

# Local Government Pension Scheme



THE ROYAL COUNTY OF  
**BERKSHIRE**  
PENSION FUND

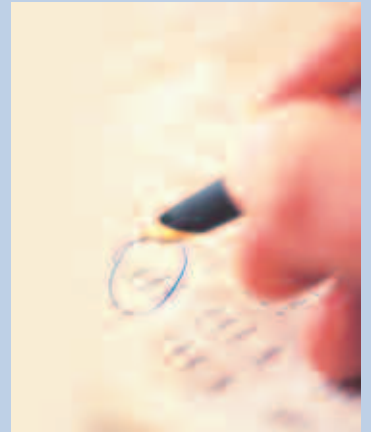
## Protection for your family



# Introduction

This booklet explains the benefits that become payable to your dependants from the Local Government Pension Scheme (LGPS) in the event of your death.

If ever your dependants need to contact the Pension Team they will need to supply certain information. You may find it useful to make a note of the information required in the box below and make your dependants aware of it.



Your Date of Birth: \_\_\_\_\_

Your Date of Marriage: \_\_\_\_\_

Your Date of Civil Partnership Registration: \_\_\_\_\_

Your National Insurance Number: \_\_\_\_\_

Your Payroll Number: \_\_\_\_\_

Your Employer: \_\_\_\_\_

# Death in service

If you die in service, certain benefits may be paid to your dependants:

- A lump sum death grant
- A pension for your legally married spouse (husband or wife), nominated cohabiting partner (same or opposite sex) or registered civil partner
- Pensions for your dependent children.



## Death grant

The amount of lump sum payable is equal to three times your final annual pay no matter how long you have been a member of the Scheme. If you are a part-time employee, the pay figure used is the actual pay you receive and is not increased to its whole-time equivalent rate in the same way as when retirement benefits are calculated.

You can nominate who you would like to receive any death grant payable by completing an expression of wish form. You can ask the Pension Team to send you a copy (their contact details can be found on page 16) or you can download a copy at [www.berkshirepensions.org.uk](http://www.berkshirepensions.org.uk).

Please note the administering authority has the discretion to pay the death grant to your nominee or personal representatives or to any person who appears, at any time, to have been your relative or dependant. If any part of the death grant has not been paid within the period of two years from the point at which the Pension Team became aware of your death, it must be paid to your personal

representatives, i.e. to your estate. This may result in an inheritance tax charge being placed on the death grant.

## Spouse's / nominated cohabiting partner's / civil partner's pensions

If you die and leave a husband or wife, a nominated cohabiting partner or civil partner, he or she, as your widow or widower, nominated cohabiting partner or civil partner, will become entitled to part of your pension. Local Government long-term dependent spouse's, nominated cohabiting partner's and civil partner's pensions no longer cease upon re-marriage to, cohabitation with, or re-registration of a civil partnership with, another person.

## Long-term Widow's Pension

If you die before your wife a long-term widow's pension is payable equal to 1/160th of your final pay for each year and part-year of your membership built up to the date of your death plus your prospective membership from your date of death to age 65. Your widow's long-term pension is fully inflation proofed and payable for life.

