

# **What to do after a death in England and Wales**

A guide to what you must do  
and the help you can get

Inside you will find a pull-out checklist which provides  
a step-by-step guide on what to do at this time

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# Contents

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<b>Introduction</b>	<b>5</b>
<hr/>	
<b>What to do first</b>	<b>6</b>
If the death occurs in hospital	6
If the death occurs elsewhere	6
If the death occurs abroad	7
Cause of death	7
Post-mortem	7
Reporting a death to the coroner	8
If the organs or body are to be donated	8
The coroner	10
Moving a body out of England or Wales	12
Summary of forms and certificates	13
<hr/>	
<b>How a death is registered</b>	<b>14</b>
What to do first	14
What happens at the register office	15
The Death Certificate	16
Stillborn babies	16
Summary of forms and certificates	17
<hr/>	
<b>Arranging the funeral</b>	<b>19</b>
What to do first	19
Funeral arrangements: the options	19
Arranging a funeral without a funeral director	19
Choosing a funeral director	20

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Cremation or burial	22
Summary of forms and certificates	24

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<b>If the death occurred abroad or in Scotland or Northern Ireland</b>	<b>25</b>
Registration	25
Funeral abroad	26
Bringing a body back to England or Wales	26
Arranging the funeral in England or Wales	26

---

<b>Paying for the funeral</b>	<b>28</b>
Finding the money	28
Help with the cost of the funeral	31
When a war pensioner dies	33
Help from the hospital	34
Help from the council	34
Stillborn babies	34

---

<b>Probate, property and possessions</b>	<b>35</b>
What you should do first	35
Obtaining authority to deal with the estate	35
Tax	38
Debts	38
Arrears of benefit	39
Distribution of property	40
Intestacy distribution list	40
If there are no relatives	43
Effect of marriage/civil partnership and divorce where there is a will	44

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Other things to be done	44
Things to send back	44
People to tell	45
Legal aid and advice	46

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#### **Pull-out checklist in centrefold**

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<b>Help for those who are left</b>	<b>47</b>
Help for the bereaved	48
Help for relatives of war pensioners or customers in receipt of Armed Forces Compensation Payment Scheme	54
Help for lone parent families	56
Help to bring up someone else's child	57
Not enough money to live on?	58
New tax credits	60
Help with health costs	63
Tax	64
<b>Practical advice, support and comfort</b>	<b>65</b>
Practical advice	65
Support and comfort	65
Useful websites	71
Leaflets and how to get them	72

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# Introduction

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When someone dies there are many decisions and arrangements to be made. Unfortunately these often have to be made at a time of personal distress. This leaflet gives you help and guidance about what to do from the moment of a person's death. For example, you will have to get a Medical Certificate showing the cause of death, get the death registered, arrange the funeral and decide what to do with the property and possessions. The leaflet also tells you about help you can get from social security and some organisations who can give you support and comfort.

For how to get other leaflets mentioned see page 72.

If the death occurs in Scotland, you should get the leaflet D49S *What to do after a death in Scotland – social security supplement* from a registration office, Citizens Advice Bureau or social security office in Scotland, or from:

Scottish Executive Justice Department  
Area 2WR  
St Andrew's House, Edinburgh EH1 3DG  
Telephone: 0131 244 2193  
Website: [www.scotland.gov.uk](http://www.scotland.gov.uk)

**This leaflet gives general guidance only and should not be treated as a complete and authoritative statement of the law.**

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# What to do first

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## IF THE DEATH OCCURS IN HOSPITAL

If the death occurs in hospital, the hospital staff will contact the person named by the deceased as next of kin. This may be, but need not be, a relative. You may, if you wish, request to see the hospital chaplain. The hospital will keep the body in the hospital mortuary until the executor or someone acting on their behalf arranges for it to be taken away (see page 35). Most funeral directors have a chapel of rest in which the deceased will be held pending the funeral. Hospital staff will arrange for the nearest relative to collect the deceased's possessions.

## IF THE DEATH OCCURS ELSEWHERE

### EXPECTED DEATH

If the death was expected, contact the doctor who attended the deceased during their final illness. If the doctor can certify the cause of death he or she will give you the following:

- ◆ a **Medical Certificate** that shows the cause of death (this is free of charge and will be in a sealed envelope addressed to the registrar)
- ◆ a **Formal Notice** that states that the doctor has signed the Medical Certificate and tells you how to get the death registered.

You may wish to contact the deceased's minister of religion if you have not already done so. Arrangements for the funeral may be made by a funeral director (see page 20).

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If death followed illness from HIV or AIDS there may be special rules about handling the body. The Terence Higgins Trust can advise on funeral arrangements (see page 69).

They can be contacted at the following address:

Terence Higgins Trust

52-54 Grays Inn Road, London WC1X 8JU

Helpline: 0845 1221 200

Email: [info@tht.org.uk](mailto:info@tht.org.uk)

Website: [www.tht.org.uk](http://www.tht.org.uk)

## UNEXPECTED DEATH

If you discover a body or the death is sudden or unexpected, you should contact the following people:

- ◆ the family doctor (if known)
- ◆ the deceased's nearest relative
- ◆ the deceased's minister of religion
- ◆ the police, who will help find the people listed above if necessary.

If there is any reason to suspect that the death was not due to natural causes, do not touch or remove anything in the room. The death may be referred to the coroner (see page 10).

## IF THE DEATH OCCURS ABROAD

If death occurs abroad, or on a foreign ship or aircraft, there is a different procedure to follow (see page 25).

## CAUSE OF DEATH

If the cause of death is quite clear the doctor will give you a **Medical Certificate** and a **Formal Notice** that the Medical Certificate has been signed (see EXPECTED DEATH on page 6).

## POST-MORTEM

If the death was known to be caused by a natural illness but the doctors wish to know more about the cause of death, they may ask the relatives for permission to carry out a

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post-mortem examination. This is a medical examination of the body which can find out more about the cause of death and should not delay the funeral (see page 7).

## REPORTING A DEATH TO THE CORONER

In any of the following circumstances the doctor may report the death to the coroner (see page 10 for more details on what the coroner does):

- ◆ an accident or injury
- ◆ an industrial disease
- ◆ during a surgical operation
- ◆ before recovery from an anaesthetic
- ◆ if the cause of death is unknown
- ◆ the death was sudden and unexplained, for instance, a sudden infant death (cot death).

The coroner may be the only person who can certify the cause of death. The doctor will write on the Formal Notice that the death has been referred to the coroner.

If the doctor treating the deceased had not seen him or her, either after death or within 14 days before death, the death must be reported to the coroner.

## IF THE ORGANS OR BODY ARE TO BE DONATED

You will have to act quickly if it was the wish of the deceased or the nearest relative to donate the organs for transplant, or the whole body for medical teaching purposes.

The usual procedure is to approach the next of kin to make sure they do not object to organ donation.

If the death was in a hospital or similar institution, the head of that institution is lawfully in possession of the body. They may honour the deceased's request, in writing or orally before two witnesses, for the body to be given for medical research, if there is no reason to think the request withdrawn.



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If the death has to be reported to the coroner, the coroner's consent may be necessary before the organs or body can be donated. A medical certificate must be issued before any organs can be removed or the body used.

It is **usual for kidneys**, and **essential for heart, lungs, liver and pancreas**, to be removed from donors:

who have been certified to be brain stem dead

**and** whose breathing, and hence heartbeat, are maintained by a ventilator in a hospital intensive care unit.

**Kidneys** can, very rarely, be removed up to an hour after heart death. Other organs can be removed up to the following times after heart death:

- ◆ the **corneas** (from the eyes) – up to 24 hours
- ◆ **skin** – up to 24 hours
- ◆ **bone** – up to 36 hours
- ◆ **heart valves** – up to 72 hours.

The doctor attending will advise on procedure. After organ donation, the body is released to the relatives.

**If the whole body is to be donated** please contact:

HM Inspector of Anatomy  
Department of Health  
Room 630, Wellington House  
133-155 Waterloo Road  
London SE1 8UG  
Telephone: 020 7972 4551/4342

Consideration will be given to the place and cause of death, the condition of the body at the time of death and demand in the medical schools. The body may then be accepted. Bodies may be refused if there has been a post-mortem or if any major organs except the cornea (part of the eye) have been removed.

