice at the point of exit from the services.
- d. Anyone made redundant between 01/04/2015 and 31/12/2020 will be paid legacy terms. Their election regarding remediable service benefits will not affect their redundancy payment.
- e. All others will make a pension choice at redundancy point and this will affect their redundancy payment.

5.51 **Age:** The remedy treatment that individuals receive is not determined by age.

5.52 **Sex:** The value of the remedy received by the McCloud redundancy cohort is unaffected by the sex of the member.

5.53 **Race:** Our data show that of those made redundant:

- a. 54% were from an ethnic minority background,
- b. 40% were 'other-Asian',
- c. 46% were from a white background.

5.54 This apparent distortion reflects an overlap between the fourth tranche of the redundancy programme and the first three months of the remediable period. The final redundancies took place in June 2015 bringing those who left between 1 April and 30 June 15 in-scope for McCloud if they had also been serving before 31 March 2012. This tranche included the Army's Gurkha units and Gurkhas are recorded as 'other-Asian'. This has resulted in an abnormality in the redundancy data. Under normal

circumstances we would expect to see single figure redundancies in a typical three-month period.

5.55 All personnel made redundant before 31 December 2020 departed on legacy terms. The value of any remedy received by individuals in the McCloud redundancy cohort is unaffected by a member's race and we conclude that the remedy does not discriminate on the grounds of race.

Default Position and Vulnerable Members

5.56 **Policy Choices:** The MOD (as scheme manager) is required under the PSPJOA to explain how the election process will be managed in certain circumstances.

5.57 If no election is received by the deadline, we will deem no election to have been made and a default decision will apply, retaining legacy scheme benefits for the remediable period.

5.58 There will be safeguards in place to encourage election returns by sending reminders at appropriate points and providing support for those who may need it, in order to reduce the requirement to deem and to ensure the most appropriate election is made. We have also created provision for cases where the member has died, where a dependant will need to make an election and the circumstances when a late election can be accepted late.

5.59 We cannot identify in advance who will fail to make an election or require further assistance; therefore, we have put these mitigations in place as a contingency to support decision making, maximise the value of pensions to members and ensure any potentially negative impact is addressed.

5.60 **Vulnerable Members:** The Remediable Service Statement outlines measures to be taken where no election is received. In certain circumstances this may be because a member has certain vulnerabilities.

5.61 Whilst members who are in receipt of compensation or benefits due to an attributable injury are known to the MOD, we do not know who will become vulnerable or infirm

after leaving service. They are not required to inform us, and we recognise that we do not and will not hold accurate data regarding such circumstances.

5.62 MOD retains discretion in order that the scheme manager can make the election if they think it would be in the interests of the member in certain appropriate cases.

5.63 **Time:** Wherever possible, we have maximised the time available for members to make an election. Furthermore, we will conduct follow-up action if no election is received.

Chapter 6. Summary of Impacts

6.1 The MOD's retrospective remedy proposals fully meet the aims of the Equality Duty as follows.

a. **Eliminate Unlawful Discrimination:** (Directed in the PSPJOA)

- Closure of legacy schemes from 31 March 22.
- Moving all personnel serving from 1 April 22 onto the same scheme.

b. **Encourage participation of people who share a protected characteristic:**

- Eligibility of all in-scope personnel to a remedy election, regardless of protected characteristic.
- Measures in place to support access to the remedy for vulnerable members.

c. **Foster Good Relations between those who share a protected characteristic and those who do not:**

- The remedy will eradicate the division between Transition members, who were more likely to be younger, female or from an ethnic minority, and Full Protection members who were more likely to be older, male, and white.

6.2 The aim of the remedy is to remove direct age discrimination and indirect sex and race discrimination. The remedy does this by restoring all members to the situation

they were in before the discrimination occurred and then offering them a choice of legacy or reformed scheme benefits for the remediable period.

Negative Impacts & Mitigation

6.3 The MOD has not identified any negative effects related to any of the measures proposed in the retrospective remedy. Whilst the MOD does not consider any of the proposed measures to discriminate, we have taken steps to ensure that members who may have difficulty accessing the remedy and making an election, are provided with the support they may need to make an election in terms of time, engagement, and default position.

Chapter 7. Decision

7.1 The MOD assess that the measures it has proposed in the consultation:

- a. will not result in direct or indirect discrimination, and
- b. will have a positive impact by assuring the same outcome for all members.

7.2 The MOD will proceed with the consultation on the proposed retrospective remedy.

Chapter 8. Monitor and Review

8.1 The MOD expect the retrospective phase of the McCloud remedy to provide a greater challenge than the simpler prospective phase. The retrospective remedy is complex, detailed, deals with a large range of issues across the wider pensions policy landscape and offers individual choice to eligible members over an extended timescale.

8.2 The MOD has sought to anticipate as many permutations of individual circumstances as possible and will remain engaged with our pensions delivery partners throughout implementation and beyond to deal with challenges and improve policy as required.

8.3 The impact of the remedy, on both groups and individuals, will be determined by the election choices they make after October 23. The MOD will continue to monitor election outcomes, appeals and relevant casework to ensure it remains aware of the emergence of unforeseen inequitable outcomes in the remedy.

Chapter 9. Approvals

Tracey Palmer

Acting Head Armed Forces Remuneration

Approval Received: 17 January 2023

V Adm P Hally CB MBE

Chief of Defence People

Approval Received: 23 January 2023

(The sign-off is for internal accountability and not publication)

Approved by the decision maker

Rt Hon Dr Andrew Murrison MP

Minister for Defence People, Veterans and Service Families

Approval Received: 26 January 2023