NHS Pensions - Children’s pension

Death in membership or within 12 months of leaving the Scheme if the last day of membership and the date of death is 1 April 2008 or later.

A children’s pension may be payable when a Scheme member dies whilst still a member of the Scheme or within 12 months of leaving, on or after 1 April 2008 if:

- The child was dependant on the member at the date of death and, if the member died after leaving pensionable employment, the child was also dependant on the member when the member ceased pensionable employment; and

- The child is under age 23; or

- The child is aged 23 and over and unable to earn their own living due to a permanent physical or mental condition, which they were suffering at the time the member died, the child will be treated as a dependent child for as long as they remain incapable of earning a living.

A dependant child can be:

- A child or grandchild of the member

- A step child of the member by a marriage entered into (or a civil partnership formed) before the date on which the member leaves pensionable employment or a child legally adopted by the member before that date

- A child who, immediately before the member left pensionable employment, the member had intended to adopt, or a child who, at that time, had been dependant on the member for two years or (if less) half the child’s life

- A brother or sister, or a child of a brother or sister, of the member or the member’s spouse (civil partner or nominated qualifying partner)

- Any half brother or half sister or step brother or step sister are classed as brother or sister for this purpose
• A child that was dependant on the member before the member left pensionable employment and when the member died, or

• A child that is/was born one year or less after the member left pensionable employment and who is dependant on the member at the time of being born and when the member died or would have been dependant on the member had the member not died.

How is the children’s pension calculated?

If the member died in pensionable employment on or after 1 April 2008, the children’s pension is based on the pension the member would have been entitled to had they received a tier 2 ill health pension on the date they died, or based on 10 years membership, whichever is the greater.

The amount of the allowance depends on what Scheme the member was in before they died, the number of dependant children, and whether there is a surviving parent who is entitled to an adult dependant’s pension.

If an adult dependant’s pension is paid, the children’s pension for one child will be dependent on what Scheme the member was in. For example, if the member was solely in the 1995 Section of the Scheme, the children’s pension will be one quarter of the ill health pension that the member would have been entitled to, and for two or more children, one half of the ill health pension. If there is no entitlement to an adult dependant’s pension, the allowance for one child will be one third of the ill health pension and for two or more children, two thirds of the ill health pension divided between them.

Where the member was in more than one NHS Pension Scheme, or more than one section of the NHS Pension Scheme, the proportions are more complex. If you need further information you should contact NHS Pensions.

Where there are children in more than one family e.g. children with a current partner and children with an ex-spouse, then the proportions paid are more complex. If you need information about how a pension is split between families, please contact NHS Pensions for further information.

When is the children’s pension payable from?

For death in membership cases only, the children’s pension is payable from the day after the date of death, unless an adult dependant’s pension is not payable.

• If the member has a dependant child or children, please give form claim for payment of children’s pension (AW158), to the person who has care of the children or to the
children themselves, if they look after themselves and are over age 17. The forms are available on our website.

- When you receive the completed form claim for payment of children’s pension (AW158), please check the date of birth against the child’s original birth certificate and note the date on the death benefit claim form, either claim for a lump sum on death of an active member (AW11) or claim for adult dependant’s pension on death of an active member (AW9).

- Also check that all the information is complete and that it has been signed at Part 3 and the signature witnessed at Part 4.

- Please send form claim for payment of children’s pension (AW158), together with the death benefit claim form to NHS Pensions.

- Death benefit claim forms could include forms claim for a lump sum on death of an active member (AW11), claim for adult dependant’s pension on death of an active member (AW9), and payment of an initial or limited pension to a survivor (AW135) if applicable.