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## IF A BODY IS TO BE USED FOR TEACHING PURPOSES

A body may be kept for medical teaching purposes for up to 3 years. The medical schools will arrange and pay for a simple funeral, or the relatives can do this themselves. The medical school can advise relatives when the body is available for funeral.

## THE CORONER

The coroner is a doctor or lawyer responsible for investigating deaths in the following situations:

- ◆ the deceased was not attended by a doctor during the last illness or the doctor treating the deceased had not seen him or her either after death or within the 14 days before death
- ◆ the death was violent or unnatural or occurred under suspicious circumstances
- ◆ the cause of death is not known or is uncertain
- ◆ the death occurred while the patient was undergoing an operation or did not recover from the anaesthetic
- ◆ the death was caused by an industrial disease
- ◆ the death occurred in prison or in police custody.

If you want advice or information about a death which has been reported to the coroner, contact the coroner's office. You can get the address from the police station or, if death was in hospital, the hospital official dealing with deaths.

## CORONER'S POST-MORTEM

The coroner may arrange for a **post-mortem examination** of the body (see page 7). The consent of the relatives is not needed, but they are entitled to be represented at the examination by a doctor. When relatives have told the coroner they wish to be represented, the coroner will, if at all practicable, tell them when and where the examination will be.

If the death occurs in hospital, the coroner will arrange for the examination to be carried out by a pathologist other than one employed at or connected with that hospital, **if a relative asks the coroner to do so** and if it does not cause an undue delay.

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The removal of a body from the place of death to the mortuary for post-mortem examination will usually be paid for by the coroner. The relatives may choose the funeral director. Consent will have to be given if any organs or human tissue need to be kept once the coroner no longer needs them for enquiries.

However, in some areas a funeral director will be appointed by the coroner to remove the body from the place of death to the hospital mortuary. The relatives can then choose a funeral director to carry out the funeral, once the coroner has released the body.

If the post-mortem shows that death was due to natural causes, the coroner may issue a notification known as **Pink Form B (form 100)** which gives the cause of death so that the death can be registered. The coroner usually sends the form direct to the registrar but may give it to you to deliver.

If the body is to be cremated the coroner will give you the **Certificate for Cremation (form E)** which allows cremation to take place (see page 23).

## INQUEST

An **inquest** is an enquiry into the medical cause and circumstances of a death. It is held in public, sometimes with a jury. It is up to the coroner how to organise the enquiry in a way to best serve the public interest and the interests of the relatives.

The coroner will hold an inquest if the death was:

violent or unnatural

**or** caused by a reportable industrial disease

**or** the death occurred in prison

**or** if the cause of death remains uncertain after post-mortem examination.

Coroners hold inquests in these circumstances even if the death occurred abroad (and the body is returned to Britain).

If a body is lost (usually at sea) a coroner can hold an inquest by order of the Secretary of State if death is likely to have occurred in or near a coroner's jurisdiction.

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If an inquest is held, the coroner must inform the following people:

- ◆ the married or civil partner of the deceased
- ◆ the nearest relative (if different)
- ◆ and the personal representative (if different from above).

Relatives can attend an inquest and ask questions of witnesses but they may only ask questions about the medical cause and circumstances of the death.

It may be important to have a lawyer to represent you if the death was caused by a road accident, or an accident at work, or other circumstances which could lead to a claim for compensation. You cannot get legal aid for this (but see page 46).

If the enquiries take some time, ask the coroner to give you a letter confirming the death. You can use this letter for social security and National Insurance (NI) purposes.

The coroner may give you an **Order for Burial (form 101)** or a **Certificate for Cremation (form E)** so that the funeral can take place. This may be done before the inquest is completed, provided the body is not required for further examination.

The coroner will also send a **Certificate After Inquest (form 99 (rev))**, stating the cause of death, to the registrar. This allows the death to be registered.

### **More information**

For more information on the inquest system and responsibilities of the coroner get the Home Office leaflets *The work of the coroner* and *When sudden death occurs* from a coroner's office or direct from the Home Office (address on page 27).

## **MOVING A BODY OUT OF ENGLAND OR WALES**

Only the coroner can give permission for a body to be moved out of England or Wales. This permission has to be obtained at least 4 days before the body is to be moved (although the coroner may be able to give permission sooner) so that any necessary enquiries may be carried out. Afterwards you will be

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given a **Removal Notice (form 104)**, part of which is sent to the registrar after the funeral. Permission must be obtained whenever the funeral is to take place outside England or Wales.

This procedure applies in all cases where the body is to be moved out of England or Wales, not just where a death was reported to the coroner.

## SUMMARY OF FORMS AND CERTIFICATES

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

When registering a death	You will usually get a	From
If the death is not referred to a coroner	<b>Medical Certificate</b>	the doctor
In all cases	<b>Formal Notice</b>	the doctor
If a baby is stillborn	<b>Medical Certificate of Stillbirth</b>	the doctor or midwife
If the death is referred to a coroner but there is no inquest	<b>Notification by the Coroner</b> (Pink Form B/ form 100)	the coroner (this is usually sent direct to the registrar, but you may be asked to deliver it)
If there is an inquest and the body is to be buried	<b>Order for Burial</b> (form 101)	the coroner
If there is a post-mortem or an inquest and the body is to be cremated	<b>Certificate for Cremation</b> (form E)	the coroner
If the body is to be moved out of England or Wales	<b>Removal Notice</b> (form 104)	the coroner

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# How a death is registered

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## WHAT TO DO FIRST

The death must be registered by the Registrar of Births, Marriages and Deaths for the sub-district in which it occurred. You can find the address in the phone book under REGISTRATION OF BIRTHS, DEATHS & MARRIAGES, or from the doctor, local council, post office or police station. Check when the registrar will be available and whether only you need to go along. It may be that someone other than you will be needed to give information for the death to be registered.

If the death has been referred to the coroner, it cannot be registered until the registrar has received authority from the coroner to do so (see page 12).

If the death has not been referred to the coroner, go to the registrar as soon as possible.

**The death must be registered within 5 days** (unless the registrar says this period may be exceeded).

The information for registration may be given to any registrar in England and Wales. You will need to attend your chosen registrar's office to make a declaration of the particulars of the deceased.

The declaration will then be forwarded to the registrar for the sub-district where the death took place, where it will be registered. There may be some delay in certificates being issued as this cannot be done until the death has been registered.

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## WHAT HAPPENS AT THE REGISTER OFFICE

When you go to the registrar you should take all these:

- ◆ the Medical Certificate of the cause of death (see page 6)
- ◆ the deceased's medical card, if possible
- ◆ the deceased's birth and marriage or civil partnership certificates, if available.

You should tell the registrar:

- ◆ the date and place of death
- ◆ the deceased's last (usual) address
- ◆ the deceased's first names and surname (and the maiden name where appropriate)
- ◆ the deceased's date and place of birth (town and county if born in the UK, and country if born abroad)
- ◆ the deceased's occupation and the name and occupation of their spouse or civil partner
- ◆ whether the deceased was getting a pension or allowance from public funds
- ◆ if the deceased was married or had formed a civil partnership, the date of birth of the surviving widow, widower or surviving 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 (**form E**). These give permission for the body to be buried or for an application for cremation to be made. It should be taken to the funeral director so that the funeral can be held.
- ◆ a **Certificate of Registration of Death (form BD8)**. This is for social security purposes only. Read the information on the back of the certificate. If any of it applies, fill in the certificate and hand it to your Jobcentre, Jobcentre Plus or social security office.
- ◆ leaflets about bereavement benefits and income tax for widows/widowers/surviving civil partners (see pages 48–51 and 64), where appropriate.

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If you go to a register office other than the one for the sub-district where the death took place (see page 14), the above certificates will be sent to you.

## THE DEATH CERTIFICATE

The Death Certificate is a certified copy of the entry 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 (see page 35), and for any pension claims, insurance policies, savings bank certificates and premium bonds. You may wish to ask for several copies of the Death Certificate straight away as the price increases if you need one later on. The registrar may not be able to give you them all straight away and may ask you to call back or ask for postage so that they may be sent to you.

