

Part B: Applying for Lump-sum Death Benefits/ Residual Pension/ Dependant's Pension. (continued)

Section B2: About the solicitors

1. Are solicitors dealing with the estate, or acting on your behalf? (If yes, complete this section then proceed to section B3. If no, proceed to section B3.)

Yes No

2. Solicitor's name and address

Postcode

3. Solicitor's telephone number (inc. STD code)

4. Are the solicitors applying for Grant of Probate?

Yes No

5. Would you like Teachers' Pensions to deal with the solicitors?

Yes No

6. Would you like Teachers' Pensions to pay the lump-sum Death Grant/Pension Residue direct to the solicitors?

Yes No (If yes, go to question 7)

7. Solicitors branch sort code

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8. Solicitors account number

Section B3: Documentary evidence

If the deceased member was resident outside of the UK please provide the original document, which will be returned. If the deceased member was resident in the UK a copy of the document is acceptable where it has been signed and witnessed by a 'person of good standing' (see notes). Please let us know the category of document you are enclosing, below. For further information please refer to the notes section.

1. Please indicate enclosed documents

- Death certificate
- Children's birth certificates
- Grant of probate
- Decree absolute
- Civil registration certificate
- Proof of financial interdependency
- Marriage certificate (or certified copy)
- Adoption certificate
- Certificate of continuing education
- Dissolution certificate
- Certified Power of Attorney or Court of Protection order
- Proof of guardianship / Residency order

(continued overleaf)

Part B: Applying for lump-sum Death Benefits/Residual Pension/Dependant's Pension. (continued)

Section B4: Declaration. To be signed by the person applying for any residual payment or death benefit

- I understand that completing this form does not guarantee an entitlement to death benefits and that eligibility will be calculated upon receipt of the form.
- I understand that the information supplied on this form will be used for the purposes of processing an application for Death Benefits.
- I am applying for death benefits under the Teachers' Pensions Regulations.
- I have read and understand the enclosed literature.
- The information I have given on this form is true to the best of my knowledge and belief.
- I understand that if the lump-sum Death Grant is paid more than 2 years after the date Teachers' Pensions first became aware of the death, the payment will be subject to tax.
- I have supplied the relevant documentation to accompany my application and recorded these documents in Section B3, as appropriate.
- In signing this form I agree that any overpayment of pension made to the deceased member can be recovered out of any pension and death grant lump sum due.

Signature

Date

D	D	M	M	Y	Y	Y	Y
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If you also wish to apply for a pension for any qualifying child beneficiaries you will need to complete Part C.

General Data Protection Regulation (GDPR). The Department for Education (DfE) will use any information you provide in connection with the Teachers' Pension Scheme to administer and operate the scheme and pay benefits under it. This may include passing details to third parties that are involved in the administration and operation of the scheme. The DfE may also use your data for administrative purposes in line with its data protection notification. In order to fulfil its duty to protect public money, the DfE may use information it holds to prevent and detect fraud. It may also share information with other organisations that handle public funds. If there is any difference between the legislation governing the Teachers' Pension Scheme and the information in this application form, the legislation will apply. For more information on how we will use your data, go to www.teacherspensions.co.uk/public/privacy.

Please return to us at:
 Teachers' Pensions
 PO Box 402,
 Darlington, DL1 9UX

www.teacherspensions.co.uk

Part C: Applying for Child Beneficiary Pensions *(continued)*

Section C1: Children

1. Total number of children

Child 1

1. Surname (one character per box)

2. First name

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3. Date of birth

D	D	M	M	Y	Y	Y	Y
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4. Tick if incapacitated

5. National Insurance number (if child is over 16)

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6. Contact address

Postcode

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7. Home telephone number (inc. STD code)

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8. Name of UK bank or building society

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9. Name of account holder

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10. Branch sort code

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11. Account number

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12. Bank / building society reference number (where applicable)

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13. Full postal address of branch

Postcode

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Child 2

1. Surname (one character per box)

2. First name

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3. Date of birth

D	D	M	M	Y	Y	Y	Y
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4. Tick if incapacitated

5. National Insurance number (if child is over 16)

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6. Contact address

Postcode

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7. Home telephone number (inc. STD code)

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8. Name of UK bank or building society

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9. Name of account holder

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10. Branch sort code

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11. Account number

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12. Bank / building society reference number (where applicable)

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13. Full postal address of branch

Postcode

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Notes: If the child's bank account details are noted, the pension will be paid into their account (see accompanying notes.)
For all further eligible children please replicate the above information on a separate sheet entitled Child 3, Child, 4 etc.

