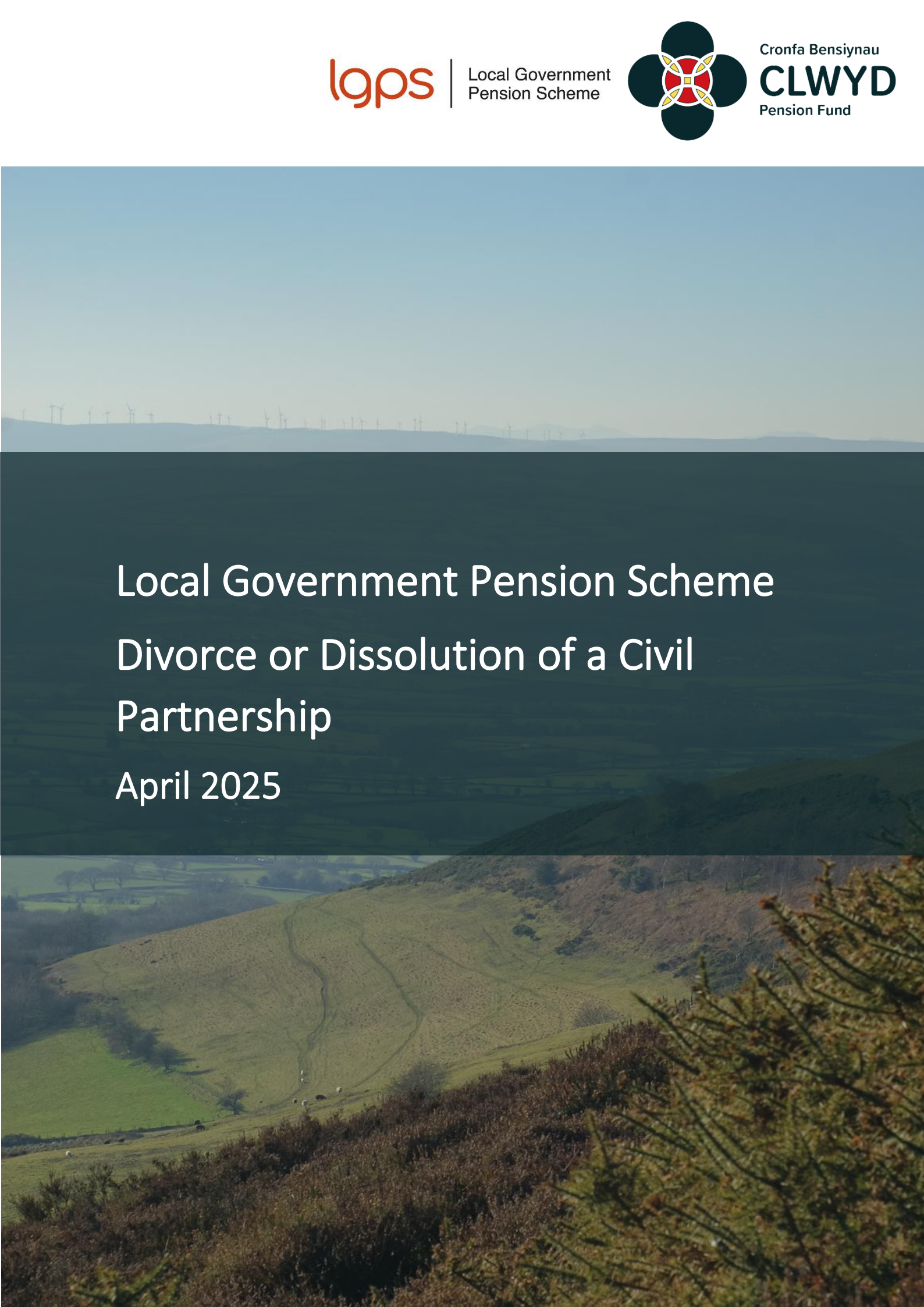


The background of the slide is a landscape photograph. The top half shows a clear blue sky above a distant horizon line where a row of wind turbines is visible. The bottom half shows rolling green hills with a dirt path, some trees, and a foreground of brownish-green bushes.

Local Government Pension Scheme

Divorce or Dissolution of a Civil Partnership

April 2025

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Introduction

If you get divorced or your civil partnership is dissolved, it may affect your pension in the Local Government Pension Scheme (LGPS). You will be asked to declare your finances, which will include your LGPS pension. The Court will then take this pension into account when they are deciding any settlement to your ex-partner.

You and your ex-partner will need to tell the Court the value of any pensions you may have. This does not include the State Pension. You can then agree how any pensions should be split and the Court will issue either a Pension Sharing Order or Pension Earmarking Order to confirm the settlement.

What is a Pension Sharing Order?

A Pension Sharing Order divides your pension at the point you divorce or your civil partnership is dissolved, so it makes a clean break. Your ex-partner receives a 'pension credit': that is, a share of the pension benefit you've built up.

What is a Pension Earmarking Order?

An Earmarking Order pays part of your benefits to your ex-partner at the point you start to receive your LGPS pension. Your ex-partner may receive either a lump sum amount or part of your regular pension income. This payment will then stop when you die or if your ex-partner remarries or enters a new civil partnership.

What if you are already being paid an LGPS pension?

Your ex-partner will only be given a share of your annual pension. They will not have the choice of a tax-free cash lump sum.

What is the process?