If you go to a register office other than the one for the sub-district where the death took place (see page 14) the required certificates may be ordered at the same time and will be sent to you.

## STILLBORN BABIES

### REGISTRATION

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, which you should give to the registrar. If no doctor or midwife was present and no doctor or midwife has examined the body, you must sign **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 entered for a stillborn baby. The registrar will write the baby's name on these certificates if the name is recorded in the register. It is also possible to get certified copies of the entry of stillbirth.



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The information for registration of a stillbirth may be given to any registrar in England and Wales. The procedure is similar to that for deaths (see page 14).

## FUNERAL

The hospital may offer to arrange a burial or cremation, free of charge, for every stillborn baby, whether born in hospital or at home. You should discuss the funeral arrangements with the hospital staff or midwife. If you accept the offer, the baby will be cremated or buried after a simple ceremony. The parents can, if they wish, arrange the funeral themselves.

## MATERNITY BENEFITS

If your baby was stillborn after 24 weeks of pregnancy you may still be entitled to Statutory Maternity Pay or Maternity Allowance. For more information see leaflet BC1 *Babies and children* or, for more detailed information, see NI17A *A guide to maternity benefits* on the DWP website at: [www.dwp.gov.uk/advisers/ni17a](http://www.dwp.gov.uk/advisers/ni17a)

## SUMMARY OF FORMS AND CERTIFICATES

Listed overleaf are some of the forms and certificates you will be given when registering a death. The list explains when and where you get each form.

When registering a death	You will usually get a	From
If no coroner has issued a Certificate E for Cremation or a Burial Order	<b>Certificate for Burial or Cremation</b> (the Green Form)	the registrar
If Department for Work and Pensions (this includes Jobcentre, Jobcentre Plus or social security) needs to know about the death	<b>Certificate of Registration of Death</b> (form BD8)	the registrar
If you need evidence for obtaining probate, pensions claims, insurance policies, savings certificates and premium bonds	<b>Death Certificate(s)</b>	the registrar
If a baby is stillborn	<b>Certificate of Registration of Stillbirth</b>	the registrar
If a baby is stillborn. For burial or cremation	<b>Certificate for Burial or Cremation</b> (the White Form)	the registrar

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# Arranging the funeral

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## WHAT TO DO FIRST

Do not make final funeral arrangements until you are sure that the death does not have to be reported to the coroner, since this may affect the date when the funeral can be held.

Find out if there is a will, since this may give requests about the funeral arrangements (see page 35).

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

## FUNERAL ARRANGEMENTS: THE OPTIONS

There are few legal controls governing the disposal of a body in the United Kingdom. The only requirement is that the death is certified and registered and the body properly taken care of, by either burial or cremation.

Burial is virtually free of regulations; individuals can be buried in almost anything and almost anywhere. All that is required is a death certificate signed by a doctor and a certificate for burial from the registrar of deaths (see page 15).

## ARRANGING A FUNERAL WITHOUT A FUNERAL DIRECTOR

It is possible for family and friends to organise a funeral themselves without the aid of a funeral director, but they

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should contact the Cemeteries and Crematorium Department of their Local Authority for advice and guidance on how to proceed.

The Natural Death Centre has published advice on arranging a funeral without a funeral director, which is available from:

The Natural Death Centre  
6 Blackstock Mews  
Blackstock Road, London N4 2BT  
Telephone: 0871 288 2098  
Website: [www.naturaldeath.org.uk](http://www.naturaldeath.org.uk)

Many people choose to entrust the organisation of a funeral to a professional funeral director. They do so partly for reasons of convenience, at what is generally a stressful time, but also to ensure that the remains of the deceased are disposed of with dignity and propriety.

## **CHOOSING A FUNERAL DIRECTOR**

Your first task is to decide which funeral director to use. Friends, family, clergy or your doctor may be able to suggest reputable local funeral directors. Failing that, most local firms will be listed in Yellow Pages. Remember that their charges can vary considerably. You may wish to contact or visit more than one firm.

Most funeral directors are members of one of two trade associations: the National Association of Funeral Directors (NAFD) and the National Society of Allied and Independent Funeral Directors (SAIF). Both have codes of practice which require the provision of a price list on request and will not exceed any written estimate given to you without your permission. The addresses and telephone numbers are:

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National Association of Funeral Directors  
618 Warwick Road  
Solihull, West Midlands B91 1AA  
Telephone: 0845 230 1343  
Website: [www.nafd.org.uk](http://www.nafd.org.uk)

National Society of Allied & Independent Funeral Directors  
3 Bullfields  
Sawbridgeworth  
Herts CM21 9DB  
Telephone: 0845 230 6777  
Website: [www.saif.org.uk](http://www.saif.org.uk)  
Email: [info@saif.org.uk](mailto:info@saif.org.uk)

Check when the funeral director's bill will have to be paid. If you are not satisfied with the service you get, or the prices you are asked to pay, you should contact an advice centre such as the Citizens Advice Bureau (CAB) or your local council's Trading Standards Department. If the funeral director is a member of NAFD or SAIF, you also have the option of using their conciliation services. Both organisations, in addition, offer independent arbitration or you can put your dispute before the courts.

The funeral director will need the **Certificate for Burial or Cremation (Green Form)** or an **Order for Burial**, or a **Certificate for Cremation** giving permission for the body to be buried, or an application for cremation to be made (see page 15). However, it is not necessary to delay contact with your chosen funeral director, who will be able to advise you on local conditions which may affect the time and day of the funeral.

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## CREMATION OR BURIAL

Check the will to see if there are any instructions for the funeral left by the deceased. It is generally up to the executor (see page 36) or nearest relative to decide whether the body is to be cremated or buried. The executor does not have to follow the instructions about the funeral left in the will (but see page 8).

The funeral director will help you to decide where the body should stay until the funeral, and the starting point, time and place of the funeral.

If there is to be a service or ceremony, contact the appropriate person for the religion or belief concerned. If you are not sure what to do or who to contact, the funeral director should be able to help you. You can choose the place for the funeral service and you may be able to choose the person to conduct the service. If you wish, you do not have to hold a religious service. You can design your own non-religious service.

You also need to decide whether you want flowers for the funeral, or perhaps donations for a named charity. If you want flowers and a cremation is planned, you can decide what should be done with the flowers. The local hospital or old people's home may be pleased to accept cut flowers.

### CREMATION

No one can be cremated until the cause of death is definitely known. **Five forms**, from the funeral director or crematorium, have to be completed. They are:

an **Application Form (form A)** signed by the next of kin or executor

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- and two cremation certificates (forms B and C)** each signed by a different doctor. You have to pay for these. If the death is referred to the coroner, these 2 certificates are not needed. Instead, the coroner will give you the **form E** which is a **Certificate for Cremation** (which is free)
  - and a certificate (form F)** signed by the medical referee at the crematorium. The medical referee has the power to refuse cremation and either require a post-mortem examination to be made or refer the matter to the coroner
  - and a Certificate for Burial or Cremation** issued by the registrar. This form is not required if the coroner has issued a Certificate for Cremation.

If the death occurred abroad, see page 25.

### **Costs**

Most crematoria are run by local authorities. The costs usually include the medical referee's fee and the use of the chapel.

### **Cremated remains**

Ashes can be scattered in a garden of remembrance or in a favourite spot, buried in a churchyard or cemetery, or kept. It is important to make quite clear what you want to be done with the remains. If no wishes have been expressed, it is the responsibility of the funeral director or crematorium staff to contact the relative before disposal.

In the case of babies and very young children there may be no ashes following a cremation.

Arrangements can be made for the placing of a memorial plaque at some crematoria. But there may be a charge for erecting one.

### **BURIAL**

Find out if the person who died had already arranged a grave space in a churchyard or cemetery, by checking the will and looking through their papers.

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## Churchyards

Most town churchyards and many suburban churchyards are no longer open for burial because there is no space. If you want the burial to be in a churchyard, you can find out from the priest or minister about the space and the right to burial there.

