

The Scottish Teachers' Pension Scheme ends discrimination against LGB partners following NASUWT campaigning

The NASUWT is proud of its history of campaigning for pensions equality for Lesbian, Gay, Bisexual, Trans and Intersex (LGBTI) teachers. An important element of this is campaigning so that adult partners of LGBTI teachers receive the same pension entitlement if their partner died as the partners of heterosexual teachers would receive.

Up to 2005, there was no legal recognition of lesbian and gay partnerships and there were no pension benefits for adult survivors of lesbian and gay partnerships. Unlike heterosexual, married teachers, LGB teachers could not pass on Scottish Teachers' Superannuation Scheme (STSS) pension benefits to their surviving partners. The NASUWT campaigned for this injustice to be ended.

The Civil Partnership Act came into effect in December 2005 and meant that, for the first time, the surviving partners of LGB teachers in civil partnerships received adult survivor pensions which previously only partners of teachers in heterosexual marriages had received. In 2013, this entitlement was extended to teachers in same-sex marriages following the enactment of the Marriage (Same Sex Couples) Act 2013.

However, despite this step forwards, benefits in the STSS for civil and same-sex married partners were unequal compared with benefits for widows of heterosexual marriages. Pensions for widows in heterosexual marriages were based on pensionable service back to 1972 and pensions for civil partners and same-sex married partners were only based on pensionable service back to 1988.

The NASUWT campaigned against this discrimination, including by:

- lobbying MSPs and Government Ministers;
- engaging with the STUC;
- engaging with the Scottish Public Pensions Agency (SPPA).

The NASUWT eventually secured equality for LGB teachers and their partners.

Following years of injustice, the Scottish Government announced in November 2018 that teachers' adult survivor pensions for all same-sex spouses and civil partners would be based on the same accrued pension as adult survivor pensions for widows of opposite-sex marriages, backdated to 1972.

The NASUWT has led all other unions in campaigning for pensions equality and has played a crucial part in TUC policy and action on this issue.

If any NASUWT members, or surviving partners of NASUWT members, are in receipt of an adult survivor teachers' pension for a civil partner, or same-sex married partner, which is currently restricted to benefits based on pensionable service from 1988 onwards, they should contact the SPPA direct to secure the payment of any additional accrued benefits.

The STSS, Scottish Public Pensions Agency, 7 Tweedside Park, Tweedbank, Galashiels TD1 3TE. Telephone: 01896 893000. Email: via 'General Enquiries' on the SPPA website. Website: www.sppa.gov.uk.

If NASUWT member adult survivor pension beneficiaries, or their surviving partners, experience any difficulty in contacting the SPPA over this issue, they should contact the NASUWT for assistance on rc-scotland@mail.nasuwt.org.uk.