Part C: Applying for Child Beneficiary Pensions. (continued)

Section C4: Declaration. To be signed by the child's guardian.

- I understand that completing this form does not guarantee an entitlement to death benefits and that eligibility will be calculated upon receipt of the form.
- I understand that the information supplied on this form will be used for the purposes of processing an application for death benefits.
- I am applying for death benefits for my ward under the Teachers' Pensions Regulations.
- I have read and understand the enclosed literature.
- The information I have given on this form is true to the best of my knowledge and belief.
- I understand that if the death grant is paid more than 2 years after the date Teachers' Pensions first became aware of the death, the lump sum will be subject to tax.

Signature

Date

D	D	M	M	Y	Y	Y	Y
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General Data Protection Regulation (GDPR). The Department for Education (DfE) will use any information you provide in connection with the Teachers' Pension Scheme to administer and operate the scheme and pay benefits under it. This may include passing details to third parties that are involved in the administration and operation of the scheme. The DfE may also use your data for administrative purposes in line with its data protection notification. In order to fulfil its duty to protect public money, the DfE may use information it holds to prevent and detect fraud. It may also share information with other organisations that handle public funds. If there is any difference between the legislation governing the Teachers' Pension Scheme and the information in this application form, the legislation will apply. For more information on how we will use your data, go to www.teacherspensions.co.uk/public/privacy.

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This section must be completed by the parent/guardian of the students. Please complete this document using black ink and BLOCK CAPITALS.

Important – We will require this information from the date of the child’s 17th birthday onwards in all cases.

Where more than one copy of this certificate is required, please make a complete copy of this document.

Part A: Certificate of Continuing Education/Training: To be completed by the parent/guardian.

1. Name of deceased teacher

2. Teacher’s reference number (99/99999)

 /

3. Name of eligible child

4. Is the eligible child in full-time education or training?

Yes

No

5. Has the eligible child previously taken a gap year (a break of more than 12 months) in their studies?

Yes

No

6. If the eligible child is attending a full-time vocational training course are they being paid at a rate that equals or exceeds £3,045, increased by Pension Increase from 1 April 2014 to the current date?

Yes

No

Signature of parent or guardian

Date

Please read these notes before completing the Death Benefit application. **(Please detach and retain).**
 Completing this form **does not** guarantee an entitlement to benefits. Eligibility will be checked upon receipt.

Notes

This form should be completed by the person to whom the death grant or residue is to be paid. If solicitors or a personal representative are dealing with the estate or acting on your behalf they may complete the form on your behalf but you will be required to sign it. You should ensure that your solicitor's details are included on the form.

A death grant is payable to the person nominated to receive it by the member. If there is no nominee, it will be paid to the member's spouse, civil partner, nominated partner or, if there is no such person, it will be paid to the member's personal representative on production of Letters of Administration and if the amount payable exceeds £5,000, TP will require a Grant of Probate.

Until all relevant information and documentation is received TP cannot process your claim. The following copies or original documents, as required, must be forwarded together with this application form. **Please note that original documents are only required where the deceased member was resident outside the UK. Original documents will be returned via standard post.** Where the deceased member was resident in the UK copies of documents are acceptable as long as they have been witnessed by a professional person of good-standing in your community. This can include:

- bank or building society official
- councillor
- minister of religion
- dentist
- chartered accountant
- solicitor or notary
- teacher or lecturer

The person shouldn't be:

- related to you
- living at the same address
- in a relationship with you

The witness must write on the copy that it is "Certified to be a true copy of the original seen by me", sign and date it, print their name under the signature and include their occupation, address and telephone number. Witnessed copies of documents will not be returned unless you ask for them to be (in which case they will be sent via standard post).

- **Death certificate** Required in all cases. If this is a foreign certificate and the cause of death is not stated, TP will require written evidence from either the coroner or a medical practitioner stating the cause. We can also accept a letter from the coroner stating that there was no third party involvement or any suspicious circumstances;

- **Certified copy of Marriage certificate** Where the deceased member has surviving spouse at the time of death;
- **Civil Partnership registration certificate** Where the deceased member had a registered civil partnership when they died;
- **Decree absolute** Where the deceased member was divorced when they died;
- **Dissolution certificate** Where the deceased member's civil partnership had been dissolved when they died;
- **Two pieces of evidence as proof of financial interdependency** Where the deceased member had a nominated partner; examples of proof of financial interdependency are joint bank accounts, utility bill or a joint mortgage;
- **Child(ren)'s birth certificates** Where the deceased member had any eligible children;
- **Adoption certificate** Where eligible children were adopted;
- **Certificate of continuing education** Where eligible children are over 17 years old, under 23 and are in continuous full-time education or training;
- **Grant of Probate/Letters of Administration** Where the deceased member died before receiving retirement benefits or within 5 years of retiring, had not made a nomination and was unmarried or not registered as a civil partner and the estate is over £5,000;
- **Power of Attorney (certified)** Where the person signing is not legally entitled to receive family benefits and is signing on behalf of the spouse or civil partner.
- **Proof of Guardianship/Residency Order** Where the person signing is responsible for the care of any eligible children.

