

What to do after a death in England or Wales

June 2013



Department
for Work &
Pensions

Contents

- 5 What to do first
- 5 If someone dies in hospital
- 5 If a person dies somewhere else
- 6 If the cause of death is not clear
- 11 How to register a death
- 11 What happens at the Register Office
- 13 The death certificate
- 14 Registering a stillborn baby
- 16 Arranging the funeral
- 16 Arranging the funeral without a funeral director
- 17 Choosing a funeral director
- 18 Deciding about cremation or burial
- 20 If the person died outside England or Wales
- 20 Registering someone's death
- 21 Funerals abroad
- 21 Bringing a body back to England or Wales
- 22 Paying for the funeral
- 22 If someone has arranged to pay for their own funeral
- 23 Employer's pension schemes or personal pensions
- 24 Other pensions and payments
- 25 Funeral Payments
- 27 When a war pensioner dies
- 28 Other help
- 28 Dealing with someone's estate and belongings
- 28 The will
- 29 Jointly owned property
- 30 Getting permission to deal with the estate
- 31 What does the executor or administrator need to do?
- 36 Sharing out the estate and dealing with claims on the estate
- 36 Summary of the intestacy rules
- 38 Who can make a claim on an estate?
- 39 Bereavement and tax

- 44 Help and support for you
- 44 Bereavement benefits
- 47 Your benefit entitlements may have changed
- 51 Help to bring up a baby or child
- 51 Maternity benefits
- 52 Child Benefit
- 52 Guardian's Allowance
- 53 Help if you do not have enough to live on or are on a low income
- 54 Child Tax Credit
- 54 Income Support
- 55 Jobseeker's Allowance
- 55 Pension Credit
- 56 Housing Benefit
- 56 Universal Credit
- 57 Help with health costs

4 What to do after a death in England or Wales

When someone close to you dies, you'll have to make decisions and arrangements at a time when you are very upset.

This leaflet gives you help and information about what to do when someone dies. For example, it tells you how to:

- get a medical certificate which shows the cause of death
- register the death
- arrange the funeral, and
- decide what to do with the person's property and belongings.

It also tells you about the financial help you may be able to get and the organisations who can give you support and comfort.

This leaflet tells you about what to do after a death in England or Wales. Some of the information is different for deaths in Scotland. Go to the website **www.scotland.gov.uk** or visit a Jobcentre in Scotland to get a leaflet produced by the Scottish Government.

What to do first

If someone dies in hospital

If someone dies in hospital, the hospital staff will contact a family member (or perhaps a friend) that the deceased person named before they died.

The hospital will keep the body in the mortuary until someone, such as the executor or a family member, arranges for it to be taken away.

An 'executor' is the person named in a will who should take charge of doing everything the will asks.

Most funerals take place with the support of a funeral director, who will collect the body from the hospital. Most funeral directors have a chapel of rest where the body will stay until the funeral.

If a person dies somewhere else

If you expected the person's death

If you expected the person's death you should contact the doctor who cared for them during their illness. If the doctor can confirm the cause of death they will give you:

- a medical certificate that shows the cause of death (this is free and will be in an envelope addressed to the registrar), and
- a formal notice that says that the doctor has signed the medical certificate (this also tells you how to get the death registered).

If you did not expect the person's death

If the person's death is sudden or unexpected or you discover a body, you should contact the person's:

- family doctor (if you know who it is), or
- nearest relative.

You must also tell the police. They can help you find the family doctor or nearest relative, if you need help with this.

6 What to do after a death in England or Wales

If the cause of death is not clear

If the cause of death is not clear, the doctor or other people who helped to look after the person must report it to the coroner. The coroner looks into deaths that might be violent or unnatural, or that happened in custody, or where the cause of death is not known.

The coroner may decide that they need to investigate the death, which may include a post-mortem and an inquest.

If the coroner investigates the death

In these cases, the coroner may be the only person who can confirm the cause of death. The doctor will write on the formal notice that they have reported the death to the coroner.

If you want advice or information about a death that you have reported to the coroner, contact the coroner's office. You can get the address from a police station, your local library or the hospital where the person died.

Post-mortems

A post-mortem is a medical examination of the body meant to find out more about the cause of death. It should not affect when you can have the funeral.

The coroner may arrange for a post-mortem. If you're a relative of the person who has died, they do not need your permission to do this. But you are entitled to have a doctor represent you at the post-mortem. If you ask for this, the coroner will tell you when and where the post-mortem will be.

If the person dies in hospital, you may ask the coroner to arrange for the post-mortem to be carried out by a pathologist not employed at or connected to that hospital.

The coroner will usually pay to have the person's body taken from where they died to the mortuary for the post-mortem. They will choose a funeral director to do this. The coroner must tell you (if you are the person's next of kin) if any organs or tissue need to be kept after the post-mortem has been done. The coroner will ask you what to do about the organs or tissue when the tests are finished.

When the coroner has finished the post-mortem you can choose a funeral director to carry out the funeral.

If the post-mortem shows that a person has died from natural causes, the coroner may issue a notice known as 'pink form B' (form 100B). This form shows the cause of death so that the death can be registered.

Burial or cremation may also be authorised at this stage (if a burial has not already been authorised). For cremations the coroner will give you the certificate for cremation which will allow you to arrange for the body to be cremated (see page 18).

Investigations and inquests

The purpose of an investigation is to find out who the deceased person was and how, when and where they died.

An inquest is the formal part of the process carried out towards the end of an investigation. Here, evidence about the circumstances of a death are considered.

The inquest hearing is held in public, sometimes with a jury. It is up to the coroner to decide how to organise the inquest in a way which is best for everyone, including the relatives of the person who died.

The coroner will hold an investigation if they believe:

- the person died a violent or unnatural death
- the cause of death is unknown, or
- the person died in custody or in state detention.

8 What to do after a death in England or Wales

Coroners hold investigations in these circumstances even if the person died outside England or Wales, if the body is brought back here.

If an inquest is held, the coroner must tell these people (if the coroner knows their name and address):

- the husband, wife, civil partner or partner of the person who died, or
- a near relative, and
- the person's personal representative or executor, and
- other people who the coroner thinks are closely involved.

You can go to an inquest and ask the witnesses questions, but only about the medical cause and circumstances of the person's death, if you are:

- a parent, child, husband, wife, partner, or personal representative of the person who died
- someone who will be paid under the insurance of the person who died
- the insurer who issued the policy
- a person whose act or failure to act may have caused or contributed to the death
- a person appointed by the trade union of the person who died, if they may have died from an industrial injury or disease
- a person appointed by an enforcing authority or government department, or
- the chief police officer.

The coroner may decide to allow other people not listed here to ask questions.

You don't need to be legally represented at an inquest. The inquest is not a trial so there is no prosecution or defence. Witnesses are not expected to present legal arguments and an inquest cannot blame anyone for the death. The coroner makes sure that the inquest is impartial and thorough. He or she is expected to help families and make sure that their questions are answered.

If the inquest takes some time, you may ask the coroner to give you an 'interim certificate of the fact of death' or a letter confirming the person's death. You can use this certificate or letter for benefits and National Insurance purposes. Financial organisations should usually accept this certificate as evidence of the death. When the body does not need to be examined any more the coroner may give you an 'order for burial' or a 'certificate for cremation'. This means that you can arrange the funeral.

The coroner will also send a 'certificate after inquest' to the registrar, giving the cause of death. This means that the registrar can register the death.