## Cemeteries

There will be a deed of grant if a grave space has been paid for in a cemetery. Most cemeteries are non-denominational so you can have most types of service or ceremony. Non-denominational cemeteries are owned by local authorities or private companies, and fees vary.

## Religious burial

If you need to arrange burial or a funeral service according to the requirements of a particular religion you can seek advice from a minister of that religion or the religious organisation to which the deceased belonged.

## SUMMARY OF FORMS AND CERTIFICATES

Listed below are some of the forms and certificates you will be given by funeral directors or crematoria. The list explains when and where you get each form.

When arranging a funeral	You will usually get a	From
If the body is to be cremated	<b>Application Form for cremation</b> (form A)	the funeral director or crematorium
If the body is to be cremated and has not been referred to the coroner	<b>2 x doctor's certificate for cremation</b> (forms B and C)	the funeral director or crematorium
If the body is to be cremated	<b>Crematorium Certificate</b> (form F)	the funeral director or crematorium



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# If the death occurred abroad or in Scotland or Northern Ireland

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## REGISTRATION

If the death occurred abroad, or on a foreign ship or aircraft, you should register the death according to the local regulations of that country and get a Death Certificate. Also register the death with the British Consul so that a record of the death will be kept in England. You will be able to get a copy of the Death Certificate from the consulate later or from the:

Foreign and Commonwealth Office  
Nationality and Passport Section  
Room G/35  
Old Admiralty Building  
London  
SW1A 2PA  
Telephone: 020 7008 1500  
(Open between 10am and 12 noon, Mon to Fri)  
Email: [BMDenquiries@fco.gov.uk](mailto:BMDenquiries@fco.gov.uk)  
Website: [www.fco.gov.uk](http://www.fco.gov.uk)

If the death abroad occurred in the circumstances listed on page 10, or the information about the death abroad is incomplete and the body is brought to England or Wales, this must be reported to a coroner in the same way as if the death occurred in England or Wales.

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## FUNERAL ABROAD

You can arrange a local burial or cremation. The British Consul in that country can register the death and a record will be kept at the Nationality and Passport Section (address on page 25). This avoids the expenses of bringing the body back.

## 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 advise you on the practicalities of the particular case and the likely cost. There are several firms that specialise in repatriation.

You will need the Death Certificate from the place the person died, or an authorisation for the removal of the body from the country of death from the coroner or relevant authority.

## ARRANGING THE FUNERAL IN ENGLAND OR WALES

To arrange a funeral in England or Wales you will need:

an authenticated 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 England and Wales, in whose sub-district it is intended to bury or cremate the body. This certificate is not required if a coroner has issued a Certificate E for Cremation or an Order for Burial.

## ARRANGING A CREMATION

To arrange a cremation in England or Wales, where the death occurred abroad, you will need a cremation order from the Local Coroner or a form E from the coroner. Their details will be available from any local funeral director. Either of these dispenses with the need for forms B and C in England or Wales (see page 23). In respect of deaths in Scotland, Northern Ireland, the Channel Islands and the Isle of Man, the equivalent of forms B and C are acceptable in England and Wales.

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If death was from natural causes, the Local Coroner will issue an order on the production of the application for cremation (form A) and original documents (which must clearly state the cause of death) from the country where death occurred. The Local Coroner may require authorised translations of documents in some foreign languages.

You should send these forms to the Local Coroner.

Mark your envelope 'Cremation Urgent'.

If the death is not due to natural causes it must be the subject of a coroner's inquest. In these cases the coroner will issue form E for cremation on opening the inquest.

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# Paying for the funeral

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## FINDING THE MONEY

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 whether the deceased person has contributed to schemes to pay for the funeral.

If you are getting any of these social security benefits: Income Support, income-based Jobseeker's Allowance, Pension Credit, Working Tax Credit where a disabled worker is included in the assessment, Child Tax Credit at a rate higher than the family element, Housing Benefit or Council Tax Benefit, you may be able to get a payment from the Social Fund to help pay for the funeral (see page 31 for details).

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 do so, but only where the funeral has not already been arranged (see page 34).

## PAYMENT BY THE DECEASED

The bank account of the deceased will be frozen, unless it is a joint account. It may be possible to have part of the deceased's savings released to pay for the funeral, for example from a building society or National Savings. You will be asked for appropriate documents, usually including the Death Certificate.

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Check the deceased's papers for a Cremation Society Certificate, life insurance policy papers or prepaid funeral plan. Also look for letters from previous employers with details about any occupational pension scheme or personal pension.

If the person who died was living in hospital or a residential home, the possessions (up to a figure fixed by the relevant local authority) will be handed over to the nearest relative or to a person with written authority from whoever is dealing with the will (see page 35).

## EMPLOYER'S PENSION SCHEMES OR PERSONAL PENSIONS

Some employers provide occupational pension schemes that pay a lump sum to help with funeral costs and sometimes pension benefits for widows, widowers, surviving civil partners and other survivors. Check to see if the deceased has ever belonged to this sort of scheme.

The deceased may have made his or her own arrangements if he or she was self-employed, or his or her employer did not have an employer's pension scheme.

If the deceased was receiving a pension from a previous job, find out who is paying it. It might be the employer's pension scheme or an insurance company. Tell the representative of the pension scheme of the death, and if there is a widow, widower or surviving civil partner, dependent child or other dependant, since they may be able to get a pension. If they already receive a pension they may be able to get further pensions.

Find out if there was pension due to be paid on retirement 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 difficulty in finding the employer (or whoever has taken over responsibility for the pension if the employer has given this responsibility up) you can get help from:

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The Pension Service  
Pension Tracing Service  
Whitley Road  
Newcastle upon Tyne  
NE98 1BA  
Telephone: 0845 6002537  
Useful websites: [www.thepensionservice.gov.uk](http://www.thepensionservice.gov.uk)  
[www.thepensionsregulator.gov.uk](http://www.thepensionsregulator.gov.uk)

## OTHER PENSIONS AND PAYMENTS

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

If the deceased was receiving or had recently claimed a social security benefit before death, there may be arrears of that benefit still due. When you tell the DWP about the death, ask them to send you a form on which to claim any arrears of benefit (see page 39).

If you are the executor or administrator, the arrears will be payable to you. If there is no executor or administrator but you are paying for the funeral, you can claim the arrears up to the cost of the funeral expenses.

## LIFE INSURANCE POLICIES

The deceased may have taken out a life insurance policy which will provide a lump sum payment if someone dies before a certain age. Payment is usually made after probate but the insurance company may pay out a limited sum on evidence of death.

## THE CREMATION SOCIETY

If the deceased was a member of the Cremation Society you may be able to get a reduction in cremation fees or a contribution towards the cost.

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## HELP WITH THE COST OF THE FUNERAL

If you are having trouble paying for a funeral that you have to arrange, you may be able to get a Social Fund Funeral Payment to help you with the cost.

### WHO CAN GET HELP

To qualify, you or your partner (we use partner to mean a person you are married to or a person you are living with as if you are married to them, or a civil partner or a person you live with as if you are civil partners) must be receiving one of these benefits or tax credits:

- ◆ Income Support
  - ◆ income-based Jobseeker's Allowance
  - ◆ Pension Credit
  - ◆ Working Tax Credit where a disabled worker is included in the assessment
  - ◆ Child Tax Credit at a rate higher than the family element
  - ◆ Housing Benefit
  - ◆ Council Tax Benefit
- and it must be reasonable for you to have taken responsibility for the funeral expenses.

This will usually mean you were the partner of the deceased. Or, if they had no partner, you were a close relative or close friend of the deceased. We would ask you about the circumstances of any parent, son or daughter of the deceased. We may also have to ask about the circumstances of the deceased's close relatives.

The deceased must have been ordinarily resident in the United Kingdom at the date of death, and the funeral must normally take place in the UK. However, in certain circumstances, a Funeral Payment may be made for a funeral which takes place elsewhere in the European Union (EU). The amount awarded will be restricted to the amount which could have been paid if the funeral had taken place in the area where the deceased had lived in the UK.