If the deceased member was in teaching employment at the date of death or if they had left teaching in the last two years TP will need to contact the employer to obtain service and salary details up to the date of death. If the deceased member was in receipt of any compensation from their employer in respect of premature retirement, please notify that employer in order that they can cease their payments and avoid an overpayment occurring.

The death grant will be paid directly into the bank or building society account(s) entered on the form.

Part B is to be completed when the TPS deceased member had a spouse, civil partner, nominated partner or nominated dependent relative. Part C is to be completed when the deceased member had an eligible child or children.

Do not complete Part B or C if the deceased member was receiving a pension as a beneficiary or as a result of a pension sharing on divorce or annulment order.

You do not have to complete Part B if you believe that you may not be entitled to receive a pension.

(continued overleaf)

Please read these notes before completing the Death Benefit application. **(Please detach and retain).**
 Completing this form **does not** guarantee an entitlement to benefits. Eligibility will be checked upon receipt.

Notes

An adult beneficiary's pension will cease upon their death except where all of the pensionable service from which the pension is derived was prior to 1 January 2007, in which case it will cease if the beneficiary remarries or cohabits with a partner. A pension may be payable in the event of a member's death, provided the member was married, in a civil partnership or had nominated a dependent relative or nominated a partner and has enough family benefits service to qualify. When a member has not made an election to cover service for family benefits prior to the dates below, the minimum family benefits qualifying service is:

- **Female married to a male teacher or Nominated Adult Beneficiary's Pension** Five years from 1 April 1972
Please note: If a member marries or remarries after leaving pensionable employment or after retirement only service from 6 April 1978 counts towards the spouse's pension.
- **Widower's or Civil Partner's Pension or Marriage of male and male, or female and female member,** 2 years after 6 April 1988
- **Surviving Nominated Unmarried Partner**
 Two years after 1 January 2007

Details of dependency need to be confirmed before a dependent relative's pension or a nominated partner's pension is paid. A potential spouse's or civil partner's pension is 1/160th of the member's average salary for each year of family benefits service. The basis of the calculation is as follows:

$$\frac{\text{Service counting for family benefits} \times \text{Average salary}}{160}$$

Increases to pensions are applied at the same rate to an adult beneficiary's pension as it would have been to the member's pension.

(continued overleaf)

Please read these notes before completing this application. **(Please detach and retain).**
 Completing this form **does not** guarantee an entitlement to benefits. Eligibility will be checked upon receipt.

Notes

Children

Children's pensions may be payable up to the age of 17 where the child is unmarried. They will only be paid after the age of 17 if the child is in full-time education or training where the annual rate of pay relating to the training course does not exceed the permitted level (currently £3,045.00 plus Pension Increase since 1 April 2014) and the child is unmarried and under 23. Children's pensions will also be paid to children who are incapacitated and dependent upon a member when they die.

All service from 1 April 1972 automatically counts for children's pensions, regardless of whether there is an adult's pension payable on a different amount of family benefit service. Additionally, any service a member has elected to cover for family benefits prior to 1 April 1972 will be included in the calculation.

If an adult pension is payable children's pensions are payable based on all pensionable service under the TPS from 1 April 1972. If there's no pension payable to an adult, a higher rate of child's pension may be payable.

Where an adult pension is payable, the calculation of the annual pension for one child is:

$$\frac{\text{Average salary (at retirement or death) x family benefit service}}{320}$$

Where an adult pension is payable, the calculation of the annual pension for two children or more is:

$$\frac{\text{Average salary (at retirement or death) x family benefit service}}{160}$$

Please note: This amount is to be divided equally between however many children there are.

Where no adult pension is payable, a higher rate of service may be applicable (to be determined at the time of death). The calculation of the annual pension for one child is:

$$\frac{\text{Average salary (at retirement or death) x family benefit service}}{240}$$

Where no adult pension is payable, the calculation of the annual pension for two children or more is:

$$\frac{\text{Average salary (at retirement or death) x family benefit service}}{120}$$

This amount is to be divided equally between however many children there are.