To see the 'Guide to coroners and inquests and Charter for coroner services' go to



www.justice.gov.uk/coroners-burial-cremation/coroners

This booklet has lots of information about a coroner's inquest and the standards of service you can expect. You can get a copy from your local coroner's office.

10 What to do after a death in England or Wales

Summary of forms and certificates

Here are some of the forms and certificates you may be given by doctors and coroners. The list explains when and where you get each form.

Situation	You will usually get	You will get this from the
In all cases	formal notice	doctor
The death is not referred to a coroner	medical certificate	doctor
A baby is stillborn	medical certificate of stillbirth	doctor or midwife
The death is referred to a coroner, but there is no inquest	notification by the coroner (pink form 100A or 100B)	coroner (the coroner usually sends this direct to the registrar, but you may be asked to take it to the registrar yourself)
There is an inquest and the body is to be buried	order for burial (form 101)	coroner
There is a post-mortem or an inquest and the body is to be cremated	coroner's certificate for cremation	coroner
The body is to be moved out of England and Wales	removal notice (form 104)	coroner

How to register a death

The death must be registered with the registrar of births and deaths. You can find the address in the phone book.

If the death has not been referred to the coroner, you should tell the registrar about it as soon as possible. The death must be registered within five days (unless the registrar says you can take longer than this).

If the death has been reported to the coroner, it can't be registered until the registrar has the coroner's permission (see page 7).

You can give any registrar in England and Wales the information to register a death, but you will need to go to the registrar's office to tell them formally about the person's death.

Check when the registrar will be there and whether you need to take anyone else with you. It may be that someone else needs to give the registrar some information to register the death.

If the death happened in a different area from the registrar you choose, they will send the details to the registrar who covers that area to register the death. This may cause a delay in arranging the funeral.

If the person died on a ship or plane, check which country you need to register their death in. Usually, this is the country that the ship or plane is registered in.

What happens at the Register Office

When you go to the Register Office you should take:

- the medical certificate which shows the cause of death
- the person's medical card, if possible, and
- the person's birth and marriage or civil partnership certificates, if you have them.

12 What to do after a death in England or Wales

You should tell the registrar:

- the date and place the person died
- the person's usual address (their only or main home)
- the person's first names and surname (and any other names they were known by)
- the person's date and place of birth (the town and county if they were born in the UK, and the country if they were born abroad)
- the person's occupation and the name and occupation of their husband, wife or civil partner (if the person was married or in a civil partnership)
- if the person was getting a pension or benefit from the government, and
- the date of birth of their surviving husband, wife or civil partner.

The registrar who registers the death will give you:

- a certificate for burial or cremation (known as the 'green form'), unless the coroner has given you an order for burial (form 101), or a certificate for cremation. These give permission for the body to be buried or for you to apply for the body to be cremated. You should take this to the funeral director so that the funeral can be held.
- a certificate of registration of death (form BD8). You should read the information on the certificate about the DWP Bereavement Service and call them to tell them about the death. They can do a benefits check of what you may be able to get, take your claim for certain benefits over the phone and tell you who to contact to claim other benefits. If you call the DWP Bereavement Service to report the death you do not have to send in the BD8 form.

Phone **0845 606 0265** then:

select the option 'if you are calling to tell us about someone who has died, or check what help may be available following a bereavement'.

If you register the death away from the area where the death took place, the registrar will post this information to you.

Tell Us Once

The 'Tell Us Once' service lets you tell some central and local government services that need to know about the death by having just one contact. The 'Tell Us Once' service is offered by most local councils on behalf of the Department for Work and Pensions. The registrar will tell you which government services are taking part.

If your local council offers the service, the registrar will either offer you a Tell Us Once interview after you have registered the death or told them about it, or you will get a unique service reference number and contact details so you can take care of this over the phone or online at **www.gov.uk/tell-us-once**.

The death certificate

The death certificate is a certified copy of what is written in the death register. The registrar can let you have a death certificate if you want one, but you will have to pay a fee.

You may need a death certificate for the will to be carried out, and for any pension claims, insurance policies, savings certificates and premium bonds.

You may want to ask for more than one copy of the death certificate straight away, as the price goes up if you need one later on. The registrar may not be able to give you all the copies straight away. They may ask you to call back or ask you to pay an amount towards postage so that they can send them to you.

14 What to do after a death in England or Wales

Registering a stillborn baby

If a baby is stillborn (born dead after the 24th week of pregnancy) you will be given a medical certificate of stillbirth signed by the midwife or doctor. You should give this to the registrar. If there wasn't a doctor or midwife there, and no doctor or midwife has examined the body, you must sign a form (form 35) which the registrar will give you.

The registrar will give you a certificate for burial or cremation and a certificate of registration of stillbirth.

You can ask to have a first name and surname for a stillborn baby registered. The registrar will write the baby's name in the register and on the certificate.

You can give any registrar in England or Wales the information to register a stillbirth. The procedure to register a stillbirth is similar to the procedure for registering a death (see page 11).

To find out more about arranging a funeral for a stillborn baby, see page 17.

If your baby dies soon after being born

If your baby is born alive and then dies, you can still get Statutory Maternity Pay and Maternity Allowance if you meet the qualifying conditions.

You will be given a medical certificate signed by the midwife or doctor and you should give this to the registrar. If there wasn't a doctor or midwife there, and no doctor or midwife has examined the body, you must sign a form which the registrar will give you.

The registrar will give you a certificate for burial or cremation.

To find out more about arranging a funeral or how to register a death, see page 11.

Maternity benefits

If your baby was stillborn and you had reached the start of your 24th week of pregnancy, you may still be able to get Statutory Maternity Pay or Maternity Allowance.

If your baby is born alive and then dies, you can still get Statutory Maternity Benefit.

Summary of forms and certificates

Here are some of the forms and certificates the registrar will give you when you register a death. The list explains when you get each form.

When you register a death	You will usually get
If no coroner has issued a certificate for cremation or a burial order	certificate for burial or cremation (the green form)
If DWP needs to know about the death	certificate of registration of death (form BD8)
If you need evidence of the death for the will, pensions claims, insurance policies, savings certificates or premium bonds	death certificate
If a baby is stillborn	registration of stillbirth
If a baby is stillborn and you want a burial or cremation	certificate for burial or cremation (the white form)

Arranging the funeral

Do not make final funeral arrangements until you are sure that you do not have to report the death to the coroner. This may affect the date when the funeral can be held.

Find out if there is a will, as this may give details of what the person wanted for their funeral arrangements.

If you arrange for a funeral, you are responsible for paying the bill. So check first where the money will come from and if there will be enough to cover all the costs.

There are some laws about what to do after someone has died. Their death needs to be registered and the body needs to be properly taken care of by either burial or cremation. See page 25 about Funeral Payments.

If you need to arrange a burial or funeral service in line with a particular religion, you can get advice from a minister of that religion or from the religious organisation that the person who died belonged to.

Arranging the funeral without a funeral director

Many people choose to use a professional funeral director to organise a funeral. They do this partly because it is easier, at what is usually a stressful time.

You can organise a funeral without the help of a funeral director, but you should ask the cemeteries and crematorium department of your local council for advice.

Choosing a funeral director

Friends, family, clergy or your doctor may be able to suggest a local company with a good reputation. If not, most local firms are listed in the Yellow Pages. Remember, charges can vary considerably from firm to firm. You may want to contact or visit more than one firm.

Most funeral directors choose to join one of the two trade associations below, so you may want to check this before choosing one. However, funeral directors do not **have** to be in a trade association.