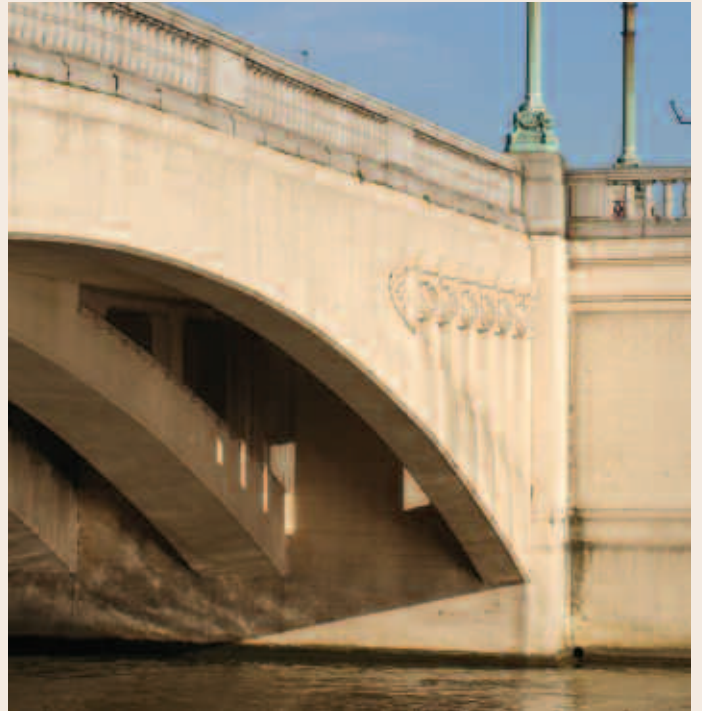
### Long-term widower's pension

If you die before your husband, a long-term widower's pension is payable equal to 1/160th of your final pay for each year and part-year of your membership built up since 1 April 1972 plus your prospective membership to age 65. Your widower's long-term pension is fully inflation proofed and payable for life.

### Long-term nominated cohabiting partner's pension

If you have not already done so (providing you have contributed to the LGPS at some point since 1 April 2008), you can nominate a cohabiting partner as beneficiary of any survivor's pension that may become payable in the event of your death. For a cohabiting partnership to be valid, both you and your partner **MUST** sign a declaration confirming that you are cohabiting partners and that:

- i) Your cohabitation had been continuous for at least two years at the date that the declaration is signed
- ii) You are free to marry or enter into a civil partnership at any time
- iii) You are living together as if husband and wife or civil partners
- iv) You are not living with a third person as if husband or wife or civil partners
- v) Either your partner is financially dependent upon you or you are financially inter-dependent upon each other.



If you die before your nominated cohabiting partner, he or she will become entitled to a long-term nominated cohabiting partner's pension equal to 1/160th of your final pay for each year and part-year of your membership built up since 6 April 1988 plus your prospective membership to age 65.

Your nominated cohabiting partner's long-term pension is fully inflation proofed and payable for life.

**PLEASE NOTE: If you do not nominate your cohabiting partner a pension will not be paid even if the conditions detailed above are satisfied.**

### Long-term civil partner's pension

If you die before your civil partner he or she will become entitled to a long-term civil partner's pension equal to 1/160th of your final pay for each year and part-year of your membership built up since 6 April 1988 plus your prospective membership to age 65. Your civil partner's long-term pension is fully inflation proofed and payable for life.



# Death

## in service continued

### Children's pensions

Children's pensions are payable as long as eligible children remain following your death. To be eligible your children must be:

- Aged under 18 (or under 23 if in full-time education or training since before the age of 18), and
- Wholly or mainly dependent on you, or
- Dependent upon you by reason of incapacity since before the age of 18, or
- Born within 12 months from the date of your death.

The administering authority may, at their discretion, ignore a break in training or education and you can ask your administering authority what their policy is on this matter.

Please note that any children's pension brought into payment before 6 April 2006 is payable to the age of 17 or the point at which full-time education or training ceases, if later.

### Children's long-term pension

If there is a pension payable to your legally married spouse, nominated cohabiting partner or civil partner, the following children's pensions will be payable:

- One eligible child will receive 1/320th of your final pay times the total membership used in the calculation of your benefits (including the enhancement to age 65)
- Two or more eligible children will receive 1/160th of your final pay times the total membership used in the calculation of your benefits (including the enhancement to age 65) divided equally between them.

If there is no pension payable to your legally married spouse, nominated cohabiting partner or civil partner, all references made above to 1/320th should be replaced with 1/240th and all references to 1/160th should be replaced with 1/120th.

Children's pensions are fully index-linked.



# Death after retirement

If you die after you have retired, further benefits may still be paid from the LGPS:

- A lump sum death grant
- A pension for your legally married spouse (husband or wife), nominated cohabiting partner or registered civil partner
- Pensions for your dependent children.



## Death grant

The amount of lump sum payable is dependent upon how long you have been in receipt of your pension. A death grant is payable if you die within 10 years of the date of your retirement (providing this is before the age of 75) and will be equal to 10 times the annual pension in payment minus the amount of pension already paid up to the date of death.

