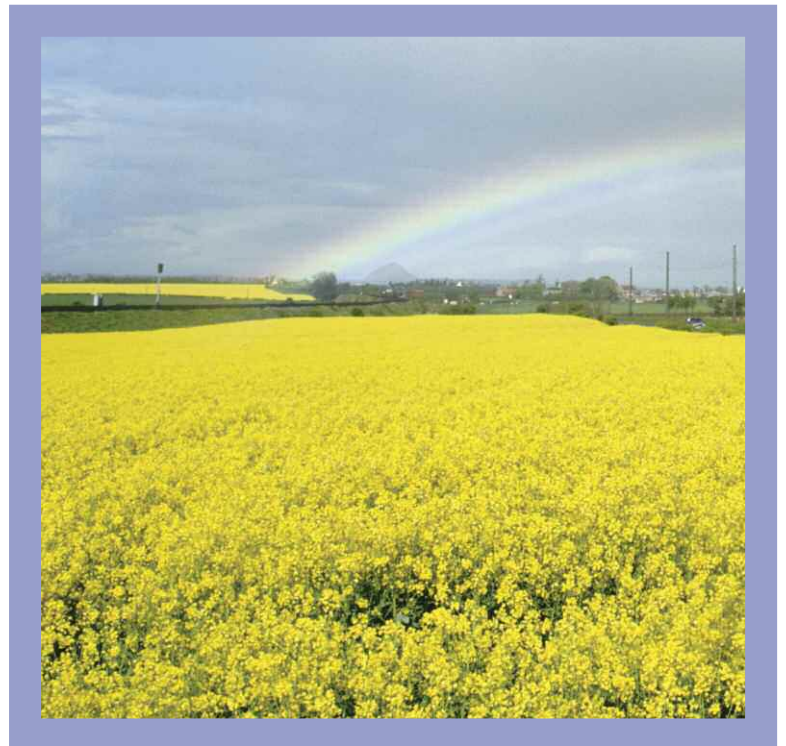
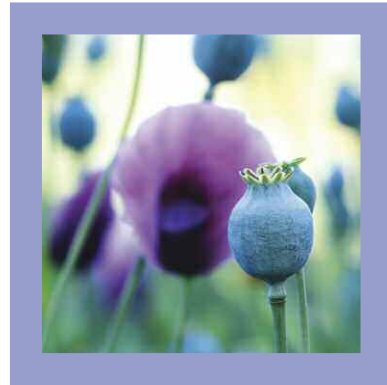


# Local Government Pension Scheme



## Civil partnerships and your pension





**The Civil Partnership Act came into force on 5 December 2005, allowing same sex couples to gain legal recognition for their relationship and providing the same benefits as married couples.**

This leaflet aims to tell you briefly about the registration procedure in general, but more importantly to tell you about the impact on your LGPS benefits. This includes an introduction to the type of survivor pension rights your civil partner will be entitled to if you do register your partnership. It also looks at the lump sum life cover offered by the Scheme, something you have whether or not you register a civil partnership.

### **Civil partnerships – a brief guide**

Civil partnership allows same sex couples to gain legal recognition for their relationship through a procedure which is similar to a Register Office wedding. By going through this process, you and your partner will gain various legal rights, including entitlement to survivor pensions. Your state pension could also be affected and you can find more information by contacting the Pension Service, or by visiting the DirectGov website ([www.direct.gov.uk](http://www.direct.gov.uk)).



## How to register a partnership

Much of the procedure is like the registration procedure for a civil marriage. Once you register, legally you become civil partners. If your civil partnership doesn't work out there is a legal 'divorce' procedure called dissolution. If your civil partnership is dissolved, your pension will be taken into account in any settlement.

By registering your partnership through this process, your civil partner automatically becomes entitled to an LGPS pension if you die first. There is an expression of wish form for payment of the lump sum life cover. This is something you should think about whether or not you register your civil partnership. You can download a copy of the expression of wish form at [www.berkshirerpensions.org.uk](http://www.berkshirerpensions.org.uk) or contact the Pension Team.