National Association of Funeral Directors

Phone: **0845 230 1343**

Website: **www.nafd.org.uk**

National Society of Allied & Independent Funeral Directors

Phone: **0845 230 6777**

Website: **www.saif.org.uk**

Both organisations have codes of practice. Funeral directors who are members have to give you a price list when you ask, and they will not increase any costs they give you without your permission.

The funeral director will need:

- the certificate for burial or cremation (the green form), or
- an order for burial or a certificate for cremation from the coroner.

Funeral for a stillborn baby

The hospital may offer to arrange a burial or cremation, free of charge, for a stillborn baby, whether they were born in hospital or at home. You should discuss the funeral arrangements with the hospital staff or midwife.

18 What to do after a death in England or Wales

If you accept the offer, the baby will be cremated or buried after a simple ceremony. Or you can arrange the funeral yourself if you prefer.

Deciding about cremation or burial

Check the will to see if the person who has died has given any instructions for their funeral. It is generally up to the executor or next of kin to decide whether to have a cremation or burial. The executor does not have to follow the instructions left in the will about the funeral.

The funeral director will help you to decide where the body should stay until the funeral, and when and where the funeral should take place.

If there is going to be a service or ceremony, you should contact a minister for the religion or belief of the person who has died. If you are not sure, the funeral director should be able to help you.

Cremation

No one can be cremated until the cause of death is definitely known. The crematorium usually needs:

- an application form signed by the next of kin or executor, **and either**
- two cremation certificates (the first signed by the treating doctor and another signed by a doctor not involved with the treatment of the person who has died), **or**
- a cremation form signed by the coroner (if the death has been investigated by the coroner).

You have to pay for the cremation certificates signed by the two doctors. If the coroner investigates the death and orders a post-mortem or opens an inquest, you do not need these two certificates. Instead, the coroner will give you a free certificate for cremation.

You or someone you choose can make an appointment to see the two doctors' certificates before the cremation, if you tell the crematorium and give them your contact details.

If the crematorium is satisfied that the cause of death is confirmed, and that all the forms are filled in correctly, the 'medical referee' will sign the form to authorise cremation. If there is a problem the medical referee can refuse the cremation and make further enquiries, but must give a reason for doing so.

A 'medical referee' is appointed by the Secretary of State to authorise all cremations in a crematorium.

If the person died outside England and Wales, see page 20.

It is important to make it clear to the funeral director or crematorium staff what you want to be done with the ashes. If this is not clear, they will need to contact you to discuss what they should do.

You can scatter someone's ashes in a garden of remembrance or their favourite place, bury them in a churchyard or cemetery, or bury or scatter them on private land if you have the landowner's permission, or you can keep them.

In the case of babies and very young children, there may be no ashes after a cremation. At some crematoriums you can arrange to have a memorial plaque which you may have to pay for.

Burial

Before someone can be buried, you must have a death certificate signed by a doctor and a certificate for burial from the registrar of births and deaths.

You should find out if the person has already arranged a grave space in a churchyard or cemetery, by checking their will and looking through their papers. There will be a 'deed

20 What to do after a death in England or Wales

of grant' which shows that a grave space has been paid for in a cemetery. Most cemeteries are open to all faiths, so you can have most types of service or ceremony. These cemeteries are owned by local councils or private companies, and their fees vary. Some cemeteries and churchyards no longer have any space for new graves.

If you want the burial to be in a churchyard, you can find out from the priest or minister if there is space and who has the right to be buried there.

If the person died outside England and Wales

Registering someone's death

If the person died in Scotland or Northern Ireland, you should register their death in that country.

If the person died abroad, or on a foreign ship or plane, you should register their death in line with the laws of that country, and get a death certificate.

If the person who died was a British national, you may also register the death with the British Consul in certain countries. If the death took place on a British-registered ship or plane, the death will be registered with the relevant authority in the UK (Registrar General for Shipping and Seamen, or the Civil Aviation Authority).

You will be able to get the death certificate from the British Consul who registered the death or, for deaths on ships and planes, from the Register Office.



Phone: **0300 123 1837**



Website: **www.gov.uk/order-copy-birth-death-marriage-certificate**

If the person died outside England and Wales in the circumstances listed on pages 5 and 6, or there is not full information about their death and their body is brought to England or Wales, you must report their death to the coroner where the funeral will be held, in the same way as if they had died in England or Wales.

Funerals abroad

You can arrange a burial or cremation abroad. The British Consul in that country can register the death. This avoids the costs of bringing the body back to England or Wales.

Bringing a body back to England or Wales

You may be able to bring the body back to England or Wales. Most funeral directors should be able to give you advice on how to go about this and what it is likely to cost.

To bring a body back to England or Wales, you'll need the death certificate from the place the person died, or formal permission from the relevant authority in the country where the person died.

Arranging a burial in England or Wales

To arrange a burial in England or Wales for someone who died abroad, you'll need:

- an approved translation of a foreign death certificate, or a death certificate issued in Scotland or Northern Ireland (these must show the cause of death), and
- a certificate of 'no liability to register' from the registrar in the area in England or Wales where the burial is going to take place. You do not need this certificate if a coroner has issued an order for burial.

Arranging a cremation

If a person died abroad and you have brought their body back to England or Wales to arrange a cremation, you will need a cremation order from the local coroner. You can get their details from any local funeral director.

In England or Wales, if you have either of the above forms you will not need the 2 forms signed by doctors. For deaths in Scotland, Northern Ireland, the Channel Islands and the Isle of Man, there are forms which you can use for a cremation.

If the person did not die from natural causes, the coroner will start an inquest into their death. In these cases the coroner will issue a form for cremation when they open the inquest.

Paying for the funeral

Funerals can be expensive. So remember to check where the money for the funeral will come from before making any arrangements. Otherwise, you may have to pay the bill yourself.

Check first whether the person who has died had made any plans to pay for the funeral. The sections below give you some examples of what they might have arranged.

If no one is able or willing to arrange and pay for the funeral, the local council, or in some cases the health authority, may pay for the funeral. They will only do this if the funeral has not already been arranged. Also see page 25 about Funeral Payments.

If someone has arranged to pay for their own funeral

There may be money to pay for the funeral from money the person has left behind (their 'assets') or through schemes and pensions that they paid into during their life.

After someone dies, their bank account is ‘frozen’, unless it is a joint account. You may be able to use part of their savings to pay for the funeral. The bank will ask you to provide certain documents, which usually include the death certificate.

You should check the person’s papers for a membership certificate of the Cremation Society, their life insurance policy or a funeral plan which has already been paid for. You should also look for letters from their past employers with details about any workplace pension scheme or personal pension. These might cover the cost of the funeral, and also provide other financial support for their surviving husband, wife or civil partner.

If the person was living in hospital or a residential care home, the hospital or home will hand over the person’s belongings to the nearest relative, or to the person who has written permission from whoever is dealing with the will. There may be a limit on the value of the belongings the hospital or home can hand over. This is set by the local council for the area.

Employer’s pension schemes or personal pensions

Some employers provide pension schemes through work (workplace pension schemes) that pay a lump sum to help with funeral costs and sometimes pension benefits for a person’s surviving husband, wife or civil partner. You should check to see if the person who died has ever belonged to this sort of scheme. They may have made their own arrangements if they were self-employed, or if their employer did not have an employer’s pension scheme.