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## WHAT YOU CAN GET HELP WITH

A Funeral Payment will cover the costs of a simple, respectful, low cost funeral, normally within the UK. We will pay the charges of the burial authority or crematorium, certain necessary travel expenses and up to £700 for other funeral expenses. (You may not be entitled to a payment if expenses have been met by a pre-paid funeral plan.)

A Funeral Payment may be reduced in certain circumstances. In particular, the following will be deducted from an award:

- ◆ any assets of the deceased available to you or your partner
- ◆ any lump sum due on the death of the deceased for funeral costs
- ◆ any contribution for the funeral from a charity or relative (of both yourself and the deceased)
- ◆ any funeral grant where the deceased was a war pensioner.

## GETTING A PAYMENT

If you get a Funeral Payment, it will have to be paid back from any estate of the deceased. The estate means any money, property and other things like insurance policies that the deceased owned. A house or personal possessions that are left to a widow, widower or surviving civil partner are not counted as part of the estate.

## WHEN AND HOW TO CLAIM

You can claim a Funeral Payment from the date of death and up to 3 months after the date of the funeral. Funeral Payments are usually made by cheque in the funeral director's name. We send you the cheque to give to them. To claim contact your local office (see page 47) for form SF200.

### **More information**

See SB16 *A guide to the Social Fund* at [www.dwp.gov.uk/advisers/sb16](http://www.dwp.gov.uk/advisers/sb16)



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## IF YOU CANNOT GET OTHER HELP

You may be able to get help from your local council or health authority.

## 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:

the war pensioner died from the disablement condition for which he or she was getting a war pension

- or** the war pensioner died in hospital while having treatment for that disablement condition
- or** the war pensioner was getting war pensioner's Constant Attendance Allowance at the time of his or her death
- or** the war pensioner was getting a War Disablement Pension assessed at 80 per cent or more and Unemployability Supplement at the time of his or her death.

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

## HOW TO CLAIM

Claims must be made within 3 months of the funeral.

To claim write without delay after the funeral to:

Veterans Agency  
Norcross  
Blackpool FY5 3WP

## More information

See WPA Leaflet 1 *Notes about War Disablement and War Widow's Pensions* (see page 72), or phone the Veterans Freeline on **0800 169 22 77**. People with speech/hearing problems using textphones should dial: **0800 169 34 58**.

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## HELP FROM THE HOSPITAL

The hospital may arrange the funeral of someone who dies in hospital if the deceased's relatives cannot be traced or cannot afford to pay for it.

They may make a claim on the deceased's estate to pay for the funeral.

## HELP FROM THE COUNCIL

The local council has a duty to bury or cremate the deceased if no other arrangements have been made. If they have reason to believe that the deceased did not wish to be cremated, they will not do so.

They may make a claim on the deceased's estate to pay for the funeral.

Ask at your council offices (county council if you live in a country area).

If the hospital has reason to believe that the deceased's relatives are able but unwilling to pay, the council in whose area the body lies should be asked to arrange the funeral.

## STILLBORN BABIES

For funeral arrangements for stillborn babies see page 16.

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# Probate, property and possessions

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## WHAT YOU SHOULD DO FIRST

Before you start dealing with the deceased person's property, it is important to find out whether or not they left a valid will. A will may be found among a person's own personal papers. If you cannot find a will, or can find only a copy, it may be held by someone (such as a bank, a solicitor, or the executor) for safe-keeping, and you should make enquiries of the persons or organisations who you think the deceased might have asked to look after his or her will. A will is not necessarily a 'legal looking' document; you should not destroy any written instructions left by the deceased, as they may in fact be a will.

A will says what should happen to the deceased's estate, that is their money, property and possessions. If the person died leaving a valid will, his or her estate must be distributed in accordance with the terms of the will. A will has to be drawn up in accordance with strict rules and you may need to seek legal advice to check whether the document you have is valid.

If there is no will (or no valid will), the estate must be distributed in accordance with the Intestacy Rules. For details on the distribution of an intestate estate, please see the chart on page 40.

## OBTAINING AUTHORITY TO DEAL WITH THE ESTATE

One of the first things that you should consider is whether you are entitled to deal with the deceased's estate. If you are

entitled to deal with the deceased's estate, you may have to apply for authority from the Probate Registry to administer it. If the deceased left a will, he or she will usually have appointed an **executor** or **executors** to deal with the estate. If the deceased did not appoint executors or did not leave a will, the court (if required) will appoint an **administrator** or **administrators** to deal with the estate. Executors and administrators are also known as **personal representatives**.

The authority that is issued by the Probate Registry is called a grant of representation. You can apply for a grant of representation in person or through a solicitor. There are three types of grant available:

- ◆ a grant of 'probate', which is issued to one or more of the executors named in the will;
- ◆ a grant of 'letters of administration (with will annexed)', which is issued to administrators when the named executors are not available, unwilling or unsuitable to act or the will does not name executors; and
- ◆ a grant of 'letters of administration', which is issued to administrators where no valid will exists.

It is not always necessary to apply for a grant of representation when dealing with the deceased's estate. For example, it may not be necessary to apply for a grant where the value of the deceased's estate is small or if the house is held in joint names and passes by survivorship to the surviving joint owner\* or where a bank or building society account is held jointly or someone may be nominated at the building society or pension fund to receive the money directly without requiring any grant. The asset holders (banks, insurance companies, building societies, etc) will tell you if they need a grant to release the money to you.

**\*This is a kind of joint property ownership called a beneficial joint tenancy; however, property can also be owned jointly as 'tenants in common' (nothing to do with landlord and tenants) which will not pass directly to the**

**survivor – you should seek legal advice to establish how the property is held if you are unsure.**

For further information on how to obtain a grant of representation, you can contact the Probate and Inheritance Tax Helpline on **0845 30 20 900**. The helpline is open Monday to Friday, 9.00am to 5.00pm, except bank holidays. You can also log on to the Probate Service website at **www.theprobateservice.gov.uk** or you can go along to any Probate Registry. Information about inheritance tax is available on **Her Majesty's Revenue and Customs (HMRC)** website at **www.hmrc.gov.uk** or from the Probate and Inheritance Tax Helpline on **0845 30 20 900**.

You should look carefully through the deceased's personal papers to find details of all assets (such as bank accounts, building society accounts, insurance policies, share certificates, savings certificates, premium bonds, etc) and liabilities such as household debts – fuel, water, telephone accounts – and personal debts such as credit agreements and credit card accounts. Part of any money paid in advance for items such as a television licence, road fund licence, household insurance, council tax, etc may be recoverable. You should also advertise for any creditors of the deceased to make sure all the debts have been identified.

## DEALING WITH THE ESTATE

As an executor or administrator, you will be subject to duties and responsibilities when dealing with the deceased's estate. You must:

- ◆ value the estate;
- ◆ take all reasonable steps to collect in the deceased's assets and money due to the estate;
- ◆ pay any inheritance tax that might be due;
- ◆ pay for the deceased's funeral;
- ◆ pay the deceased's debts if there are sufficient funds available; and
- ◆ distribute the estate to the beneficiaries.

## TAX

If the deceased was paying tax on income from investments or as a self-employed person or as an employee, tell the tax office about the death as soon as possible. This will enable the deceased's tax affairs to be settled. Depending on the circumstances, this may involve paying some more tax or claiming a repayment.

The particular tax office to contact will depend on the deceased's circumstances. For instance:

- ◆ If the deceased was an employee or had a pension from a former employer, the pay section of the employer or pension organisation will know the deceased's tax office.
- ◆ If the deceased was self-employed, contact the tax office nearest to the place of business.
- ◆ If the deceased was unemployed, or retired without a pension from a former employer, contact the tax office nearest to the home address. HM Revenue and Customs leaflet IR45 *What to do about tax when someone dies* gives more information.

## DEBTS

Debts, including funeral expenses, are paid out of the deceased's estate. Personal representatives do not have to pay them out of their own income or savings. But if there is no estate to pay for the funeral, see pages 28–34.

