



POLICE PENSION SCHEME 2015

Pensions for surviving adults

Administered by
Kier Pensions Unit
PO Box 485
Middlesbrough
TS1 9EE

Telephone: 01642 727333
Email: penmail@kier.co.uk
www.myownpension.co.uk

Introduction

The Police Pension Scheme 2015 (PPS 2015) provides pensions for surviving adults-

- Surviving spouse – a person who was married to the member at the date of the member’s death;
- Surviving civil partner – a person who was in a civil partnership with the member at the date of the member’s death;
- Surviving adult partner - partners in the case of couples who are in long-term relationships but who are neither married nor civil partners.

PPS 2015 has not been designed to pay pensions to adults such as:

- Dependent family members (for example, parents, grandparents, brothers or sisters);
- Friends;
- People in a purely financial relationship (such as a flatshare or a joint purchase of property);
- People in casual relationships.

This leaflet deals only with pensions for adult partners – that is, people of the same or opposite sex who are in a long-term relationship but are neither married nor registered as civil partners. If you need information on pensions for other survivors, or on PPS 2015 generally, you should refer to the PPS 2015 Members’ Guidance, a copy of which can be found at www.myownpension.co.uk

In this leaflet, the term “unmarried partner” is used as shorthand for a partner who is neither married to nor in a civil partnership with a member of PPS 2015. The term “nominated partner” is used to refer to such a partner who has been nominated in a declaration form to receive a pension on the PPS 2015 member’s death.

If you have an unmarried partner, you will want to know whether the scheme will pay a pension to your partner after you die. This leaflet provides guidance on the qualifying conditions for an unmarried partner’s pension and how the pension is worked out.

The qualifying conditions

The PPS 2015 rules provide for an unmarried partner’s pension if:

- you and your partner have together completed and sent to the appropriate police pension authority a joint declaration of partnership;
- at the time of your death, you and your partner were living together as partners in an exclusive, committed and long-term relationship;
- either your partner was financially dependent on you or the two of you were financially interdependent;
- you and your partner were either free to marry each other (if you are of the opposite sex) or free to form a civil partnership with each other (if you are of the same sex); and
- you acknowledge an obligation to give a signed written notice of revocation should the relationship end.

You can make the declaration while you are serving or after you have left the service, providing you retired with a pension provided under PPS 2015 or left with entitlement to a deferred pension payable under PPS 2015.

What is meant by an ‘exclusive, committed long-term’ relationship?

PPS 2015 can provide a pension for your unmarried partner only if you are in a long-term relationship with just one person, which you both intend to continue indefinitely. If you have a similar relationship with more than one person, none of them would be entitled to a pension under PPS 2015.

As a general rule, you should interpret 'long-term' as meaning 'at least two years'. However, the police pension authority may exercise discretion to pay a pension to a nominated partner in a shorter relationship. Following your death, the police pension authority will consider your case individually and take account of anything that supports the claim that you and your partner had a permanent relationship. As long as you consider that your relationship is permanent, you should not let the fact that you and your partner have been together for less than two years stop you from filling in a declaration form.

After your death, the police pension authority will not want to pry unnecessarily into your or your partner's personal life to try to 'disprove' your partner's eligibility for a pension, but they will need to be satisfied that your relationship satisfies the rules.

What is meant by financial dependence and interdependence?

Under HM Revenue and Custom's rules governing occupational pension schemes, your partner must be financially dependent on you or you must be financially interdependent. Your partner is 'financially dependent' on you if you provide all or most of the income on which you both live. 'Financially interdependent' means that you rely on your joint finances to support your standard of living. It doesn't necessarily 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.

What is meant by 'free to marry' and 'free to form a civil partnership'?

There must be nothing which would prevent you from marrying your partner (if you are of the opposite sex) or forming a civil partnership with your partner (if you are of the same sex). Neither of you can be married to or have a civil partnership with anyone else. You must not bear a relationship to each other which would prevent marriage or civil partnership. Annex A to this leaflet includes a list of relationships which are too close to allow a marriage and Annex B includes a similar list for civil partnership.

I'm waiting for my divorce (or dissolution of a civil partnership) to come through – will my partner get a pension if I die in the meantime?

No. If you are married or have a civil partner, PPS 2015 will pay a pension to your surviving wife, husband or civil partner, even if you no longer live with them. If you want your partner to receive a pension, you must both be legally free to marry or form a civil partnership with each other when you make your nomination.

How do I nominate my partner?

You and your partner must fill in and sign a declaration form and send it to your force's pensions administrator, who acts on behalf of the police pension authority. You will find a declaration form, including the address where to send it, at the end of this leaflet. The police pension authority cannot pay a pension to your partner unless they have received a valid declaration form which you and your partner have completed.