If the person was getting a pension from a previous job, you should find out who is paying it. It might be the employer’s pension scheme or an insurance company. You should tell the representative from that pension scheme about the person’s death. Tell them if the person has a surviving husband, wife or civil partner, a dependent child or another dependant,

24 What to do after a death in England or Wales

because they may be able to get a pension. If they already get a pension they may be able to get more money.

You should find out if there was a pension due to be paid when the person retired from a previous employer. If there is a pension you should check who is responsible for paying it, for example, the employer or an insurance company.

If you have problems, you can get help from the Pension Tracing Service.



Phone: **0845 600 2537**



Textphone: **0845 300 0169** (for people who find it hard to speak or hear clearly)

These lines are open Monday to Friday from 9am to 5pm.



Website: **www.gov.uk/find-lost-pension**

Other pensions and payments

There may be pensions or lump sums payable from a trade union, professional body or other association, or from a provident club which pays benefit when a member dies.

If the person was getting a benefit before they died, there may be some of that benefit still due. When you tell the Department for Work and Pensions about the person's death, ask them to send you a form which you can use to claim any money owed.

If you are the executor, you will be paid this money. If there is no executor but you are paying for the funeral, you can claim up to the amount of the funeral costs.

Life insurance policies

The person who died may have taken out a life insurance policy which pays a lump sum if they die before a certain age. The lump sum is usually paid after the will has been dealt with but the insurance company may pay out some money when they have proof that the person has died.

The Cremation Society

If the person who died was a member of the Cremation Society you may be able to pay lower cremation fees. Or the Cremation Society may pay something towards the cost of the cremation.

Funeral Payments

If you or your partner are on a low income and have to arrange a funeral, you may get some help with the costs. A Funeral Payment is a one-off, tax-free payment to help cover the necessary costs of a funeral. This includes:

- the necessary costs of a cremation, or
- the cost of reopening a grave and burial costs, or
- the cost of opening a new grave and burial costs, including any 'exclusive right of burial fee' (this includes a reclaimed grave), and
- certain other expenses such as the cost of the death certificate and certain transport costs, **and**
- up to £700 for any other funeral expenses like funeral director's fees, a coffin and flowers.

You must claim within 3 months of the date of the funeral.

26 What to do after a death in England or Wales

You or your partner must get at least one of the following benefits:

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Pension Credit
- Working Tax Credit which includes a disability or severe disability element
- Child Tax Credit at a rate higher than the family rate
- Housing Benefit
- Universal Credit.

It must also be reasonable for you or your partner to pay for the funeral. We may need to consider the circumstances of other relatives of the person who has died.

For us to give financial help, the person needs to have been living in the UK when they died, and the funeral usually needs to be held in the UK.

If you get a Funeral Payment, you'll have to repay this from the estate of the person who died. Their estate includes money, property and other things that they owned. (Any home that is still lived in by a surviving partner or personal things left to relatives do not form part of the estate.)

How do I claim?

You will need to fill in a claim form.

Go to www.gov.uk/browse/benefits and download the claim form SF200. Then print it out, fill it in by hand and post it to us. For more information, please contact Jobcentre Plus.

Also, you should contact the DWP Bereavement Service. They can do a benefits check of what you may be able to get, take your claim for certain benefits over the phone and tell you who to contact to claim other benefits.

Phone **0845 606 0265** then:

- select the option ‘if you are calling to tell us about someone who has died, or check what help may be available following a bereavement’.

The phone line is run by The Pension Service, but deals with calls from people of all ages.

When a war pensioner dies

If the person who died was a war pensioner, you may be able to get help with the cost of a simple funeral if they:

- died from the condition that they were getting a war pension for, or
- died in hospital while having treatment for that condition, or
- were getting war pensioner’s Constant Attendance Allowance at the time of their death, or
- were getting a War Disablement Pension assessed at 80% or more and Unemployability Supplement at the time of their death.

You will not have to pay any of the money back from the estate of the person who died.

You must claim within 3 months of the funeral.

To claim you need to contact the Service Personnel and Veterans Agency immediately after the funeral.



Phone: **0800 169 2277**
Textphone: **0800 169 3458**

Monday to Thursday 8.15am to 5.15pm, Friday 8.15am to 4.30pm.



Website: **www.veterans-uk.info**

Other help

The hospital may arrange the funeral of someone who dies in hospital if they cannot trace the person's relatives, or if their relatives can't afford to pay for the funeral. The hospital may make a claim on the person's estate to pay for the funeral.

If the person has not died in hospital and there is no one who can take responsibility for the funeral, the local council has a duty to bury or cremate someone if no other arrangements have been made. If they have a reason to think that the person who died did not want to be cremated, they will not arrange a cremation. They may make a claim on the person's estate to pay for the funeral. Ask your council for more information.

Dealing with someone's estate and belongings

The will

Before you start dealing with someone's property, you need to find out whether or not they left a will. If you can't find a will, or can find only a copy, someone else may have it. This may be a bank, a solicitor, or the executor, and you should talk to them about it.

A will does not necessarily look like a legal document. Do not destroy any written instructions left by the person who has died, because these may be their will.

A will says what should happen to someone's estate when they die. A will has to be drawn up in line with strict rules. You may need to get legal advice to check whether the document you have is 'valid' – that is, it meets the requirements of those rules. If the person died leaving a valid will, their estate must be dealt with as set out in the will.

If there is no will (or no valid will), the person is said to have died 'intestate'. As a result, the estate must be dealt with in line with rules on 'intestacy', which set out who will inherit the estate, and how the estate will be shared if more than one person inherits. A summary of the intestacy rules is on page 36.

Estate

A person's 'estate' is their money, property and belongings when they died. It may include jointly owned property.

Jointly owned property

Two or more people may own the house or property together as 'beneficial joint tenants' or as 'tenants in common'.

- Beneficial joint tenants own the house or property jointly, so that on the death of the first to die the house or property passes to the survivor (or survivors) under the right of survivorship. The house or property does not form part of the estate of the first person to die.
- Tenants in common each own a share in the house or property, and when one of them dies their share is included in their estate. It passes either according to their will, or (if there is no will) follows the intestacy rules.

The nature of the joint ownership should have been settled and recorded when the house or property was acquired – usually when it was bought. If you are not sure how the house or property is owned, you should get legal advice.

Getting permission to deal with the estate

If the person who died left a will, they will usually have asked an executor to deal with their estate.

If the person did not name an executor or did not leave a will, an administrator will need to be appointed to deal with the estate. The administrator will usually be the person entitled to inherit under the intestacy rules. There can be more than one administrator.

Executors and administrators are also called ‘personal representatives’.

If you are entitled to deal with someone’s estate, you may have to apply for permission from the Probate Service to manage it.

This permission is called ‘a grant of representation’ (or ‘probate’ for short). You can apply for a grant of representation yourself or through a solicitor. There are three types of grant issued by the Probate Service. The grant issued will depend on the circumstances of the case.

Type of grant	Given to
Grant of ‘probate’	One or more of the executors named in the will
Grant of ‘letters of administration (with will annexed)’	An administrator, who is appointed by a court when the executors named in the will are not available, not willing or not suitable to manage the estate, or if the will does not name executors
Grant of ‘letters of administration’	Administrators when there is no valid will

You may be able to deal with someone's estate without having to apply for a grant of representation. You should contact the organisations holding the property, money and belongings of the person who died, to find out if they need to see a grant before they release any assets to you.

For more information on how to get a grant of representation and about inheritance tax, contact the Probate and Inheritance Tax helpline.