You will need certain information about your LGPS pension benefits as part of the proceedings for divorce or dissolution of a civil partnership. This information includes an estimate of the Cash Equivalent Value (CEV) of your pension.

The following chart shows how the process works.



Clwyd Pension Fund will provide you with a CEV within three months of you asking for it, or sooner if it's for a Court date. If you have already received a free CEV within 12 months of the date of request, you may be charged for your second CEV.

The Pension Sharing or Earmarking Order will state the proportion of pension to be shared or earmarked. A Pension Sharing Order will also show the date it is effective from.

You and your ex-partner will need to pay the charge for the Clwyd Pension Fund to process the Order.

Schedule of Charges 2025: Pension Sharing on Divorce

Item	Comment	Cost
1	CEV required to be provided within three month timescale	NIL
2	Additional CEV quotations Based on different dates	£134.93 + VAT
3	CEV for pensioner. Assess the value of the pension in payment and any contingent benefits	£134.93 + VAT
4	Receipt of a pension sharing order to cover administration costs to set up a pensioner record	£914.79 + VAT
5	Objections to order by scheme (responsibility should be with the person who drafted the Order to ensure that it is correct prior to issue)	Scheme to notify member/solicitor that costs for dealing with inoperable Orders will be passed on

Notes

1. For items 2, 3, and 4 an invoice will be sent.

2. For item 5, payment can be:

- in full by either party
- part up front by either party, with the balance being deducted from the CEV granted to the ex-partner (the credited member) by the Court
- by deducting the fee from any share of the scheme member's AVC fund granted to the ex-partner

The Court should take our intention to recover the charges from the ex-partner into account when determining the overall financial settlement on divorce.

We will comply with any charging instructions specified in a Court Order.

The charges are subject to an annual review in line with the Consumer Price Index (CPI) each April.

What happens to your LGPS pension once your divorce or dissolution has been completed?

- Your ex-partner may be awarded a pension credit in the LGPS, which will be separate to your pension
- Your ex-partner will not qualify to receive a surviving partner's pension if you die before them
- Children's pensions will still be payable. They're not affected by divorce or dissolution of a civil partnership
- Usually, any one-off grant to be paid following your death will be paid to the beneficiaries you have named on your Expression of Wish form, unless the form is no longer up to date or your next of kin dispute who the beneficiaries should be. The Clwyd Pension Fund has the discretion to decide who the death grant should be paid to. **However, please note that if the Court issues an Earmarking Order, it may rule that some or all of the grant should go to your ex-partner if you die before them**
- If you need to change your death grant beneficiaries, you can do so by logging into your [Member Self Service](#) account or you can download a Death Grant Expression of Wish form from the **forms and resources page** of our website. Please contact us if you need a paper form to be sent to you in the post

What if you re-marry or enter a new civil partnership?

If a Pension Sharing Order is issued against your LGPS pension and if you die before your new partner, any survivor's pension paid to a new husband, wife, civil partner or eligible co-habiting partner will be reduced.

What happens to your ex-partner's pension credit?

After your Pension Sharing or Earmarking Order has been processed, your ex-partner may be awarded a pension credit. This is a pension awarded specifically to them in the LGPS, in line with the debit to your pension. It is completely separate from your remaining benefits.

Your ex-partner may be able to transfer their pension credit out to another pension scheme or they can start drawing this pension at any time from age 55, when it will be payable for life.

The UK Government has announced that the earliest age a pension credit member can take their pension will increase from age 55 to 57 with effect from 6th April 2028.

They could be protected from this increase if they joined the LGPS in England and Wales before 4th November 2021. However, they will only be able to use this protection when they take their LGPS pension, if the LGPS rules allow them to take their pension before age 57.

The UK Government makes the LGPS rules. It has not yet confirmed if it will allow members who qualify for protection to take their LGPS pension before age 57, from 6th April 2028.

When can you expect to receive the Cash Equivalent Value of your pension rights?

You should expect to receive the cash equivalent value within three months of asking. It sometimes takes this long because your LGPS Fund needs to gather information, for example from HM Revenue & Customs or your employer. We can only work out the transfer value once we have all of this information.

There may be a charge for providing you with a cash equivalent value. The Clwyd Pension Fund will confirm this with you before we calculate anything.

Where can you find more information?

This factsheet gives general guidance only. If you need more information, please contact the Clwyd Pension Fund:

Phone: 01352 702940

Email: pensions@flintshire.gov.uk

Address: Clwyd Pension Fund, Ty Dewi Sant, St. Davids Park, Ewloe, Flintshire, CH5 3FF

Website: <https://clwydpensionfund.org.uk>

Disclaimer

The Clwyd Pension Fund is unable to provide any financial advice. After reading this factsheet, you may want to seek independent financial advice to make an informed decision.

These bodies may be able to help you:

Unbiased:

<https://unbiased.co.uk>

MoneyHelper:

<https://www.moneyhelper.org.uk/en/getting-help-and-advice/financial-advisers/choosing-a-financial-adviser?source=mas>



clwydpensionfund.org.uk

Clwyd Pension Fund, Ty Dewi Sant, St. Davids Park, Ewloe, Flintshire, CH5 3FF

Please note that Flintshire County Council is the administrative authority of the Clwyd Pension Fund and we use your personal data in accordance with Data Protection legislation to provide you with a pension administration service. For more information about how we use your data, who we share it with and what rights you have in relation to your data, please visit the Privacy Notice on our website.