You are encouraged to complete a declaration form to nominate your partner as soon as you consider that your cohabiting relationship is exclusive, committed and long-term – you do not have to wait for two years before doing this. It is your responsibility to ensure that this information is kept up to date.

What does my partner need to do after my death?

Your partner will need to be aware that, after your death, he or she will need to provide information to the police pension authority in writing to support his or her claim to a partner's pension. Your partner must satisfy the police pension authority that, at the time of your death, you were in an exclusive, committed and long-term relationship and that the other conditions described in this leaflet are met.

I don't really want my force to know about my relationship

You send your declaration to your forces's pensions administrator, who acts on behalf of the police pension authority. All pensions documentation and casework is handled in the strictest confidence and in line with data protection legislation. Your declaration will be handled with appropriate confidentiality.

What if we split up?

If your relationship comes to an end, it is essential that you tell your pensions administrator in writing as soon as possible so that they can cancel your declaration. Once the declaration is cancelled, your partner would not be able to submit a claim for a survivor's pension in the event of your death. If you enter into a new permanent relationship, you may want to make a new declaration at some time in the future.

Should I make a will?

If you want to leave anything to your partner, quite apart from your pension, you should consider making a will. If you die without a will ('intestate'), your property will not automatically go to your partner.

You can draw up a will without using a solicitor but you should consider getting legal advice, particularly if your financial affairs are complicated.

It is important to bear in mind that mentioning your partner in your will does not amount to making a declaration of partnership for the purposes of PPS 2015. The only valid declaration is one in the appropriate form. Where a form has been completed, however, naming your partner as a beneficiary in a will is one of the factors that may be taken into account by the police pension authority in considering whether the relevant conditions are met.

Benefits payable on death

How much is my partner's pension?

If you die in service, your partner is entitled to a pension of 50% of the ill-health pension that you would have received if you had been permanently disabled for regular employment at the time of your death. You should refer to the PPS 2015 Members' Guide for more information on how ill-health pensions are calculated.

If you die while you are receiving a PPS 2015 pension, or if you die after you have left the police service with an entitlement to receive a deferred PPS 2015 pension at state pension age, or if you have opted out of PPS 2015 and are entitled to a deferred pension but die in service, your partner is entitled to a pension of 50% of your pension entitlement at the date of your death.

Is there any minimum service period?

You must have at least two years qualifying service in the PPS 2015 in order for a surviving partner to receive a pension. The years of employment or service in any previous job will also be taken into account if you have transferred the pensionable service you built up during that period.

Will you increase my partner's pension every year?

Your partner will receive their pension for the rest of their life, even if they enter into a new relationship after you die. Their pension will be paid every month and it will be increased every April to reflect increases in the cost of living.

My partner is a lot younger than me. Will this affect their pension?

If your partner is more than 12 years younger than you, your partner's pension will be reduced to reflect the age difference. This reduction will be 2.5% for every year or part of a year over 12 years, up to a maximum reduction of 50%. This rule also applies to spouses and civil partners.

Will my partner receive any other benefits when I die?

PPS 2015 has provision to pay a lump sum if you die while in service. The amount of the lump sum death-in-service grant is three times your annual pensionable pay at the time of death. This can be paid to your nominated unmarried partner at the discretion of the police pension authority, providing he or she has submitted a valid claim. If you wish to nominate someone to receive your lump sum death grant you should complete an expression of wish form (which you can obtain from your force's pensions administrator). A lump sum death grant nomination does not override the provision that the grant will go to a surviving nominated partner, at the police pension authority's discretion, but it would take effect if both you and your partner were to die at the same time.

How your partner makes a claim after your death

How does the process work?

Your partner will only be able to make a claim after you die if you had both jointly completed a declaration form before your death.

When the police pension authority becomes aware of your death, they will contact your partner as recorded on your declaration. They will invite your partner to fill in a claim form and to provide information to support his or her claim to a partner's pension. Most people die several years into their retirement and your partner will be asked to supply information that is appropriate at the time of your death rather than at the date of your declaration. While it is possible to outline the sort of supporting information that the police pension authority might be looking for now, this is likely to change over the years to reflect changes in society. It is not possible to be definite about the sort of information your partner might be asked to provide at some time in the future after your death.

This leaflet will be updated from time to time, in consultation with the staff associations, to reflect changes in guidance on supporting information. If you have made a declaration, you should keep yourself up to date.

What sort of information might support my partner's claim?