Phone: **0845 30 20 900**
(Monday to Friday 9am to 5pm)



Website: **www.hmrc.gov.uk**

You can also get information from the Probate Service. Go to **www.justice.gov.uk** and search for 'Probate Service'.

What does the executor or administrator need to do?

As an executor or administrator, you will have certain duties and responsibilities when dealing with the person's estate. You must:

- find out how much their estate is worth
- do everything you reasonably can to collect any money the person is owed
- pay any inheritance tax that might be due
- deal with any other outstanding tax matters up to the date of the person's death
- pay for the funeral
- pay any liabilities (debts the person owed) from the assets in their estate, and
- pass on what is left of the estate to the people who are entitled to it.

Gathering details of someone's assets and liabilities

You should look carefully through the person's personal papers to find details of:

- all their assets (such as bank accounts, building society accounts, insurance policies, share certificates, savings certificates, premium bonds and so on), and
- all their liabilities (such as money they owe for electricity, gas, water, phone bills and so on, and personal debts such as credit agreements and credit card accounts).

You may be able to get back part of any money the person paid in advance for items such as a TV licence, road tax, household insurance, council tax and so on. A tax refund might be due or some tax might still be owed up to the date of death. You should also find out which credit organisations the person owed money to.

Make sure you pay any debts

You should pay any debts, including funeral expenses, out of the person's estate. If there is no estate to pay for the funeral, see page 22.

You, as the executor or administrator, are responsible for paying the debts of the deceased out of their estate. If you do not know about all the organisations the person had credit with (the people they owe money to), you should advertise for any creditors to come forward to make a claim against the estate. This advert is called a 'Deceased estates notice' and you should publish it in 'The London Gazette'. If the estate contains land, you should also advertise in a newspaper in the area where the land is.

The London Gazette is published each working day. You will have to pay for the advert out of the estate. There is a separate edition of the same newspaper for Scotland.

Go to **www.gazettes-online.co.uk** for more information about how to publish in The London Gazette.

You need to give creditors two months to make a claim. If you do not advertise, you may have to pay any claims creditors make after the person's estate has been shared out.

You should tell the creditors that you are the executor or administrator. This may also mean telling organisations such as water, gas, electricity and telephone suppliers, and hire-purchase and rental companies.

One claim you may get is if DWP find they have paid too much benefit to someone who has died and ask for the overpayment back. If the person who died owes any National Insurance at the date of their death, this must also be paid out of the estate. If this is not paid, it may affect the benefit the surviving husband, wife or civil partner gets.

You may have to sell some or all of the assets in the estate to pay off the debts of the person who died. However, do not rush into either selling assets or sharing out the estate. Get professional legal advice if you're not sure what to do.

Claiming any benefit someone is owed

The executor or administrator can claim any state benefits someone is owed, even after they have died. There may be money due if the person was getting or had recently claimed a benefit.

To claim any benefit owed, first contact the DWP Bereavement Service (see page 12 for details).

If you prefer not to contact us by phone, you can send in the BD8 form which the Registrar gave you when you registered the death.

34 What to do after a death in England or Wales

Sometimes, benefit can be paid without having to claim if:

- the person who died was waiting for the result of an appeal against a decision about their benefit, or
- you think they may have been entitled to a benefit but did not claim it. You may be able to act on their behalf, and any benefit they are owed may be paid to the estate.

Things you will need to send back

You should send back the following items, with a note to explain what has happened and the date the person died:

- Any forms or cheques issued as part of a benefit claim. You should send these to the Jobcentre which issued them. This also applies to Child Benefit payments (including payments for a child who has died). DWP should not make payments after someone has died. It may be useful to keep a record of any benefits before you send anything back.
- The person's passport. You should send this to the Identity and Passport Service for them to cancel. Before posting it, please cut off the top right-hand corner of the passport. The Passport Office will give you advice on where to send the passport.



Phone: **0300 222 0000**



Website: **www.ips.gov.uk**

- The person's driving licence. You should send this to:
The Driver and Vehicle Licensing Agency
Swansea
SA99 1AB.

- The registration documents for the person's car, to record who now owns the car.
- Membership cards of any clubs, associations or trade unions.
- Library books and tickets.
- Any NHS equipment such as wheelchairs, hearing aids or artificial limbs.
- Disabled parking permit. You should send the disc back to your local council.

You may want to contact the Bereavement Register to remove the person's name from mailing lists. Go to their website at



www.the-bereavement-register.org.uk

You should also cancel things like the person's home-help services, meals-on-wheels, gas, water, electricity and telephone accounts.

People to tell

You should tell:

- any hospital the person was going to for their medical appointments
- their doctor
- HM Revenue & Customs
- Department for Work and Pensions Bereavement Service on **0845 606 0265**
- the person's employer and trade union
- the person's school or college
- the Student Loans Company, if they had a student loan
- the person's car insurance company (if you were insured to drive the car under the person's name, you may not now be legally insured to drive the car)

36 What to do after a death in England or Wales

- gas, water, electricity and telephone suppliers
- their local council (you may need to tell more than one department in the council, such as the housing, social services and council tax departments)
- the person's bank or building society
- the person's insurance company, and
- the Post Office so that they can redirect the person's post, if necessary.

Sharing out the estate and dealing with claims on the estate

As executor or administrator, your role is to administer the estate.

Sharing out someone's property

When all the assets have been gathered in and the taxes and debts have been paid, you, as the executor or administrator, must pass on what is left in the estate to the beneficiaries (the persons entitled to get it). If there is a will, you must follow the instructions set out in the will.

If there is no will, you must distribute the estate in line with the laws of intestacy. The summary below explains the intestacy rules.

Summary of the intestacy rules

If a person dies leaving a husband, wife or civil partner, **and** children

The husband, wife or civil partner will take:

- the 'personal chattels' such as household articles
- a 'statutory legacy' of the first £250,000 of the estate free of tax, and

- a life interest in half of the remaining estate (this may be turned into a capital sum, that is, money). The other half of the remaining estate goes to the children. If any child is under 18, this share is held in trust until either the child reaches 18 or gets married (whichever comes first). When the husband, wife or civil partner dies the children get the rest.

If a person dies leaving a husband, wife or civil partner, **but no** children

The husband, wife or civil partner will take:

- the ‘personal chattels’ such as household articles
- a ‘statutory legacy’ of the first £450,000 of the estate free of tax, and
- full ownership of half of the remaining estate.

The other half of the estate goes to the parents of the person who has died (shared equally if both are alive). Or if no parent is alive, then it is divided between the ‘whole blood’ brothers or sisters, or their children if they died before the deceased.

If a person dies with **no** surviving husband, wife or civil partner

The estate goes to the person’s blood or legally adopted relatives, in the following order:

- to their children, or children of a child of the deceased who died before the deceased, but if there are none
- to their parents, but if there are none
- to ‘whole blood’ brothers or sisters, or children of a brother or sister of the deceased who died before the deceased, but if there are none
- to their ‘half blood’ brothers or sisters, or children of a brother or sister of the half blood who died before the deceased, but if there are none
- to their grandparents, but if there are none
- to their ‘whole blood’ aunts or uncles, or children of aunts or uncles of the whole blood who died before the deceased, but if there are none

38 What to do after a death in England or Wales

- to their 'half blood' aunts or uncles, or children of aunts and uncles of the half blood who died before the deceased, but if there are none
- to the Crown.

If any person who is entitled to the estate is under 18 years old, their share is held in trust until they reach the age of 18 or marry. Two administrators are required to deal with the estate.

