

Changes to survivor benefits for same sex spouses and civil partners

On the 1st April 2019, a change to the scheme rules was made so that survivor benefits payable to a same sex spouse or a civil partner equal those paid to the widow of a male member.

Why has the change been made?

The change has been made as a result of a Supreme Court judgment (Walker v Innospec) which found that Mr Walker's male spouse was entitled to the same benefits that would have been paid if Mr Walker had left a widow in an opposite sex marriage.

Why does this apply to the Firefighter's Pension Scheme?

The government believes that the implication of this judgment for all public service pension schemes, including the Firefighter's Pension Schemes, is that surviving civil partners or surviving same sex spouses should be provided with benefits equal to those that would be left to the widow of a male member.

When does the change take effect from?

The change is backdated to the date the civil partnerships and same sex marriages were introduced – this is 5th December 2005 for civil partnerships and 13th March 2014 for same sex marriages.

This means that where a member of the Firefighters' Pension Scheme has died leaving a surviving civil partner or a same sex spouse, the survivor's pension in payment will need to be reviewed and any additional amounts paid, where applicable. We are in the process of reviewing the impact of this change and will be contacting any affected civil partners and same sex spouses in due course.

The Change will automatically be taken into account in survivor benefits paid to civil partners and same sex spouses in the future.