NHS Pensions - Adult Dependant’s Pension – Employer FAQs

These frequently asked questions are exclusive to **death in membership only**.

**Q. A member of staff has recently died. Where can I obtain the necessary claim forms?**

A. The claim forms can be downloaded from the website.

**Q. Who is entitled to an Adult Dependant's Pension?**

A. A legal spouse, a registered civil partner or a nominated partner who meets all eligibility conditions.

**Q. A member has nominated her partner to receive an Adult Dependant’s Pension. Will the nominated partner receive the Lump Sum on Death benefit?**

A. Yes, once all eligibility for the Adult Dependant’s Pension has been established and the member had not nominated someone else to receive the lump sum payment. Where an Adult Dependant’s Pension is not payable the death benefit will be paid to the Legal Personal Representative on production of Grant of Probate or Letters of Administration unless they have made a nomination in favour of another person(s) or organisation.

**Q. The member has nominated their partner to receive an Adult Dependant’s Pension. Does the employer pay the Initial Adult Dependant’s Pension?**

A. No. The Scheme will authorise Paymaster to pay the Initial Adult Dependant’s Pension in these cases after a decision has been reached as to whether eligibility conditions were satisfied and whether or not an Adult Dependant’s Pension is payable.

**Q. If the member was married and the spouse cannot find their marriage certificate, what should they do?**

A. The surviving partner must obtain a copy of their marriage certificate or benefits cannot be authorised. **Do not** put an Initial Adult Dependant’s Pension into payment until you have sight of a marriage certificate. They can obtain a copy at [www.gro.gov.uk](http://www.gro.gov.uk)

**Q. The member had only joined the Scheme one week before his death. Will an Adult Dependant’s Pension be paid to his Civil Partner?**

A. An Initial Adult Dependant’s Pension is payable by the employer for six months from the day after death to a registered civil partner or legal spouse; no Continuing Adult Dependant’s Pension will be payable.
Q. The surviving partner has received a letter from NHS Pensions telling her about her Surviving Adult Dependant’s Pension. When will she be paid?

A. She will be paid after the Initial Adult Dependant’s Pension that you are paying ends i.e. six months after the members death. Paymaster at Crawley will pay the pension and should be contacted with any queries about the payment of the pension. They can be contacted on 0845 1212 522.

Q. The member was married, so why do you need the name of the personal representative?

A. NHS Pensions has a legal requirement to notify the personal representative of the amount of Life Time Allowance that has been used when paying a Lump Sum on Death benefit.

Personal representatives are defined as the persons responsible for administering the estate of the deceased. This does not necessarily suggest a formal appointment must be made. They may be the recipient of the benefits (a spouse or a civil partner), the deceased’s executor or an administrator, nominated by a Court where there is no will. If a member was married we cannot assume that the spouse is the Personal Representative.

Q. The member contributed to the Scheme for just over two years. Will their membership be enhanced when calculating the Tier 2 Ill health benefits for the Adult Dependant’s Pension?

A. If the member was under age 60 and had more than two years qualifying membership the membership will be enhanced.

Q. If the Continuing Adult Dependant’s Pension is small will it be converted to a lump sum payment?

A. If the Continuing Adult Dependant’s Pension is less than £260 a year, it may be converted to a once and for all lump sum (known as trivial commutation) unless there is at least one dependant child who is eligible for a children’s pension at the time of death.

Where the continuing pension is £260 a year or more, the pension is automatically authorised as a monthly pension. Although surviving partners are currently not given the option to commute such small pensions when they first claim, NHS Pensions will consider a written request at the point of claim or post payment, provided all conditions are met.

Important Note: Her Majesty’s Revenue & Customs (HMRC) only allow this if the gross trivial commutation amount does not exceed the current commutation limit of £30,000.00* (£18,000.00 for a lump sum paid before 6 April 2015).

*This is the maximum amount in each NHS Scheme, not the maximum across all pension schemes. The £30,000 is gross before taxation.
The recipient must agree to offset any pension already paid against any trivial commutation lump sum.

HMRC can change this limit at any time.

Q. Are Adult Dependant’s Pensions taxable?
A. Yes. All Adult Dependant’s Pensions (including Commuted Adult Dependant’s Pensions) are subject to tax.

Q. If the surviving partner remarries will the pension stop?
A. If a member has scheme membership on or after 1 April 2008 Adult Dependant’s Pensions are paid for life and will not cease if they remarry, form a civil partnership or co-habit.

Q. Why does the member’s date of birth need to be verified when processing a claim for death benefits?
A. The date of birth is used to calculate the enhanced membership; members dates of birth should be verified when they join the Scheme and noted on their records.

Q. Do we need to see original certificates or will copies be okay?
A. Original certificates or copies that have been certified as a true copy of the original by a Solicitor or a Commissioner of Oaths should be seen.

Q. How do we calculate the pensionable pay figure needed to complete the claim forms?
A. Please refer to our Employer Technical Guidance section for instructions and examples on how to calculate pay.

Q. Is the TPP used for the Initial Adult Dependant’s Pension?
A. No. The Adult Dependant’s Pension is paid at the same rate of pay the member was receiving on the date of their death.

Q. A member of the Scheme died recently and benefits are in payment, but our payroll department has advised us of extra pensionable pay. What should we do?
A. We should be notified of any revised pensionable pay figures and any changes such as extra hours worked or additional outstanding annual leave, on form AW171. We will then revise the benefits accordingly.

Q. Will the Adult Dependant’s Pension be index linked?
A. Yes. Cost of living increases will be added to the Adult Dependant’s Pension each year as they become due.