Other than parents and grandparents, if any relative listed above has already died but leaves children of their own, their share is divided equally among these children.

'Personal Chattels'

These are personal belongings, including jewellery, furniture, pictures, books and cars (but not money, investments, property or business assets).

'Whole blood' relatives share the same mother and father.

'Half blood' relatives have only one parent in common.

Who can make a claim on an estate?

You do not have to be related to the person who died. You can apply to the court for a share of their estate if they were supporting you financially in any way just before their death. This will apply to unmarried partners (or partners where there is no civil partnership) in a case where there is no will.

If you qualify, you must apply within six months of the date when the grant of representation was issued. The court may let you apply later in special circumstances.

If you want to apply, you should get legal advice as soon as possible after the person dies. Do not leave it until after the six months.

What happens if the person who dies has no relatives?

If there is no will and the person who died leaves no surviving husband, wife or civil partner, or blood or legally adopted relatives, the estate will go to the Crown. For more information, contact the Treasury Solicitor's Department.

The Treasury Solicitor's Department (BV)
One Kemble Street
London
WC2B 4TS

The effect of marriage, divorce and civil partnerships on a will

If someone makes a will and then gets married or forms a civil partnership, their will is no longer valid unless the will is made 'in contemplation' of the marriage or civil partnership.

Generally, if someone makes a will and then gets divorced or ends (dissolves) a civil partnership:

- any gift left to their former husband, wife or civil partner, and
- any appointment of their former husband, wife or civil partner as executor does not take effect unless the will says otherwise.

Bereavement and tax

Telling HM Revenue & Customs (HMRC) that someone has died

HMRC usually get information from Tell Us Once and DWP when someone dies. Tell Us Once is available at most local councils in England, Scotland and Wales. To use the service, your first step is to register the death with your local Register Office. They will then tell you what to do next.

40 What to do after a death in England or Wales

If you do not use Tell Us Once, you should tell HMRC about who is dealing with the tax affairs of the person who has died, using the details on the next page.

It is important to deal with tax issues as quickly as possible to avoid any problems later on. If you do not hear from HMRC within 6 weeks of registering the death, contact them. HMRC will need to know the name and address of the person who has died. It will help if you can also give:

- their date of birth and National Insurance number, and
- the name and address of the personal representative, who will be sorting out the financial affairs of the person who died. This is who HMRC will expect to deal with.

Sorting out the tax and benefits of the person who died

Income Tax

HMRC will often send the personal representative a form R27 'Reclaiming tax or repaying tax when someone has died' to fill in and send back. HMRC use this to check whether there is a refund due (this includes tax taken off pension, salary or bank interest) or any tax is owed.

If the person who died had complex tax affairs the personal representative may also need to fill in a Self Assessment tax return. The form R27 will help you understand if you need to do this. For general Income Tax enquiries, you can speak to an HMRC bereavement tax advisor.



Phone: **0845 300 0627**
Textphone: **0845 302 1408**

8am to 8pm Monday to Friday, Saturday 8am to 4pm.

National Insurance contributions

If necessary, HMRC will check to see if the correct National Insurance contributions have been paid. For more information:



Phone: **0300 200 3500**
Textphone: **0845 915 3296**

9am to 5pm Monday to Friday.

Tax Credits

If the person who died was getting Tax Credits, or if you are getting them as a couple with the person who died, the payments will need to be stopped. HMRC should stop payments when they are told about the death. It's important that payments are stopped, otherwise you may be paid too much money and you will have to pay it back.

Child Tax Credits will usually be paid for eight weeks from the date that a child died. If you had a joint claim with the person who died, you may be able to make a new claim. For more information:



Phone: **0345 300 3900**
Textphone: **0345 300 3909**

8am to 8pm Monday to Friday, Saturday 8am to 4pm.

Inheritance Tax

If you need to apply for probate to get the legal right to administer and distribute an estate you will need to fill in Inheritance Tax forms, even if the estate doesn't need to pay Inheritance Tax. Inheritance Tax usually only needs to be paid if the estate – including any assets held in trust, and gifts made by the person who has died within seven years of their death – is valued over the Inheritance Tax 'threshold' (set at £325,000 until 5 April 2015). Sometimes

42 What to do after a death in England or Wales

this threshold can be increased: for example, if the person who died was a widow, widower or surviving civil partner and their husband, wife or civil partner left their estate to them when they died.



Phone: **0845 302 0900**

9am to 5pm Monday to Friday.

In business

If the person who died ran their own business, either as a sole trader, partner or company director, you may need to contact HMRC to sort out employer or VAT matters as well as their personal tax, National Insurance and benefits paid by HMRC.



Go to **www.hmrc.gov.uk/contactus**
and search for 'bereavement'

Sorting out tax: the effect on the surviving husband, wife or civil partner

The death of your husband, wife or civil partner may affect the amount of tax that you pay. Make sure you fill in the section 'About a surviving spouse or civil partner' of form R27 if any of the following apply:

- the death changes the amount of pensions, annuities or benefits that you get – for example, if you now get a new pension, an existing pension goes up or down, or you get Bereavement Allowance
- your husband, wife or civil partner was getting Blind Person's Allowance or Married Person's Allowance, or
- you had previously registered to get bank or building society interest without tax taken off and your income has now gone up.

If you need to write to HMRC about Income Tax and bereavement, the address is:

HMRC
Pay As You Earn and Self Assessment
PO Box 4000
Cardiff
CF14 8HR

HMRC also has an online guide to bereavement. There is a short questionnaire which can provide a tailored guide to the steps needed when dealing with HMRC when someone has died.

HMRC online bereavement guide:



www.hmrc.gov.uk/tools/bereavement

There are also tax charities that may be able to help you:

Tax Help for Older People – for people over 60 and with an income under £17,000 a year

Website: www.taxvol.org.uk
Phone: **0845 601 3321** or **01308 488066**
Email: taxvol@taxvol.org.uk

Tax Aid – for people with an income under £17,000 a year

Website: www.taxaid.org.uk
Phone: **0345 120 3779**

Help and support for you

If someone in your family dies it can cause money problems. This may only be for a short time, while you wait for their estate to be shared out, or you may need long-term help.

This section is about benefits and other help you might be able to get after someone dies.

If you are widowed or your civil partner dies, there are different kinds of benefits you can get. The benefit you get may depend on your age or the number of children you have living with you.

The type and amount of bereavement benefit you can get is based on your husband's, wife's or civil partner's National Insurance contributions.

If you marry someone else, form a civil partnership, or live with someone as if they are your husband, wife or civil partner, you can't carry on getting bereavement benefits.

Bereavement benefits

The Bereavement Benefit Scheme was introduced on 9 April 2001, and applies to people widowed on or after this date. It also applies to people who became surviving civil partners on or after 5 December 2005.

You may be able to get a Bereavement Payment and either:

- Widowed Parent's Allowance, or
- Bereavement Allowance.

For you to qualify for these bereavement benefits, your husband, wife or civil partner must have paid National Insurance contributions. The contributions you've paid do not count for these benefits.

Bereavement Payment

A Bereavement Payment is a tax-free lump-sum payment of £2,000 to help you at the time your husband, wife or civil partner dies.

You can get a Bereavement Payment if your husband, wife or civil partner paid enough National Insurance contributions, or if their death was caused by their job, and:

- you were under State Pension age when they died, or
- they were not entitled to Category A State Pension when they died.