You can nominate who you would like to receive any death grant payable by completing an expression of wish form. The expression of wish form can be obtained by contacting the Pension Team whose details can be found on page 16 or by downloading a copy at [www.berkshirerpensions.org.uk](http://www.berkshirerpensions.org.uk).

## Spouse's / nominated cohabiting partner's / civil partner's pensions

If you die before your husband or wife, nominated cohabiting partner or civil partner, he or she, as your widower or widow, nominated cohabiting partner or civil partner, will become entitled to part of your pension for the rest of his or her life. Local Government dependent spouse's, nominated cohabiting partner's and civil partner's pensions no longer cease upon re-marriage to, cohabitation with, or re-registration of a civil partnership with, another person.

## Long-term widow's pension

If you die before your wife she will become entitled to a long-term widow's pension. A long-term widow's pension is equal to 1/160th of your final pay (i.e. the pay used to calculate your pension) times your total membership. To this is added full inflation proofing and the pension is payable for life.

## Long-term widower's pension

If you die before your husband he will become entitled to a long-term widower's pension. A long-term widower's pension is equal to 1/160th of your final pay (i.e. the pay used to calculate your pension) times your membership built up since 1 April 1972. To this is added full inflation proofing and the pension is payable for life.

# Death

## after retirement continued



### Long-term nominated cohabiting partner's pension

If you have not already done so, provided you contributed to the LGPS at some point since 1 April 2008, you can nominate a cohabiting partner as beneficiary of any dependant's benefit that may become payable in the event of your death. For a cohabiting partnership to be valid both you and your partner **MUST** sign a declaration confirming that you are cohabiting partners and that:

- i) Your cohabitation had been continuous for at least two years at the date that the declaration is signed
- ii) You are free to marry or enter into a civil partnership at any time
- iii) You are living together as if husband and wife or civil partners
- iv) You are not living with a third person as if husband or wife or civil partners
- v) Either your partner is financially dependent upon you or you are financially inter-dependent upon each other.

If you die before your nominated cohabiting partner he or she will become entitled to a long-term nominated cohabiting partner's pension. A long-term nominated cohabiting partner's pension is equal to 1/160th of your final pay (i.e. the final pay used to calculate your pension) for each year of your membership built up since 6 April 1988. To this is added full inflation proofing and the pension is payable for life.



### Long-term civil partner's pension

If you die before your civil partner, he or she will become entitled to a long-term civil partner's pension. A long-term civil partner's pension is equal to 1/160th of your final pay (i.e. the final pay used to calculate your pension) for each year of your membership built up since 6 April 1988. To this is added full inflation proofing and the pension is payable for life.

## Children's pensions

Children's pensions are payable as long as eligible children remain following your death. To be eligible your children must be:

- Aged under 18 (or under 23 if in full-time education or training since before the age of 18), and
- Wholly or mainly dependent on you, or
- Dependent upon you by reason of incapacity since before the age of 18, or
- Born within 12 months from the date of your death.

Please note that any children's pension brought into payment before 6 April 2006 is payable to the age of 17 or the point at which full-time education or training ceases, if later.

### Children's long-term pension

If there is a pension payable to your legally married spouse, nominated cohabiting partner or civil partner, the following children's pensions will be payable:

- One eligible child will receive  $\frac{1}{320}$ th of your final pay (i.e. the pay used to calculate your pension) times the total membership used in the calculation of your benefits
- Two or more eligible children will receive  $\frac{1}{160}$ th of your final pay (i.e. the pay used to calculate your pension) times the total membership used to calculate your benefits, divided equally between them.



If there is no pension payable to your legally married spouse, nominated cohabiting partner or civil partner, all references made above to  $\frac{1}{320}$ th should be replaced with  $\frac{1}{240}$ th and references to  $\frac{1}{160}$ th should be replaced with  $\frac{1}{120}$ th.

### Post-retirement marriage or civil partnership registration

If you marry or enter into a civil partnership after the date of your retirement, the benefits payable to your dependants will be different to those detailed above for Scheme members who were married or had registered a civil partnership before retirement.

Further information can be obtained by contacting the Pension Team whose details can be found on page 16 of this booklet.