The police pension authority will need to be satisfied that you, your partner and your relationship meet the conditions that are set out in the PPS 2015 rules and described in this leaflet. The police pension authority will ask your partner to confirm his or her identity. They will also ask your partner to confirm that neither of you were married or in a civil partnership and that there was nothing to prevent you from marrying each other or forming a civil partnership.

The police pension authority will ask your partner to provide information about your relationship and to confirm that you were financially dependent or interdependent. Where appropriate, your partner will have to provide documents to confirm the information given in his or her claim. The information will enable the police pension authority to decide whether your relationship meets the conditions.

There are various possible forms of supporting information and, because everyone is different, it is not possible to provide a definitive list. However, examples of supporting information include:

- confirmation that you lived in a shared household;
- confirmation of shared household spending;
- information about children you brought up together;
- a mutual power of attorney;
- a joint mortgage or tenancy;
- a joint bank account;
- joint savings accounts or investments;
- a joint credit arrangement;
- wills naming each other as the main beneficiary;

- your partner being nominated as the main beneficiary of life assurance;
- your death leading to extra living expenses for your partner.

These are just examples and your case will be considered individually. The police pension authority may be able to help your partner if he or she is stuck for information or evidence to put forward. You and your partner may wish to consider now what sort of information he or she would be able to provide in support of a claim.

Do I have to own a house or flat with my partner?

Not necessarily, but you must have been living together. Most people in a permanent relationship will have either owned or rented property together. If you both maintain separate households and do not share each other's living expenses your partner would not qualify.

If your circumstances force you to spend your final years away from home, in residential nursing care, for example, the police pension authority will take account of your situation when you were living at home as well as at the time of your death.

Why don't married couples or civil partners have to go through the same process?

Marriage and civil partnership give people rights and responsibilities, including certain rights over each other's property. If people decide not to marry or form a civil partnership, the police pension authority needs to be satisfied that the relationship meets the conditions laid down in the legislation in order for a pension to be paid to an unmarried partner.

Can my partner appeal if they are turned down for a pension?

If your partner thinks they have been turned down without a good reason, he or she may try to resolve the issue using the police pension authority's internal resolution procedures. Alternatively, he or she may pursue the matter through the Crown Court. More information about appeals in general is given in the PPS 2015 Members' Guide.

Annex A: Guide to relationships that are not allowed to marry in England and Wales

Note: This list is based on the statutory list in the Marriage Act 1949 (section 1, schedule 1) and applies to England and Wales. Slightly different restrictions apply in Scotland and Northern Ireland. The statutory list may change, so the following list is only a guide.

<p>PART 1</p> <p>A man may not marry his:</p> <ul style="list-style-type: none"> • mother, adoptive mother or former adoptive mother; • daughter, adoptive daughter or former adoptive daughter; • grandmother; • granddaughter; • sister; • aunt; or • niece. 	<p>PART 1</p> <p>A woman may not marry her:</p> <ul style="list-style-type: none"> • father, adoptive father or former adoptive father; • son, adoptive son or former adoptive son; • grandfather; • grandson; • brother; • uncle; or • nephew.
<p>Part 2</p> <p>A man may not marry any of the following female relations unless:</p> <ul style="list-style-type: none"> • both he and the woman have reached 21; and • the younger person has never been treated as a child of the family of the older person before age 18. <ul style="list-style-type: none"> ➤ the daughter of an ex-wife ➤ the ex-wife of their father ➤ the ex-wife of a grandfather ➤ the granddaughter of an ex-wife 	<p>Part 2</p> <p>A woman may not marry any of the following male relations unless:</p> <ul style="list-style-type: none"> • both she and the man have reached 21; and • the younger person has never been treated as a child of the family of the older person before age 18. <ul style="list-style-type: none"> ➤ the son of an ex-husband ➤ the ex-husband of their mother ➤ the ex-husband of a grandmother ➤ the grandson of an ex-husband
<p>Part 3</p> <p>A man cannot marry:</p> <ul style="list-style-type: none"> • the mother of his ex-wife unless both the ex-wife and the ex-wife's father are dead; or • the ex-wife of his son unless both the son and the son's mother are dead. <p>In either case, both people must be 21 or over.</p>	<p>Part 3</p> <p>A woman cannot marry:</p> <ul style="list-style-type: none"> • the father of her ex-husband unless both the ex-husband and the ex-husband's mother are dead; or • the ex-husband of her daughter unless both the daughter and the daughter's father are dead. <p>In either case, both people must be 21 or over.</p>

Annex B: Guide to relationships that are not allowed to form civil partnerships in England and Wales

Note: This list is based on the statutory list in Part 1 of Schedule 1 to the Civil Partnership Act 2004 and applies to England and Wales. Slightly different restrictions apply in Scotland and Northern Ireland. The statutory list may change, so the following list is only a guide.