You can't get a Bereavement Payment if, at the time your husband, wife or civil partner died:

- you were divorced from them, or your civil partnership had been legally ended
- you were living with someone else as if you were married or in a civil partnership with them, or
- you were in prison or legal custody.

You can claim a Bereavement Payment up to 12 months after your husband, wife or civil partner died.

Widowed Parent's Allowance

Widowed Parent's Allowance is a regular payment you can get if:

- you're under State Pension age
- your husband, wife or civil partner had paid enough National Insurance contributions, and either
- you have at least one child you're either getting Child Benefit for, or
- you're expecting the child of your late husband or civil partner (including as a result of IVF) and you were living with them just before they died.

46 What to do after a death in England or Wales

If you are affected by the High Income Child Benefit charge and have not made a claim to Child Benefit, you will need to make one if you want to receive Widowed Parent's Allowance. Find out more about the High Income Child Benefit charge at www.hmrc.gov.uk/childbenefitcharge

You must claim within three months of your husband, wife or civil partner dying, or you may lose benefit.

If the child isn't living with you, but you're paying some of the costs of providing for the child, you may get Widowed Parent's Allowance.

Widowed Parent's Allowance stops when you no longer have a dependent child. If this is within 52 weeks of your husband, wife or civil partner dying, you may be able to get Bereavement Allowance.

You have to pay tax on Widowed Parent's Allowance.

You may also get Child Tax Credit (see page 54). This replaced the 'child dependency increase' payment from 6 April 2003.

Bereavement Allowance

Bereavement Allowance is a regular payment which you can get if:

- you were 45 or over but below State Pension age when your husband, wife or civil partner died, **and either**
- they had paid enough National Insurance contributions, **or**
- their death was caused by their job.

You can't get Bereavement Allowance if, at the time your husband, wife or civil partner died:

- you were divorced from them or your civil partnership had been legally ended
- you were living with someone else as if you were married or in a civil partnership with them, or
- you were in prison or legal custody.

You must claim within three months of your husband's, wife's or civil partner's death, or you may lose benefit.

How to claim bereavement benefits

You don't claim for each benefit separately. To start your claim you can:

- 1 Contact the DWP Bereavement Service. They will do a quick check of what benefits you may be able to get, and take your claim over the phone.

Phone **0845 606 0265** then:

- select the option 'if you are calling to tell us about someone who has died, or check what help may be available following a bereavement'.
- 2 Download claim form 'BB1' yourself at **www.gov.uk/bereavement-allowance/how-to-claim**
 - 3 Fill in form BD8 (you'll be given this with the death certificate) and send it to Jobcentre Plus. We'll then send you a claim form.

Your benefit entitlements may have changed

You may find that you can use your late husband's, wife's or civil partner's National Insurance contributions to claim new or increased benefits.

If you think this may affect other benefits that you already get, you must contact the DWP Bereavement Service (see page 12).

State Pension

The State Pension can be made up of a basic pension and an earnings-related pension called additional State Pension. You may have heard additional State Pension being called 'SERPS' or 'State Second Pension'.

48 What to do after a death in England or Wales

If your own basic State Pension is less than the full rate, you may get more (up to the full rate) by using your late husband's, wife's or civil partner's National Insurance contributions. If you have no basic State Pension of your own, but you are over State Pension age, you may get a basic State Pension based entirely on their National Insurance contributions.

If they died because of an accident at work or an industrial disease, we will treat your case as if your husband, wife or civil partner had paid full National Insurance contributions.

You may be able to get some of your late husband's, wife's or civil partner's additional State Pension. If you qualify, the amount you can get depends on the date your husband, wife or civil partner reached, or would have reached, State Pension age.

If you were widowed, or your civil partner died, while you were under State Pension age, you may get some of their additional State Pension paid as part of Widowed Parent's Allowance. Otherwise, it will be paid when you claim your own State Pension or straight away if you are already getting a State Pension.

If you were under State Pension age when your husband, wife or civil partner died, you will not be able to get any State Pension based on their National Insurance contributions if you get married again or form a new civil partnership before you reach State Pension age.

Please remember that the State Pension counts as 'taxable income'.

To find out more about State Pension, contact DWP.



Phone: **0845 60 60 265 (0845 60 60 275)**
if you speak Welsh and live in Wales)



Textphone: **0845 60 60 285 (0845 60 60 295)**
if you speak Welsh and live in Wales)



Website: **www.gov.uk/state-pension**

Employment and Support Allowance

If you are sick you could get Employment and Support Allowance. There are two types of Employment and Support Allowance:

- contribution-based, if you have paid (or been credited with) enough National Insurance contributions, and
- income-related, if you don't have enough money coming in or savings, or you haven't paid (or been credited with) enough National Insurance contributions.

Contribution-based Employment and Support Allowance counts as 'taxable income' and you might need to check your tax position.

Any bereavement benefit you get may affect the amount of Employment and Support Allowance you get, so ask Jobcentre Plus to explain this to you.

If you have not paid enough National Insurance contributions to get contribution-based Employment and Support Allowance and your husband, wife or civil partner has died, you could get special credits to get contribution-based Employment and Support Allowance.

To get special credits, you must be sick and must have stopped getting certain bereavement benefits. You can't get special credits if your bereavement benefit stops because you:

- get married again
- form a new civil partnership, or
- start living with a new partner.

Industrial injuries benefits

Payments can be made under the Industrial Injuries scheme for industrial accidents and diseases which happened or were caused through work, or while unemployed and taking part in a work-based training scheme. Payments are made based on the level of disablement as a result of the industrial accident or disease.

50 What to do after a death in England or Wales

If your husband, wife or civil partner (or if you don't have one of these, one of your parents) has died and had an injury from an accident or a disease that happened through work, you may be able to claim Industrial Injuries Disablement Benefit now. The claim can be backdated for up to 3 months before their death. To get it, you have to:

- claim within 12 months of the issue of the death certificate
- apply to become an appointee within 6 months of the issue of the death certificate, and
- claim within 6 months of becoming an appointee.

You may get less benefit if any of these conditions are not met.

Industrial injuries benefits can be paid with other benefits. However, it can count as income if you are getting income-related benefits. If you are already getting, or thinking about claiming, income-related benefits you should ask an adviser from a jobcentre or pension Centre.

Lump-sum payments for industrial diseases

If you decide to make a claim for Industrial Injuries Disablement Benefit because your husband, wife or civil partner would have been getting it if they were still alive, you may also be able to get an extra lump-sum payment if your husband, wife or civil partner was disabled as a result of one of five dust-related diseases caused through work.

If your husband, wife or civil partner died from mesothelioma, you may be able to get a lump-sum payment whether or not they were getting Industrial Injuries Disablement Benefit.

Funeral grants when a veteran dies

If the person who died served in HM Armed Forces before 6 April 2005, you may be able to get a funeral grant if:

- death was due to their service
- War Pensions Constant Attendance Allowance was being paid or would have been paid had they not been in hospital when they died, or
- Unemployability Supplement was being paid when they died and War Pension was being paid at the 80% rate or higher.

You will not have to pay any of the funeral grant back from the estate of the person who died.

You need to make a claim for a funeral grant within 3 months of the date of the funeral.

To claim you need to contact the Service Personnel and Veterans Agency.



Phone: **0800 169 2277**
Textphone: **0800 169 3458**

Monday to Thursday 8.15am to 5.15pm, Friday 8.15am to 4.30pm.