# Paying extra for your survivors

There have been recent changes to the Local Government Pension Scheme (LGPS) which may affect the survivor's pension payable on your death if you are in a registered civil partnership, or you have nominated a cohabiting partner to receive a survivor's pension, and you have LGPS membership before 6 April 1988.

These changes alter the way that a survivor's pension for a registered civil partner is calculated, and introduce a new option to buy extra survivor's pension for a nominated cohabiting partner.

A civil partnership is a relationship between two people of the same sex (civil partners) which is formed when they register as civil partners of each other.

To be able to nominate a cohabiting partner, of either the opposite or same sex, to receive a survivor's pension on your death, your relationship has to meet certain conditions laid down by the LGPS. You can find these conditions at the end of this leaflet.

## Changes to civil partner's survivor's pension

Before the change, a survivor's pension for a civil partner was based on LGPS membership from 6 April 1988. This meant that if you had membership before 6 April 1988, not all your LGPS membership was used in calculating a civil partner's pension payable on your death.

The change means that all your LGPS membership will be used in calculating a civil partner's pension. This change has been backdated to apply from 1 April 2008, and covers Scheme members who have paid into the Scheme on or after then.

So, for members who have paid into the Scheme on or after 1 April 2008, a surviving civil partner's pension is now calculated as follows:

- If you die in service as a member of the LGPS, the pension payable to your surviving civil partner is equal to 1/160th of your final pay times the membership you would have built up to age 65. If you are part-time, membership to age 65 is calculated assuming you had remained part-time through to then.
- If you die after leaving on pension or with a deferred pension, the pension payable to your surviving civil partner is equal to 1/160th of your final pay times the membership your pension/deferred pension is based on.



### **Paying extra to provide additional survivor's pension for your nominated cohabiting partner**

A survivor's pension for a nominated cohabiting partner was introduced into the scheme from 1 April 2008, provided you paid into the LGPS on or after then, and is based on your LGPS membership from 6 April 1988.

If you have membership before 6 April 1988, you can now choose to pay extra contributions so that your pre 6 April 1988 membership can also count in calculating your nominated cohabiting partner's pension on your death. This will increase the pension payable to them.

You can opt for all of your pre 6 April 1988 membership to count towards a surviving nominated cohabiting partner's pension, or you can opt for just part of it (in

complete years) to count. You have to be under age 65 to start to pay these extra contributions.

Currently, Scheme regulations state that an option to buy extra surviving nominated cohabiting partner's pension has to be made by 31 March 2011, although the deadline may be extended subject to the Scheme rules being amended. If you are reading this leaflet after 31 March 2011, please contact the Pension Team for further information.

The cost to you of buying extra surviving nominated cohabiting partner's pension is calculated in accordance with actuarial tables and guidance from the Government which can be reviewed at any time. Any change in the cost would only apply from 1 April following a review.



# Paying extra for your survivors continued

If you leave or retire before completing payments, your extra contributions will cease and the proportion of your pre 6 April 1988 membership that you have paid for at the time of leaving will be included in calculating any survivor's pension payable to a nominated cohabiting partner on your death.

However, if you are still paying these when you retire and you qualify for the type of ill-health pension where your benefits are based on enhanced membership, or you are still paying the extra contributions and you die in service, then all of the period of your pre 6 April 1988 membership that you set out to buy will be included in calculating any survivor pension payable to a nominated cohabiting spouse, even if you have not completed full payment for it.

You can choose to stop paying these extra contributions at any time by notifying the Pension

Team and your employer in writing. The proportion of your pre 6 April 1988 membership that you have paid for at the time you stop payment will be included in calculating any survivor's pension payable to a nominated cohabiting partner on your death.

If, after starting to pay extra contributions, you contact the Berkshire Pension Fund to revoke your nomination of a cohabiting partner (e.g. if you are no longer living together), the extra contributions already paid will be used to buy extra pension for yourself.

For more details and a quotation, contact the Berkshire Pension Fund on 0845 602 7237. You may be required to undergo a medical examination at your own expense before being allowed to pay extra contributions so that your pre 6 April 1988 membership can also count in calculating a nominated cohabiting partner's pension on your death.