The personal representative is responsible for paying the debts of the estate. If the personal representative does not know some or all of the deceased's creditors (the people that the deceased owes money to), he or she should advertise for any creditors to come forward and make a claim against the estate. The advertisements should be placed in the *London Gazette* and, if there is land in the estate, in a newspaper that can be circulated in the area where the deceased lived. Unknown creditors must be given 2 months in which to make claims. If you do not advertise, you may be faced with personally paying claims made after the deceased's estate has

been shared out. You should tell the creditors that you are the executor or administrator. This may mean telling organisations such as water, gas, electricity and telephone suppliers, and any company with whom the deceased had a credit, hire purchase or rental agreement. One example of a claim that may arise is if social security finds that they have paid too much Income Support to the deceased and ask for the overpayment back. National Insurance owed at the date of death is also a debt of the estate. If this is not paid, it may affect the benefit of the surviving spouse or civil partner.

Do not be rushed into parting with goods belonging to the deceased before taking legal advice. Hire purchase goods cannot be repossessed after a third of the purchase price has been paid unless the firm gets a court order.

## ARREARS OF BENEFIT

The personal representative can claim any arrears of social security benefits still owing to the deceased. There may be money due if the deceased was receiving or had recently claimed a benefit. Show the Jobcentre, Jobcentre Plus or social security office form BD8 from the registrar (see page 15) and ask them for a form to apply for any arrears. The procedure is the same whether benefit is payable at a post office or to an account. Arrears may sometimes be paid without the need to claim.

Ask the social security office for more information, as soon as you can, if:

- ◆ the deceased was awaiting the outcome of an appeal against a decision about a social security benefit; or
- ◆ you think he or she may have been eligible for a social security benefit but did not claim it. You may be able to act on behalf of the deceased and arrears of benefit may be payable to the estate.

The Secretary of State can be asked to appoint someone to proceed with a claim made before death.

## DISTRIBUTION OF PROPERTY

When all the assets have been gathered in and all the expenses, debts and taxes have been paid, the personal representative must distribute what is left in the estate to the beneficiaries. If there is a will, the executor must follow the deceased person's instructions set out in the will. If there is no will, the administrator must distribute the estate in accordance with the laws of intestacy. Please see the chart below for details on the distribution of the estate of someone who did not leave a valid will. (If all the beneficiaries agree, it may be possible to vary the terms of the will or the intestacy and distribute the estate in accordance with the wishes of the beneficiaries.)

## INTESTACY DISTRIBUTION LIST

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Deceased dies leaving:	Estate goes to:
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A spouse/civil partner and children	1. Net estate not more than £125,000 – All to spouse/civil partner if he/she survives the deceased by 28 days. 2. Net estate over £125,000 – First £125,000 plus personal possessions to spouse/civil partner. Half of the rest is shared equally amongst the children. The spouse/civil partner also has the right to the <b>interest only</b> on the other half during his/her lifetime, then after the death of the spouse/civil partner, to the children in equal shares.
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A spouse/civil partner (but no children), and either parents, or brothers or sisters of the whole blood	1. Net estate not more than £200,000 – All to spouse/civil partner if he/she survives the deceased by 28 days. 2. Net estate over £200,000 – If he/she survives the deceased by 28 days, £200,000 plus personal possessions to spouse/civil partner, plus half of the rest. The other half to the deceased's parents in equal shares; if no parents, then to brothers and sisters of the whole blood in equal shares.
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A spouse/civil partner but no children, parents or brothers or sisters of the whole blood	All to spouse/civil partner if he/she survives the deceased by 28 days.
Children but no spouse/civil partner	Children in equal shares on reaching 18.
Neither spouse/civil partner nor children	Parents in equal shares.
No spouse/civil partner, children or parents	Brothers and sisters of the whole blood in equal shares. If there are no brothers or sisters of the whole blood, then to brothers and sisters of the half blood in equal shares.
No spouse/civil partner, children, parents or brothers or sisters	Grandparents in equal shares.
No spouse/civil partner, children, parents, brothers or sisters or grandparents	Uncles and aunts of the whole blood in equal shares. If there are no uncles or aunts of the whole blood, then to uncles or aunts of the half blood in equal shares.
No spouse/civil partner or blood relatives	All of the estate goes to the Crown.

#### Explanatory notes:

If anyone in any of these categories (child, brother or sister of the whole blood or half blood, uncle or aunt of the whole blood or half blood of the deceased), who **would have been entitled** to a share of the estate but **died before the deceased**, leaving a child or children of their own, then those children will take (in equal shares) the share of the estate that their mother or father would have taken, if their mother or father had survived the deceased.

The same principle cascades down through the generations – if a child of a person who **would have been entitled** to a share of the estate but died before the deceased **also dies before the deceased**, leaving a child or children, then those children will

take (in equal shares) the share that their mother or father would have taken if that parent had survived the deceased.

This is illustrated by the following example:

Thomas was aged 98 when he died. His wife died a year before him. He had four children, John, Harry, Mary and Kate, but Kate died several years before him, leaving two daughters of her own. Kate also had a son James who died before her, leaving two young sons.

Thomas's estate is divided into four equal shares. John, Harry and Mary each get one share of Thomas's estate. The other share (which would have gone to Kate if she was still alive) is divided into three equal shares; her two daughters get one share each and the other share (which would have gone to Kate's son James if he was still alive) goes in equal shares to his two young sons when they become 18.

If Kate had not left any children, grandchildren or great-grandchildren, Thomas's estate would have been divided into three equal shares, and John, Harry and Mary would be entitled to one share each.

No one can take their share of the estate until they reach the age of 18 years, or marry under that age. In the example used above, if one of Kate's two young grandsons dies before reaching 18, his share will go to his brother.

If any person who is entitled to a share of the estate dies **after** the deceased but **before** the estate is distributed, his (or her) share forms part of his own estate and is distributed according to his own will or intestacy.

Only **blood relatives** are entitled to share in the estate. Those related through marriage only are not entitled.

Explanation of terms used:

A civil partner is someone who has entered into a **registered civil partnership** with another person. It does **not** include people simply living together as unmarried partners or as 'common law husband and wife'.

The term 'children' includes adult sons and daughters.

Brothers and sisters of the **whole blood** have the same mother **and** father.

Brothers and sisters of the **half blood** have just one parent in common.

Step-brothers and step-sisters are not related by blood and are not entitled to share in the estate on intestacy.

Uncles and aunts of the whole blood are brothers and sisters of the whole blood of the deceased's father or mother.

Uncles and aunts of the half blood are brothers and sisters of the half blood of the deceased's father or mother.

Uncles or aunts who are related to the deceased only by marriage are not entitled to share in the estate on intestacy.

## CLAIMS ON THE ESTATE

Whether you are related to the deceased or not, you can apply to the court for a share of the estate if you were being supported financially in any way by the person who died immediately before their death. This will apply to unmarried partners (or partners where there is no civil partnership) in a case where the deceased left no will. If you qualify you must apply within 6 months of the date on which the grant of representation was issued. The court may allow later application in special circumstances. If you wish to make an application, it is recommended that you obtain legal advice as soon as possible after the death of the deceased. Do not wait for the 6-month period to expire.

## IF THERE ARE NO RELATIVES

If there is no will and no spouse/civil partner or blood relatives, the Crown has a right to the whole of the estate.

You should write to:

The Treasury Solicitor's Department (BV)

One Kemble Street

London WC2B 4TS

Telephone: 020 7270 3000

## EFFECT OF MARRIAGE/CIVIL PARTNERSHIP AND DIVORCE WHERE THERE IS A WILL

Marriage/civil partnership normally cancels any will made beforehand. A will, however, can be made in anticipation of marriage or civil partnership, ie it can refer to 'my future wife' or 'my future civil partner' and this would remain valid. After a divorce or a dissolution of a civil partnership, a former spouse or civil partner cannot get anything left to them in the will unless the will clearly says otherwise. Divorce/dissolution of a civil partnership usually (but not always) prevents the former spouse/civil partner acting as a personal representative. A former spouse/civil partner who has not remarried or entered into another civil partnership may, however, make an application for financial provision from the deceased's estate. Please see 'Claims on the estate' on page 43 for further information.

Please note that where a person enters into a registered overseas same-sex relationship (which is treated as a civil partnership under the Civil Partnership Act 2004) and has, before registering that relationship, made a will, that will will not be revoked by the recognition of that relationship as a civil partnership.