(continued overleaf)

Children include:

- those born during the member's lifetime or within 12 months of the date of death. You must include any children born to a previous partner;
- adopted children; and
- unadopted children who lived as part of the member's family at the date of death and were financially dependent on the deceased member.
- An eligible child must be:
 - Unmarried or not registered as a civil partner; and
 - Under age 17; or
 - Under age 23 and since attaining age 17 in continuous fulltime education or training lasting at least 2 years for a trade or profession without a break of more than one academic year; or
 - Incapacitated when the member died and unable to earn a living due to ill health (Please provide a letter from a doctor to confirm and details of any benefits received from the state).

There are circumstances when a child's pension may exceptionally be paid after age 23. Please contact TP for further information. A child is to be treated as not attending a course of training when receiving disqualifying remuneration.

- If a child is over age 17, under 23 and since age 17 has been in full-time education without a break of more than one academic year or is undergoing full-time training please also complete the certificate of continuing education, enclosed in the pack. Photocopied forms are acceptable.
- If a child is under age 18 the long-term pension will be paid to their surviving parent or legal guardian.
- If a child is age 18 or over their pension will be paid directly to them.

Please give details of the guardian(s) of the child(ren) and provide proof of guardianship, e.g. Court of Protection Order.

Where a member dies after payment of retirement benefits a supplementary death grant (SDG) may be payable. An SDG will be paid if the amount of pension already paid to the member is less than five times the annual rate of pension in payment at the time of the member's death. In such a case an SDG would be paid to make up the difference.

Overpayment of member's pension A member's pension is paid up to and including the date of death. Any pension paid after this date will result in an overpayment. This amount is recoverable and any arrears of the family pension can be used to reduce or clear the overpayment.

How to Complete the Application Form *(continued)*.

Lifetime Allowance (LTA) All death grants and supplementary death grants are subject to checks on the deceased member's LTA to ensure that the amount payable is within the limits set by Her Majesty's Revenue and Customs (HMRC).

The executor of the estate needs to check whether the total benefits payable are within the LTA. If the LTA is exceeded, a LTA charge will become payable. It is the executor's responsibility to inform HMRC where the total benefits exceed the LTA and to pay any tax due. Any enquiries you have regarding this should be directed to HMRC.

At the time the death grant is calculated we will provide the percentage of the LTA this payment represents.

Unauthorised Payments Payment of the death lump sum must be made within 2 years of the date of death or it may be subject to tax.

It is, therefore, important that TP are provided with all the information required as soon as possible after the death.

Grant of Probate and / or Letters of Administration It is necessary for Teachers' Pensions to inspect a sealed copy of Probate of Will or Letters of Administration (i.e. a copy bearing the impressed seal of the court) where the benefits payable exceed £5,000 and there is no surviving nominee, spouse or civil partner.

Where it is intended to apply for Grant of Probate or Letters of Administration, payment will be made to the executor or administrator named in the Grant. Grant of Probate or Letters of Administration can be obtained in the following ways:

- **In England and Wales**, you can apply personally or through a solicitor. Personal applicants may obtain the necessary forms by telephoning the Probate Office on 0845 3020900. You may also obtain these forms from your nearest District Probate office;
- **In Scotland**, confirmation of Executor or Grant of Probate can be obtained from the Sheriff Court of the County in which deceased lived up to the date of death;
- **In Northern Ireland**, you can apply personally or through a solicitor to obtain a Northern Ireland Grant of Probate. Personal applicants may apply to:
The Master, Probate Office, Royal Courts of Justice, Chichester Street, Belfast BT1 3JF;
- **In Eire**, payment will be made on a local grant where there are no assets which make it necessary to obtain an English Grant;
- **Overseas**, a non-UK grant or a completed overseas declaration witnessed by any person competent to administer oaths under the law of the relevant country will be sufficient.

General Data Protection Regulation (GDPR). The Department for Education (DfE) will use any information you provide in connection with the Teachers' Pension Scheme to administer and operate the scheme and pay benefits under it. This may include passing details to third parties that are involved in the administration and operation of the scheme. The DfE may also use your data for administrative purposes in line with its data protection notification. In order to fulfil its duty to protect public money, the DfE may use information it holds to prevent and detect fraud. It may also share information with other organisations that handle public funds. If there is any difference between the legislation governing the Teachers' Pension Scheme and the information in this application form, the legislation will apply. For more information on how we will use your data, go to www.teacherspensions.co.uk/public/privacy.

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