Website: **www.veterans-uk.info**

Help to bring up a baby or child

Maternity benefits

If you are pregnant, you may be entitled to Statutory Maternity Pay from your employer or Maternity Allowance from Jobcentre Plus. You may be able to get a Sure Start Maternity Grant.

Child Benefit

If you are a parent you should already be getting Child Benefit.

If, after someone dies, you become responsible for bringing up their child you should also claim Child Benefit for that child as soon as possible. If you have a child that dies you may be entitled to Child Benefit for them for up to eight weeks after their death. For more information contact HM Revenue & Customs.



Phone: **0300 200 3101**
Textphone: **0300 200 3103**

8am to 8pm Monday to Friday, Saturday 8am to 4pm



Website: **www.hmrc.gov.uk**

Guardian's Allowance

You may also be able to get Guardian's Allowance if, after someone dies, you become responsible for bringing up their child.

To get Guardian's Allowance, you must be entitled to Child Benefit for the child. Also, one of the child's parents must have been born in the UK, or on the date the parent (or parents) died, one of them must have been in the UK for at least 52 weeks in any two-year period since the age of 16.

Usually, both the child's parents must be dead, but in some circumstances Guardian's Allowance can be paid when only one parent has died.

If only one parent has died, you may still be able to get it, if at the date of that parent's death:

- the surviving parent can't be traced and their whereabouts are not known
- the surviving parent is in prison with at least two years left to serve or is in hospital detained by a court order
- the parents were divorced or their civil partnership legally ended, and the surviving partner was not awarded custody of the child and isn't maintaining them or ordered by a court to maintain them, or
- the parents weren't married, the mother has died and the child's father is not known.

You can claim Child Benefit and Guardian's Allowance at the same time. If you have already made a claim for Child Benefit, make your claim for Guardian's Allowance as soon after this as possible.

Help if you do not have enough to live on or are on a low income

If your husband, wife or civil partner dies, you may find that your income goes down, and you may have problems making ends meet. You may qualify for one or more types of support for people on a low income.

Working Tax Credit is designed to help people who work but are on a low income. The amount you get depends on a number of things, such as your income, whether you are responsible for children, and the number of hours you work.

Not responsible for children

To qualify for Working Tax Credit you need to do paid for work for at least:

- 16 hours a week if you are aged 60 or over or have a disability
- 30 hours a week if you are aged 25 or over.

54 What to do after a death in England or Wales

Responsible for children

To qualify for Working Tax Credit you need to do paid for work for at least 16 hours a week.

You may also get help with some of your childcare costs.

You do not have to pay tax on Working Tax Credit.

Child Tax Credit

Child Tax Credit is an allowance you may get if you're responsible for a child who normally lives with you.

Whether you qualify and the amount you may get depends on a number of things, such as your household income and the number of children you have and how old they are.

You claim tax credits from HM Revenue & Customs.



Phone: **0345 300 3900**
Textphone: **0845 300 3909**

8am to 8pm Monday to Friday, Saturday 8am to 4pm.



Website: **www.hmrc.gov.uk**

Income Support

If you cannot work more than 16 hours a week and do not have enough money to live on, you may get Income Support. You must:

- be under 60
- have less than £16,000 in savings, and
- work less than 16 hours a week.

You may have to talk to a job adviser to see if work is an option for you, before you can get Income Support. For more information go to our website at



www.gov.uk/income-support

Jobseeker's Allowance

Jobseeker's Allowance is the main benefit you can get if you're out of work, or you work for less than 16 hours a week on average, and are available for and actively looking for work. This benefit counts as 'taxable income'.

There are two types of Jobseeker's Allowance.

- The first is contribution-based Jobseeker's Allowance. You may get this if you've paid enough National Insurance contributions in the last two tax years. We can pay this for up to 182 days. Generally, self-employed contributions will not help you qualify for contributions-based Jobseeker's Allowance.
- The second type is income-based Jobseeker's Allowance. It's based on your income and savings.

If you have savings over £16,000, you can't usually get income-based Jobseeker's Allowance.

For more information contact Jobcentre Plus or go to



www.gov.uk/jobseekers-allowance

Pension Credit

If you have reached the qualifying age, you may be able to get Pension Credit to top up your income. There are two parts to Pension Credit: the Guarantee Credit and the Savings Credit. The Guarantee Credit tops up your income to a minimum level. The Savings Credit is for people aged 65 or over who have saved towards their retirement.

To find out if you have reached the Pension Credit qualifying age you can use the State Pension age calculator:



www.gov.uk/calculate-state-pension

56 What to do after a death in England or Wales

You can apply for Pension Credit by contacting DWP.



Phone: **0800 99 1234**
Textphone: **0800 169 0133**

8am to 6pm Monday to Friday



Website: **www.gov.uk/pension-credit**

Housing Benefit

Housing Benefit helps towards your rent and service charges. You may be able to get it if you are on a low income and do not have a lot of savings.

Whether you pay rent to a private landlord, a housing association, your local council or a hostel or guest house, you may still be able to get some Housing Benefit.

Housing Benefit does not pay for interest on your mortgage, fuel costs (gas and electricity) and some service charges (depending on your circumstances).

Universal Credit

From 29 April 2013, Universal Credit will be introduced in some areas of the country.

Universal Credit is a new single payment if you are under State Pension age and looking for work or on a low income. Universal Credit will eventually replace:

- income-based Jobseeker's Allowance
- income-related Employment and Support Allowance
- Income Support
- Child Tax Credits
- Working Tax Credits
- Housing Benefit.

You can find more information online, including where Universal Credit will be introduced and what it might mean for you.



Go to
www.gov.uk/universalcredit

Help with health costs

If your income is below a certain level or you are getting certain benefits (for example, Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or tax credits), you may be able to get help with health costs.

To find out more about help with health costs from the NHS, ask at your doctor's surgery or health clinic.



Phone: **0300 330 1343**



Website: www.nhs.uk/healthcosts

Call charges

Charges were correct as of the date on the back of this leaflet.

Calls to **0800** numbers are free from BT land lines but you may have to pay if you use another phone company, a mobile phone, or if you are calling from abroad.

Calls to **0845** numbers from BT land lines should cost no more than 4p a minute with a 15p call set-up charge. You may have to pay more if you use another phone company or a mobile phone, or if you are calling from abroad.

Calls from mobile phones can cost up to 40p a minute, so check the cost of calls with your service provider.

You can ask us to call you back if you're concerned about the cost of the call.

Textphones

Our textphone numbers are for people who cannot speak or hear clearly. If you don't have a textphone, you could check if your local library or Citizens Advice has one. Textphones don't receive text messages from mobile phones.

We're always looking for ways of improving our leaflets. If you have any comments or suggestions about this leaflet, email us at: **leaflet.feedback@dwp.gsi.gov.uk**

This email address is only used for leaflet feedback. We cannot answer questions about your pension or benefit.

Important information about this leaflet

This leaflet is only a guide and does not cover every circumstance. We have done our best to make sure that the information in this leaflet is correct as of June 2013. It is possible that some of the information is oversimplified, or may become inaccurate over time, for example because of changes to the law.

This information is available in other formats on request.



Phone **0845 7 31 32 33**
Textphone **0845 604 0210**

You can find more information about benefits and pensions online.



For benefits information, go to
www.gov.uk/browse/benefits



For pensions information, go to
www.gov.uk/browse/working/state-pension

Previous code: DWP1027

© Crown copyright
ISBN 978-1-78153-274-4
DWP011 | v1.0 (June 2013)