## OTHER THINGS TO BE DONE

Other things may have to be done with the deceased's estate, such as those listed below. It is not a complete list and does not cover everyone's individual circumstances.

## THINGS TO SEND BACK

You should return the following items, with a note of explanation and the date of the deceased's death:

- ◆ payable orders, or cheques to the Jobcentre Plus or social security office or other office which issued the payment. This applies also to Child Benefit payments which include payment for a child who has died. Payments should not be made after the death of the person. It may be useful to keep a record of social security numbers before you send anything back;

- ◆ the deceased's passport should be sent for cancellation to the Identity and Passport Service. Before posting it, please cut off the top right-hand corner of the passport. For further advice please visit [www.passport.gov.uk](http://www.passport.gov.uk) or phone the Passport Adviceline on **0870 521 0410**;
- ◆ the deceased's driving licence to the Driver and Vehicle Licensing Agency, Longview Road, Swansea SA6 7JL;
- ◆ the registration documents of a car, for the change of ownership to be recorded;
- ◆ a season ticket. Claim any refund due;
- ◆ membership cards of clubs and associations. Claim any refund due;
- ◆ library books and tickets;
- ◆ any National Insurance papers to the relevant office; and
- ◆ any NHS equipment such as wheelchairs, hearing aids or artificial limbs.

## PEOPLE TO TELL

You should tell:

- ◆ the local social services department of the council if the person was getting meals on wheels, home help or day-centre care or had an appliance or piece of equipment issued by the department;
- ◆ any hospital the person was attending;
- ◆ the family doctor to cancel any home nursing;
- ◆ HM Revenue and Customs (see page 38);
- ◆ the Jobcentre Plus or social security office if benefit was being paid directly into the deceased's bank or building society account, for example State Pension, Attendance Allowance, Child Benefit;
- ◆ any employer and trade union;
- ◆ the school or college that the deceased attended;
- ◆ a car insurance company (if you are insured to drive the car under the deceased's name, you may cease to be legally insured);
- ◆ the deceased's gas, electricity and telephone suppliers;

- ◆ the local council housing department if the person who has died was living in a council house;
- ◆ the local council Housing Benefit/Council Tax Benefit section if the person who has died was getting Housing Benefit and/or Council Tax Benefit;
- ◆ the deceased's bank, building society, insurance company, etc; and
- ◆ the Post Office so that they can redirect the deceased's mail if necessary.

## LEGAL AID AND ADVICE

If you have any difficulty in dealing with the deceased's property or possessions or guardianship of their children, a solicitor, or a member of a law centre or Citizens Advice Bureau, will be able to advise you whether you will be eligible for legal aid or legal help. If a solicitor is willing to act for you, he or she will be able to apply for funding on your behalf. Information about which solicitors undertake legal aid work can be found in the Community Legal Service (CLS) directory, which can be found in most reference libraries and Citizens Advice Bureaux, or you can call **0845 608 1122**. You may also like to try local information directories or the Yellow Pages. Another source of information about solicitors is the Solicitors' Regional Directory.

To complement these services, people are able to get legal help via a national telephone advice line and website service. CLS Direct provides a new advice service for people with civil law problems such as housing or debt issues. People in England and Wales can phone for advice on **0845 345 4345**, or they can search the CLS Direct website, **[www.clsdirect.org.uk](http://www.clsdirect.org.uk)**, to find a solicitor or information leaflets on everyday problems.

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# Checklist

Leaflet D49 *What to do after a death in England and Wales* gives detailed information and help when someone has died. This checklist provides a summary of some important things you need to deal with. Often, there is a lot to think about and you cannot be expected to do everything straightaway. The tick boxes provided should help you or the person helping you keep a note of what you have already done.

Before referring to this list, it is very useful to have the following information about the person who has died. This will make the task of completing any forms or documents much easier.

- date of birth/place of birth
- date of marriage or civil partnership (if appropriate)
- National Insurance number
- NHS number
- Child Benefit number
- Tax reference number

## In the first 5 days

You cannot be expected to inform everyone of the person's death straightaway. However, it is important to do the following in the first 5 days:

- notify the family doctor
- register the death at the register office
- contact a funeral director to begin funeral arrangements
- if the person who has died was receiving any benefits or tax credits, you must advise the office that was paying the benefit
- complete form BD8, which the registrar supplies, and send it to the local Jobcentre Plus, social security or pensions office. You can find the address in your phone book.

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A death needs to be registered within 5 days. However, in some circumstances the registrar will extend this time limit, usually when the coroner is involved. The death may be registered anywhere in the country but is generally registered in the area where the death occurred. Please note that the registrar will also ask for the details of the deceased's mother, but if these are not known it will not prevent registration. Some organisations will want to see an original Death Certificate. The registrar can supply more than one certificate, but there is a charge for this service.

## Benefits and tax credits

If you or the person who has died were receiving any benefits or tax credits, it is important to tell the office paying the benefit as soon as possible. You can find a telephone number and address in your phone book. The paying office will have to reassess your benefit entitlement, as your circumstances have now changed. By doing this, you can prevent overpayments of benefit and also check any other benefits that you may be entitled to, such as bereavement benefits or Social Fund Funeral Payment. You can find out more about these benefits below.

List of people it is best to tell as soon as possible:

- bank/building society/post office
- employer
- friends
- hire purchase or loan companies
- credit card providers/store cards
- Jobcentre Plus or local Social Security Office
- landlord
- local authority
- pension providers/insurance companies
- HM Revenue and Customs
- school
- solicitor
- social services.



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## Dealing with the estate

- If the deceased named you as executor in his or her will, you may need to obtain a grant of probate to administer the deceased's estate.
- If the deceased did not leave a will and there is a need for you to handle the deceased's estate, then you should find out whether you are eligible to apply for a grant of letters of administration to administer the deceased's estate.

For information, contact the Probate and Inheritance Tax helpline on 0845 30 20 900.

Other things you may have to do:

- cancel direct debits
- cancel any credit or store cards
- cancel insurance policies.

## Things to send back or cancel

When returning any documents, enclose a note of explanation giving details about the person who has died and the date of death.

- Any payable orders or cheques to Jobcentre Plus or social security office or tax credit office. This applies to all benefits, including Child Benefit
- Passport – return to the deceased's regional Passport Office. Check for details at [www.ukpa.gov.uk](http://www.ukpa.gov.uk) or phone the Passport Adviceline on 0870 521 0410
- Driving licence – return to DVLA, Longview Road, Swansea SA6 7JL
- Car registration documents – return to DVLA (as above). Change of ownership may have to be recorded
- Season ticket(s) – claim any refund(s) due
- Library – return any books
- Club membership – claim any refund due

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- Trade Union – claim any refund due
  - Subscriptions to magazines or newspapers
  - Home Help service or Meals on Wheels
  - Dentist
  - Domestic utility providers: gas, water and electricity
  - Car insurance
  - Disabled Parking Permit – contact the deceased's local authority
  - The Bereavement Register – removes names and addresses of people who have died. Further details on page 54 of leaflet D49.

## Benefits

### Bereavement benefits

If you are widowed or become a surviving civil partner, you may be entitled to bereavement benefits. You may claim these benefits even if you are working.

All bereavement benefit claims must be made on form BB1. You can get this form from your local Jobcentre Plus office or from the website at [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

It is important to note that there are time limits affecting all benefit claims. If you apply too late it may affect the amount you receive or you may receive nothing at all.

### Bereavement benefits time limits

**Bereavement Allowance/Widowed Parent's Allowance\*** must be claimed within 3 months of the death of your spouse or civil partner.

\*Please note: in order to receive Widowed Parent's Allowance you must be the main Child Benefit payee. If your late spouse or civil partner was the main payee for Child Benefit you will need to reclaim Child Benefit in your own name. Please do so without delay. Child Benefit contact details are noted below.

**Bereavement Payment** must be claimed within 12 months of the death of your spouse or civil partner.

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## **Child Benefit**

Child Benefit is a benefit paid to people who are bringing up children.

### **Child Benefit time limits**

If a child has died, HM Revenue and Customs must be told within 8 weeks. Payment of Child Benefit for the child who has died will continue to be paid for 8 weeks after death.

