

## Local Government Pension Scheme (LGPS)

### Civil Partnership and the LGPS

This factsheet is designed to give you information about the civil registration procedure in general and the impact of registering a civil partnership on Local Government Pension Scheme (LGPS) benefits. We've also included an introduction to the survivor pensions civil partners would be entitled to and examine the valuable life cover included in the Scheme.

#### Civil Partnerships

A Civil Partnership allows same sex couples to gain legal recognition of their relationship through a formal ceremony and grants rights and responsibilities identical to a civil marriage on a wide range of legal matters. By registering a partnership in this way, civil partners become entitled to survivor pensions in the LGPS.

#### Registering a Civil Partnership

If you want to form a civil partnership you must inform a registration office of your intention. Your local council in England and Wales has a list of registration offices and other approved locations for ceremonies. The registration authority will then publish notices, similar to marriage notices, for a period of 15 days.

Once the registration has taken place you become legal civil partners with the same rights as a married couple. If your civil partnership breaks down there is also a legal dissolution procedure similar to a divorce. If your civil partnership is dissolved, your LGPS pension can be taken into account in any financial settlement.

By registering your partnership, your civil partner automatically becomes entitled to a pension if you die. There is also a Lump Sum Death Grant payable.

For more information about registering a civil partnership see the GOV.UK website ([www.gov.uk](http://www.gov.uk)).

#### LGPS Pensions for your Civil Partner

Once you have registered your civil partnership, your legal partner becomes entitled to a survivor's pension if you die first. A pension is payable if you die in service, or after retiring.

- The death in service pension is payable to your partner for the duration of their lifetime and is calculated as follows:

For membership built up **from** 1 April 2014 to your date of death the pension payable is equal to 1/160th of your **pensionable pay** (or **assumed pensionable pay** where applicable) times the period of your membership in the scheme after 31 March 2014, plus 49/160ths of the amount of any pension credited to your **pension account** following a transfer of pension rights into the scheme from another pension scheme or arrangement, plus a pension equal to 1/160th of your **assumed pensionable pay** for each year of membership you would have built up from your date of death to your **Normal Pension Age**.

If you require any further information, please contact us using the details below.

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For membership built up **before** 1 April 2014 the pension payable is equal to 1/160th of your **final pay** times the period of your membership in the scheme up to 31 March 2014.

- If you leave the scheme and die before retirement, while your benefits are deferred in the scheme, there is a pension payable to your civil partner for the duration of their lifetime calculated as follows:

For membership built up **from** 1 April 2014 to your date of death the pension payable is equal to 1/160th of your **pensionable pay** (or **assumed pensionable pay** where applicable) times the period of your membership in the scheme after 31 March 2014, plus 49/160ths of the amount of any pension credited to your **pension account** following a transfer of pension rights into the scheme from another pension scheme or arrangement.

For membership built up **before** 1 April 2014 the pension payable is equal to 1/160th of your **final pay** times the period of your membership in the scheme up to 31 March 2014. (Please note that if you left the scheme before 1st April 2008 only your membership after 6th April 1988 is used in the calculation).

- The death in retirement pension is payable for your partner's lifetime and is calculated as follows:

For membership built up from 1 April 2014, the pension payable is equal to 1/160th of the **pensionable pay** (or **assumed pensionable pay**, where applicable) upon which your pension was calculated times the period of your membership in the scheme after 31 March 2014, plus 49/160ths of the amount of any pension credited to your pension account following a transfer of pension rights into the scheme from another pension scheme or arrangement.

For membership built up before 1 April 2014, the pension payable is equal to 1/160th of your final pay, times the period of your membership in the scheme up to 31 March 2014 (including any additional membership purchased by you). (Please note that if you retired before 1st April 2008 only your membership after 6th April 1988 is used in the calculation).

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

Yes, since 1st April 2008 the LGPS regulations have allowed members to nominate their same or opposite sex partners to receive a survivor's pension following death as long as certain qualifying conditions are met. If you want further information about this, please read our factsheet on 'Cohabiting Partners'.

Do remember that if you formally register a civil partnership your partner automatically becomes entitled to a survivor's pension. An eligible cohabiting partner must satisfy certain qualifying conditions. Cohabiting partner's pensions are only available to scheme members with active membership after 31st March 2008.

## Children's Pensions

All eligible children of LGPS members are entitled to a child's pension if you die. This is the case regardless of whether you are married, have registered a civil partnership or nominated your cohabiting partner to receive a survivor's pension.

To be eligible your children must; at the date of your death:

- Must be born within 12 months of the date of your death, and
- Be wholly or mainly dependent on you, and
- Be under 18, or
- Over 18 but under 23, and in continuous full-time education or training, or
- In some cases, a dependent child of any age who is disabled may be classed as an eligible child,

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The administering authority may, at their discretion, ignore a break in training or education.

For each year of membership you built up **from** 1 April 2014 to your date of death you would have been credited with a pension equal to a proportion (i.e. 1/49th or, for any period you were in the 50/50 section of the scheme, 1/98th) of the **pensionable pay** (or **assumed pensionable pay** where applicable) you received during that year. The child's pension payable is calculated on a different proportion i.e. (1/320th if there is one child or 1/160th if more than one child) of your **pensionable pay** (or **assumed pensionable pay** where applicable) to which is added 49/320ths if there is one child or 49/160th if more than one child) of the amount of any pension credited to your **pension account** following a transfer of pension rights into the scheme from another pension scheme or arrangement, plus an amount equal to (1/320th if there is one child or 1/160th if more than one child) of your **assumed pensionable pay** for each year of membership you would have built up from your date of death to your **Normal Pension Age**.

For final salary membership built up **before** 1 April 2014 the pension payable is equal to (1/320th if there is one child or 1/160th if more than one child) **final pay** times the period of your membership in the scheme up to 31 March 2014.

If there is no survivor's pension payable the childrens' pensions shown above would be increased to 1/240th instead of 1/320th for one child and 1/120th instead of 1/160th for two or more children.

## Lump Sum Death Benefit

### Before Retirement

If you should die before you retire or leave the scheme, a lump sum equivalent to three times your assumed pensionable pay is paid as a lump sum death grant. You are entitled to this valuable life cover from the day you join the Scheme and it is not dependant on a minimum membership criteria. If you are part-time the payment is three times your actual part-time pay.

### After Retirement

If you should die before you reach age 75 and before you have drawn your pension for 10 years, the balance of 10 years' pension will be paid as a lump sum death grant. The payment is based on your pension before any reductions were applied to it.

### Whilst a Deferred Beneficiary

If you leave the LGPS with deferred benefits in the Scheme, the lump sum death grant payable is 5 times the value of your deferred pension plus any pensions increase due, but only if you leave the scheme after 31st March 2008. If you left the scheme before 1st April 2008 the amount payable is the value of your deferred lump sum plus any pensions increase due.

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## Paying the Lump Sum Death Grant

The Pension Fund Administering Authority has absolute discretion to decide who receives the lump sum death grant, but will always try, providing it is lawful, to comply with your 'Death Grant - Expression of Wish'. Remember to let us know your nominations by completing the 'Death Grant - Expression of Wish' form which can be downloaded from [www.cheshirepensionfund.org](http://www.cheshirepensionfund.org). You can also ask us to send you a form.

The lump sum death grant is payable whether you register your civil partnership or not, so please complete the form and let us know your nominated beneficiaries as soon as possible.

## Disclaimer

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