To be able to nominate a cohabiting partner to receive a survivor's pension on your death, you have to have paid into the LGPS on or after 1 April 2008 and your relationship has to meet certain conditions laid down by the LGPS.

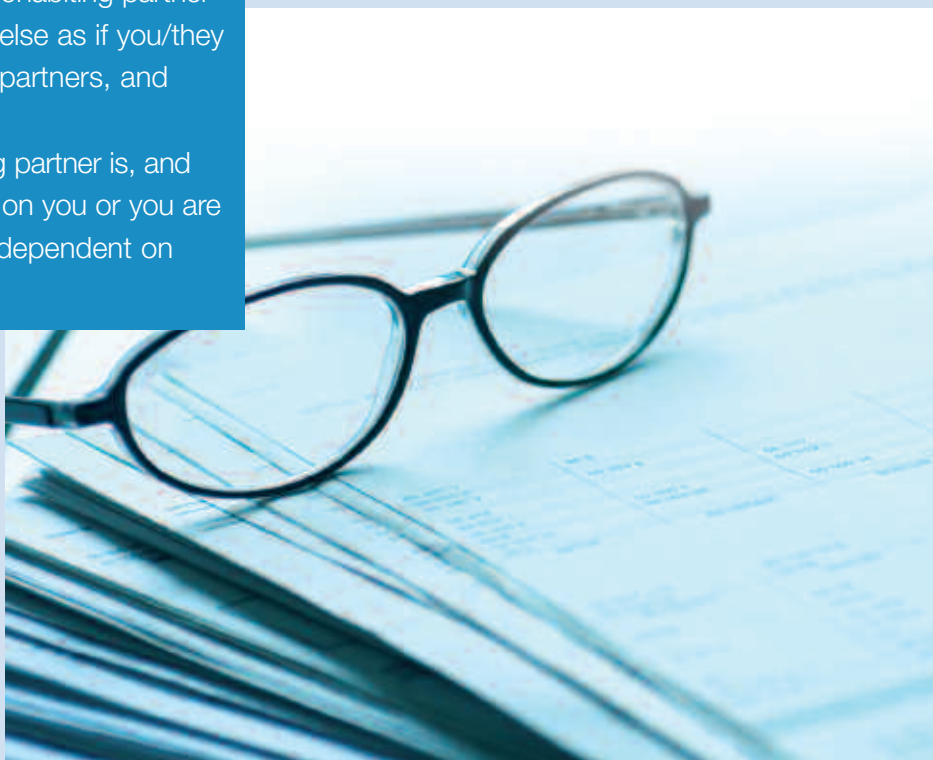
All of the following conditions must apply to both you and your nominated cohabiting partner and each condition must have applied for a continuous period of at least two years on the date you both sign the nomination form:

- both you and your nominated cohabiting partner are, and have been, free to marry each other or enter into a civil partnership with each other, and
- you and your nominated cohabiting partner have been living together as if you were husband and wife, or civil partners, and
- neither you or your nominated cohabiting partner have been living with someone else as if you/they were husband and wife or civil partners, and
- either your nominated cohabiting partner is, and has been, financially dependent on you or you are and have been financially inter-dependent on each other.

Your partner is financially dependent on you if you have the highest income. Financially inter-dependent means that you rely on your joint finances to support your standard of living. It doesn't mean that you need to be contributing equally. For example, if your partner's income is a lot more than yours, he or she may pay the mortgage and most of the bills, and you may pay for the weekly shopping.

You make a nomination by completing a nomination form which is available by contacting us on 0845 602 7237 or alternatively you can download a form from our website at [www.berkshirepensions.org.uk/publications.htm](http://www.berkshirepensions.org.uk/publications.htm)

These changes to the LGPS do not affect the survivor's pension payable to a husband or wife, or to eligible children on your death.



# Questions & complaints

If you have a question about your pension rights, or you are not sure of your entitlements, please do not hesitate to get in touch with the Pension Team (their contact details can be found on the back page). We will deal with the problem as quickly and efficiently as possible. Many problems, which may be caused by misunderstandings or wrong information, can be resolved in this way and easily put right. An informal enquiry of this kind may save you a lot of time.

