

Cohabiting Partner Policy

In line with the Local Government Pension Scheme (Scotland) Regulations, a pension may be payable to an eligible surviving cohabiting partner upon the member's death. This is only available if the partner provides evidence that they meet the eligibility criteria and if the member was active, i.e. paid contributions, on or after 1 April 2009.

NESPF is required to pay a survivor pension to an eligible cohabiting partner provided the following conditions are met:

1. Both parties must have been free to marry or form a civil partnership at the time of the member's death, **and**
2. That for a continuous period of at least two years:
 - a. they have been living together as if married/civil partners; **and**
 - b. neither party was living with a third person as if they were married/civil partners; **and**
 - c. the partner was financially dependent on the member or both parties were financially interdependent.

At least 2 forms of evidence are required to prove cohabitation and either financial interdependency or financial dependence on the deceased member. Documentation must be dated and consistent, showing a continuous relationship. For each form of evidence, we will require a recent document dated within 3 months of the date of death, as well as a document dated at least 2 years prior to the date of death. If this cannot be provided, NESPF reserve the right to withhold payment of the partner pension until such a time that the required evidence can be provided (if at all).

Accepted evidence

Proof of cohabitation

- Mortgage/tenancy agreement(s)
- Council tax bill

Financial Dependence

- Mortgage/tenancy agreement in deceased's name
- Utility bills only in the deceased's name
- Will naming partner as main beneficiary
- Life insurance policy with partner named as main beneficiary
- Deceased's bank statement(s)

Financial interdependence

- Mortgage/tenancy agreement in joint names
- Utility bills in joint names or different household bills naming partner and deceased individually
- Mutual power of attorney
- Shared bank account statements
- Confirmation of shared investments
- Shared loan agreements

- Wills naming each other as the main beneficiary
- Life insurance policies naming each other as the main beneficiary

Complaints

If NESPF decide to withhold or refuse the payment of the partner pension due to missing or unsatisfactory evidence, you have the right to complain.

To complain, please contact us as soon as possible. If we are unable to resolve your complaint informally, you may begin the Internal Dispute Resolution Procedure (IDRP). Under the first stage of the IDRP, an application should be made to the Appointed Person within 6 months of the relevant decision by writing to the Chief Officer-Governance, Aberdeen City Council, Marischal College, Aberdeen, AB10 1AB.

More information about our complaints process and the IDRP is available on request or on our website www.nespf.org.uk/about/complaints