

# Civil partnerships and your pension



Local Government  
Pension Scheme



THE ROYAL COUNTY OF  
**BERKSHIRE**  
PENSION FUND

# 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

Since 5 December 2005 same sex couples have been able to gain ‘legal recognition’ for their relationship by registering their Civil Partnership in a ceremony similar to a Register Office wedding.

By registering your Civil Partnership, 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 their website [www.gov.uk](http://www.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 a 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 nomination form at [www.berkshirerpensions.org.uk](http://www.berkshirerpensions.org.uk) or contact the scheme administrators.

For more information about registering a civil partnership see the General Register Office website [www.gro.gov.uk](http://www.gro.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.

On the next page you will find a brief explanation of the benefits payable to your civil partner if you die before or after you retire.

### Some points to consider

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  $1/160^{\text{th}}$  of your Assumed Pensionable Pay multiplied by 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  $1/160^{\text{th}}$  of your Assumed Pensionable Pay at the date that you left employment, based on the total of your pension built up 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  $1/160^{\text{th}}$  of your Assumed Pensionable Pay (the pay used to calculate your pension) based on your pension build up from 6 April 1988 to the date of your retirement. This pension would increase annually in line with inflation.

## Can my partner qualify for a survivor's pension 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 "Cohabiting partner's pension".

**Remember, if you formally register a civil partnership your partner automatically becomes entitled to a survivor's pension.**

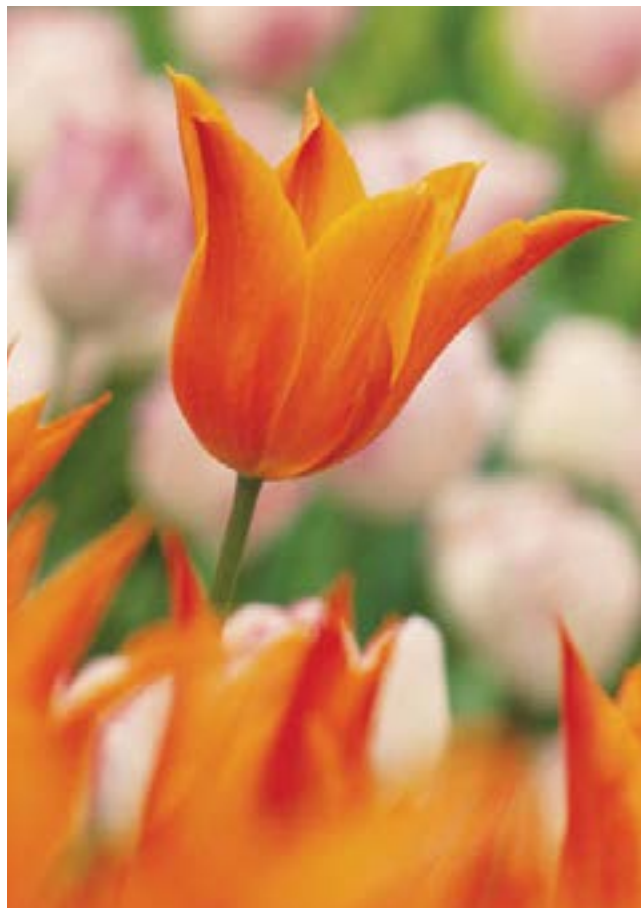
### Children's pensions

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

Children's pensions are payable for so long as eligible children remain following your death.

To be eligible your child must be a natural or adopted child, a step-child or a child accepted by the deceased as a member of the family. They would also need to meet the following additional criteria:

- 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
- 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  $1/320^{\text{th}}$  of your Assumed Pensionable Pay multiplied by the total membership used in the calculation of your benefits;
- Two or more eligible children will receive  $1/160^{\text{th}}$  of your Assumed Pensionable Pay multiplied by 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  $1/240^{\text{th}}$  instead of  $1/320^{\text{th}}$  and  $1/120^{\text{th}}$  instead of  $1/160^{\text{th}}$ .

## Lump sum life cover

### Death in service

If you die in service, a lump sum equal to three times your assumed annual pensionable pay is paid as a death grant. You have this cover from the moment you join the scheme.

### After you retire

If you retired after 1 April 2008 a death grant is payable if you die within 10 years of your retirement date up to the age of 75. The value of the death grant is dependent on whether you retired from the LGPS before or after 1 April 2014. Therefore please contact the Berkshire Pensions team to find out how this may apply to you.

### If you leave with deferred benefits

If you left the LGPS before 1 April 2008 with deferred benefits the death grant payable is the value of your retirement grant lump sum at your date of death.

If you left the LGPS after 31 March 2008 and leave your deferred benefits in the scheme,

5 times the value of your deferred annual pension plus pension increases is payable in the event of your death.

### Who will the lump sum be paid to?

Your pension fund administrator 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 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.

You can complete an Expression of Wish through our online service or you can request a form to be posted to you by contacting 0845 602 7237.



## Changes to Civil Partners 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 that date.

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  $1/160^{\text{th}}$  of your Assumed Pensionable Pay, multiplied by 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  $1/160^{\text{th}}$  of your pensionable pay multiplied by 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.

*Find out more online...*

Further information regarding the Local Government Pension Scheme can be found on our website where you will also find more factsheets, forms and guides.

Visit [www.berkshirerpensions.org.uk](http://www.berkshirerpensions.org.uk)



http://

## More information

More detailed information about the scheme is available on [www.lgpsmember.org](http://www.lgpsmember.org) or you can contact your pension scheme administrators at the following address:

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

**Tel: 0845 602 7237**

**Fax: 01628 796 700**

**Email: [info@berkshirepensions.org.uk](mailto:info@berkshirepensions.org.uk)**

**Web: [www.berkshirepensions.org.uk](http://www.berkshirepensions.org.uk)**



# Contact Us

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)  
[www.berkshirepensions.org.uk](http://www.berkshirepensions.org.uk)



Don't forget you can now view your pension information online through our online service - '**my pension ONLINE**'.

'**my pension ONLINE**' enables you to securely update your personal details, perform benefit calculations and update your nominated beneficiaries from the comfort of your own home or workplace.

It's easy to sign up - just visit our website at [www.berkshirepensions.org.uk](http://www.berkshirepensions.org.uk) and click on the '**my pension ONLINE**' logo.

## Disclaimer

This guide cannot cover every personal circumstance and does not cover rights that apply to a limited number of employees. Readers may wish, or will need to take their own legal advice on the interpretation of any particular piece of legislation. No responsibility will be assumed by the Royal County of Berkshire Pension Fund for any direct or consequential loss, financial or otherwise, damage or inconvenience, or any other obligation or liability incurred by readers relying on information contained herein. 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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