For more information about registering a civil partnership see the DirectGov website ([www.direct.gov.uk](http://www.direct.gov.uk)) or the General Register Office for Scotland website ([www.gro-scotland.gov.uk](http://www.gro-scotland.gov.uk)).

## Pensions for your civil partner

Once you have registered your civil partnership, your civil partner becomes entitled to LGPS pension benefits if you die. The box opposite gives a brief explanation of the benefits payable to your civil partner if you die before or after you retire.

- If you die whilst a contributing member to the Scheme – there is a long-term pension payable for your partner's lifetime calculated at a rate of 1/160th of your final pay times the total of your membership accrued from 6 April 1988 duly increased to the age of 65 as if you had retired on permanent ill-health grounds and not died in service. This pension would be increased every year in line with inflation.
- If you die before retirement age having retained benefits in the LGPS – there is a long-term pension payable for your partner's lifetime calculated at a rate of 1/160th of your final pay at the date that you left employment, times the total of your membership accrued from 6 April 1988 to the date that you left employment. This pension would have increased every year by inflation since the date that you left the Scheme and will continue to increase in line with inflation whilst in payment.
- If you die after you retire – there is a long-term pension payable for your partner's lifetime based on 1/160th of your final pay (the pay used to calculate your pension) times the total of your membership accrued from 6 April 1988 to the date of your retirement. This pension would increase annually in line with the cost of living.





### Can I nominate my partner without having to register a civil partnership?

Since 1 April 2008, LGPS regulations have allowed members to nominate same or opposite sex partners for a survivor's pension so long as they satisfy certain conditions. If this option is of interest to you please see our leaflet 'Nominating your cohabiting partner for a survivor's pension'.

Remember, if you formally register a civil partnership your partner automatically becomes entitled to a survivor's pension. If you nominate your partner you have to satisfy certain conditions and if you DO NOT nominate your partner a survivor's pension WILL NOT be paid even if those conditions are satisfied at the time of your death.

### Children's pensions

If you leave dependent children, they will also receive a pension for as long as they are classed as eligible. This is the case whether or not you register your civil partnership.

To be eligible your children must be:

- Aged under 18, or
- Aged 18 or over but under 23 and have been in full-time education or training since before the age of 18, or
- 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.

If there is a civil partner's pension payable to your 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 civil partner's pension in payment the children's pensions detailed above are increased to  $\frac{1}{240}$ th instead of  $\frac{1}{320}$ th and  $\frac{1}{120}$ th instead of  $\frac{1}{160}$ th.



## Lump sum life cover

### Before retirement

If you die before you retire, a lump sum equal to three times your annual pensionable pay is paid as a death grant. You have this cover from the moment you join the Scheme. If you are part-time, the payment is three times your actual part-time pay.

### After you retire

If you die before the age of 75 and before you have drawn a full ten years' pension, the balance of ten years' pension will be payable as a death grant. This will be based on your pension before any reductions.

### If you leave with deferred benefits

If you leave the LGPS and leave deferred benefits in the Scheme, five times the value of your deferred annual pension plus pension increases is payable.

## Who will the lump sum be paid to?

The administering authority to the Royal County of Berkshire Pension Fund will decide who receives any lump sum death grant, but it is helpful if you let them know your wishes by completing an expression of wish form which can be downloaded at [www.berkshirerpensions.org.uk](http://www.berkshirerpensions.org.uk). You can also ask the Pension Team to send you a form.

You have the lump sum life cover shown above whether or not you register your partnership. If you do register, this doesn't mean your civil partner will automatically get the lump sum so you should still think about filling in an expression of wish form.



# Changes to civil partner's pensions

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, 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. 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.

## 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 to the Scheme rules became effective

from 1 April 2008, and covers Scheme members who have paid into the Scheme on or after then.

So, for Scheme 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.

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.



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)

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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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