<p>PART 1</p> <p>A man may not form a civil partnership with:</p> <ul style="list-style-type: none"> • father, adoptive father or former adoptive father; • son, adoptive son or former adoptive son; • grandfather; • grandson; • brother or half-brother; • parent’s brother or half-brother; or • son of a brother, half-brother, sister or half-sister. 	<p>PART 1</p> <p>A woman may not form a civil partnership with:</p> <ul style="list-style-type: none"> • mother, adoptive mother or former adoptive mother; • daughter, adoptive daughter or former adoptive daughter; • grandmother; • granddaughter; • sister or half-sister; • parent’s sister or half-sister; or • daughter of a brother, half-brother, sister or half-sister .
<p>Part 2</p> <p>A man may not form a civil partnership with any of the following relations unless:</p> <ul style="list-style-type: none"> • both have reached 21; and • the younger has never been treated as a child of the family of the older person before age 18. <ul style="list-style-type: none"> ➤ the son or grandson of a former wife or civil partner ➤ the former husband or civil partner of a parent or grandparent 	<p>Part 2</p> <p>A woman may not form a civil partnership with any of the following relations unless:</p> <ul style="list-style-type: none"> • both have reached 21; and • the younger has never been treated as a child of the family of the older person before age 18. <ul style="list-style-type: none"> ➤ the daughter or granddaughter of a former husband or civil partner ➤ the former wife or civil partner of a parent or grandparent
<p>Part 3</p> <p>A man cannot form a civil partnership with:</p> <ul style="list-style-type: none"> • the former spouse or civil partner of a child unless both the child and the child’s other parent are dead; or • the father of a former civil partner unless both the former civil partner and the former civil partner’s mother are dead. <p>In either case, both people must be 21 or over.</p>	<p>Part 3</p> <p>A woman cannot form a civil partnership with:</p> <ul style="list-style-type: none"> • the former spouse or civil partner of a child unless both the child and the child’s other parent are dead; or • the mother of a former civil partner unless both the former civil partner and the former civil partner’s father are dead. <p>In either case, both people must be 21 or over.</p>

Declaration form

- By completing this declaration form you nominate your partner to receive an adult partner's pension payable under the Police Pensions Regulations 2015, subject to the submission of a valid claim in the event of your death.
- This declaration alone does not give your partner entitlement to a pension. If you were to die, the police pension authority would need to be satisfied that your relationship with your partner met the qualifying conditions for the payment of a pension at the time of your death. Please read this leaflet for more information.
- Please fill in this form in black ink and in BLOCK CAPITALS, and send it to your force's pension administrator, acting on behalf of the police pension authority, at the address shown below. They will acknowledge that they have received the form by returning a copy of it to you.

Please return the completed form to: Kier Pensions Unit, PO Box 485, Middlesbrough, TS1 9EE

PART 1. ABOUT YOU (THE SCHEME MEMBER)	
Your name	
Pay reference	
Address (<i>it is your responsibility to tell your pensions administrator if you subsequently change address</i>)	
Postcode	
Daytime telephone number	

PART 2. ABOUT YOUR PARTNER	
Partner's full name including title	
Partner's date of birth	
Partner's address (<i>this should normally be the same as the address of the PPS 2015 member</i>)	
Postcode	

Now turn over

PART 3. DECLARATION

- We confirm the following.
 - We have lived together for years, during which time our financial affairs have been interdependent (or the partner has been financially dependent on the PPS 2015 member).
 - We have an exclusive, committed and long-term relationship with each other and we intend to continue this indefinitely.
 - We are not married to each other and we have not formed a civil partnership with each other
 - We are not related in a way that will prevent marriage or civil partnership
 - Neither of us is married to anyone else.
 - Neither of us has formed a civil partnership with anyone else
 - Neither of us is currently nominated as the unmarried partner of anyone else.
- We will tell the scheme administrator in writing if our relationship comes to an end.
- We understand that benefits will not be paid unless the partner provides satisfactory evidence that the declaration above is valid when the PPS 2015 member dies.

Scheme member's signature (***signed in the presence of the witness named below***)

Date

Partner's signature(***signed in the presence of the witness named below***)

Date

PART 4. WITNESS (NOTE: THE WITNESS IS SIMPLY REQUIRED TO WITNESS THE SIGNING OF THE FORM BY THE SCHEME MEMBER AND PARTNER IN PART 3 ABOVE)

Name of witness

Address of witness

Postcode

Signature of witness

Date

FOR POLICE PENSION AUTHORITY USE

The nomination has been recorded.

Telephone

Your name

Official address

Signature

Date