## Internal Dispute Resolution Procedure

If you are not satisfied with any decision affecting you made in relation to the Scheme, you have the right to ask for it to be looked at again under the formal complaint procedure. You also have a right to use the procedure if a decision should have been made by your employer or administering authority, but it hasn't been. The complaint procedure's official name is the 'internal dispute resolution procedure'. You need to make your application in writing and normally within six months of the day when you were told of the decision about which you want to complain.

Your complaint will be considered at Stage 1 by a person specified or nominated by the body (usually your employer) that took the decision against which you wish to complain. If your complaint is not resolved at this stage you can ask the pension scheme administering authority to take a fresh look at your complaint at Stage 2. The administering authority will consider your complaint and give you their decision in writing.

If you are still unhappy following the administering authority's second stage decision, you can take your case to the Pensions Ombudsman provided you do so within three years from the date of the original decision (or lack of a decision) about which you are complaining.

## The Pensions Advisory Service (TPAS)

At any time, if you are having difficulties in sorting out your complaint, you may wish to contact The Pensions Advisory Service (TPAS). TPAS can provide free advice and information to explain your rights and responsibilities. They can be contacted at:

TPAS  
11 Belgrave Road  
London  
SW1V 1RB

Tel: 0845 601 2923 (Monday-Friday 9am – 5pm)  
E-mail: [enquiries@pensionsadvisoryservice.org.uk](mailto:enquiries@pensionsadvisoryservice.org.uk)  
Fax: 020 7233 8016  
[www.pensionsadvisoryservice.org.uk](http://www.pensionsadvisoryservice.org.uk)

## Pensions Ombudsman

In cases where a complaint or dispute cannot be resolved after the intervention of TPAS, an application can be made, within three years of the event, to the Pensions Ombudsman for his adjudication. The Ombudsman can investigate and determine any complaint or dispute involving maladministration of the Scheme or matters of fact or law. His decision is final and binding. Matters where legal proceedings have already started cannot be investigated. The Pensions Ombudsman can be contacted at:

11 Belgrave Road  
London  
SW1V 1RB  
Tel: 020 7630 2200

## The Pensions Regulator

The Pensions Regulator has powers to protect members of work-based pension schemes and a wide range of powers to help put matters right, where needed. In extreme cases, the Pensions Regulator is able to fine trustees or employers and remove trustees from a scheme. You can contact the Pensions Regulator at:

Napier House  
Trafalgar Place  
Brighton  
East Sussex  
BN1 4DW  
Tel: 0870 606 3636



## How can I trace my pension rights?

The Pensions Tracing Service holds details of pension schemes, including the LGPS, together with relevant contact addresses. It provides a tracing service for ex-members of schemes with pension entitlements (and their dependants), who have lost touch with previous employers. All occupational and personal pension schemes have to register if the pension scheme has current members contributing into their scheme or people expecting benefits from the scheme. If you need to use this tracing service please write to:

The Pension Tracing Service  
The Pension Service  
Tyneview Park  
Whitley Road  
Newcastle upon Tyne  
NE98 1BA  
Tel: 0845 6002 537

Don't forget, if you change address you need to notify the Pension Team of your new address details immediately or else you could miss out on vital information relating to your pension in the future. The contact details can be found on the back cover of this booklet.

More detailed information about the Scheme is available from the Pension Team:

Royal County of Berkshire Pension Fund  
Minster Court  
22-30 York Road  
Maidenhead  
Berkshire  
SL6 1SF

Tel: 0845 602 7237  
Fax: 01628 796 700  
E-mail: [info@berkshirepensions.org.uk](mailto:info@berkshirepensions.org.uk)  
Website: [www.berkshirepensions.org.uk](http://www.berkshirepensions.org.uk)

This guide cannot cover every personal circumstance and does not cover rights that apply to a limited number of employees. In the event of any dispute over your pension benefits the appropriate legislation will prevail. This guide does not confer any contractual or statutory rights and is provided for information purposes only.

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The Royal Borough of Windsor and Maidenhead is the administering authority to the Royal County of Berkshire Pension Fund.

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