You can tell HM Revenue and Customs:

In writing:                      Child Benefit Office  
   PO Box 1  
   Newcastle upon Tyne  
   NE88 1AA

Email:                              Child.Benefit@hmrc.gsi.gov.uk

Telephone:                        0845 302 1444

Textphone:                        0845 302 1474

Website:                          [www.hmrc.gov.uk/childbenefit/](http://www.hmrc.gov.uk/childbenefit/)

## **Social Fund**

You may be able to get a Social Fund payment to help you with the cost of the funeral.

You can claim this payment on form SF200, which you can get from a Jobcentre Plus office or from the website at [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

### **Social Fund time limits**

The time limit for claiming this payment is 3 months.

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## Benefits checklist

It is important to remember that all benefits have time limits and if you apply too late it may affect the amount you receive or you may receive nothing at all. The checklist below can be used to make a note of any benefits you may want to claim. Page 35 onwards of leaflet D49 gives further details of all the benefits mentioned below, including how to get claim forms.

Do you want to claim any benefits? Yes / No

If you ticked yes, which of the following benefits do you want to claim?

- |   |                          |
|---|--------------------------|
| Bereavement benefits                    | <input type="checkbox"/> |
| Social Fund Funeral Payment             | <input type="checkbox"/> |
| Child Benefit                           | <input type="checkbox"/> |
| Guardian's Allowance                    | <input type="checkbox"/> |
| Income Support                          | <input type="checkbox"/> |
| Jobseeker's Allowance                   | <input type="checkbox"/> |
| Pension Credit                          | <input type="checkbox"/> |
| Industrial Injuries Disablement Benefit | <input type="checkbox"/> |
| Tax Credits                             | <input type="checkbox"/> |
| Housing Benefit                         | <input type="checkbox"/> |
| Council Tax Benefit                     | <input type="checkbox"/> |

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# Help for those who are left

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A death in the family can cause money problems for those who are left. This may only be for a short time, while you wait for the case to be released after probate, or you may need long-term help.

This section is about social security benefits that can help you when someone dies. It also gives the addresses of some of the other organisations which can give you support and comfort. Many Jobcentres, Jobcentre Plus or social security offices also have someone who can advise you.

## GENERAL INFORMATION

The Government introduced a new system of bereavement benefits for men and women from 9 April 2001. Those getting Widow's Pension or Widowed Mother's Allowance will continue to get them for as long as they satisfy the existing entitlement conditions.

For general social security benefit information contact a Jobcentre Plus office. For your nearest office look for the display advert under **Jobcentre Plus** in the business numbers section of the phone book. Benefit rates are in leaflet BRA5JP *Social security benefit rates*, which you can get from a Jobcentre Plus office.

For how to get any of the leaflets mentioned here see page 72.

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## HELP FOR THE BEREAVED

If you are widowed or become a surviving civil partner 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 amount you can get is based on your husband's, wife's or civil partner's National Insurance (NI) contributions. Do not delay in making your claim or you may lose benefit.

If you do not have enough to live on see page 58.

If you cannot get a full pension because of a shortfall in your husband's, wife's or civil partner's contributions, and they died because of an accident at work or an industrial disease, the DWP will treat your case as if your husband, wife or civil partner had a full contribution record.

If you have lived in Scotland and established a 'marriage by cohabitation with habit and repute' under Scots law, ask your Jobcentre Plus, Jobcentre or social security office about what you could claim.

### **If you remarry or reform a civil partnership**

If you remarry or reform a civil partnership or live with someone as husband and wife or as civil partners, you will not be able to go on getting bereavement benefits or widow's benefits.

## BEREAVEMENT PAYMENT

If your husband or wife died on or after 9 April 2001 or your civil partner died on or after 5 December 2005 you may get a Bereavement Payment. This is a tax-free lump sum paid as soon as you are widowed or become a surviving civil partner if your husband, wife or civil partner had paid enough NI contributions and one of the following applies:

your husband, wife or civil partner was not entitled to a CAT A State Pension when they died

- or** you were under state pension age when your husband, wife or civil partner died.

Pensionable age will be equalised at 65 for both men and women from 6 April 2020. The change from the current state pension age of 60 for women to 65 will be phased in over a ten-year period from 2010 to 2020.

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### **How to claim**

You must claim within 3 months of your husband's, wife's or civil partner's death. For claims that relate to deaths that occur on or after 1 April 2003, the period for claiming Bereavement Payment has been extended to 12 months. For more information, contact your Jobcentre Plus, Jobcentre or social security office.

Fill in form BD8 which the registrar gave you and hand it to your Jobcentre Plus, Jobcentre or social security office without delay. They will give you form BB1. If for any reason you do not have form BD8 from the registrar, **do not delay** in making your claim.

### **More information**

See leaflet WIDA5JP *If you are widowed or your civil partner dies*. See also NP45 *A guide to Bereavement Benefits*, which can be read online at: [www.jobcentreplus.gov.uk/jcp/partners/allowancesandbenefits/dev\\_010415.xml.html](http://www.jobcentreplus.gov.uk/jcp/partners/allowancesandbenefits/dev_010415.xml.html)

### **BEREAVEMENT ALLOWANCE**

You may be able to get Bereavement Allowance if you were aged 45 or over but below state pension age when your husband, wife or civil partner died.

If you are entitled to Bereavement Allowance, the amount you can get depends on your age when your husband, wife or civil partner died and their National Insurance contributions.

If you were aged 55 or over, you will get the full rate of Bereavement Allowance. If you were under 55, you will get less than the full amount.

Bereavement Allowance is payable from the date of bereavement for a maximum of 52 weeks. It will stop if you become entitled to State Pension before the end of the 52 weeks.

### **How much?**

Bereavement Allowance cannot include any Additional Pension and is paid at the basic rate only.

### **Women widowed before 9 April 2001**

These widows receive their Widow's Benefit entitlement on the arrangements that existed before that date.

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### **How to claim**

Bereavement Allowance is usually paid following a claim on form BB1. If for any reason you do not have form BD8 from the registrar, **do not delay** in making your claim. Contact your Jobcentre Plus office, Jobcentre or social security office straightaway.

Time limits for claiming Bereavement Allowance remain at 3 months from the date of death.

### **More information**

See leaflet WIDA5JP *Widowed*. See also NP45 *A guide to Bereavement Benefits*, which can be read online at: [www.jobcentreplus.gov.uk/jcp/partners/allowancesandbenefits/dev\\_010415.xml.html](http://www.jobcentreplus.gov.uk/jcp/partners/allowancesandbenefits/dev_010415.xml.html)

## **WIDOWED PARENT'S ALLOWANCE**

You may be able to get Widowed Parent's Allowance if:

your husband, wife or civil partner died on or after 9 April 2001 and you have at least one child for whom you can get Child Benefit and you are under pension age.

**or** you are expecting a child by your late husband or as the result of artificial insemination or 'in vitro' fertilisation.

### **How much?**

You will get a basic rate of Widowed Parent's Allowance and an Additional Pension based on your husband's, wife's or civil partner's earnings. Your basic rate of Widowed Parents Allowance will depend on your husband's, wife's or civil partner's National Insurance record.

### **How to claim**

Widowed Parent's Allowance is usually paid following a claim on form BB1. If for any reason you do not have form BD8 from the registrar, **do not delay** in making your claim. Contact your Jobcentre Plus office straightaway.

Time limits for claiming Widowed Parent's Allowance remain at 3 months from the date of death.

### **More information**

See leaflet WIDA5JP *Widowed*. See also NP45 *A guide to Bereavement Benefits*, which can be read online at:



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[www.jobcentreplus.gov.uk/jcp/partners/allowancesandbenefits/dev\\_010415.xml.html](http://www.jobcentreplus.gov.uk/jcp/partners/allowancesandbenefits/dev_010415.xml.html)

## MATERNITY BENEFITS

If you are pregnant you may be entitled to Statutory Maternity Pay (SMP) from your employer or Maternity Allowance from social security. You may be able to get a Sure Start Maternity Grant from the Social Fund.

### How to get maternity benefits

**To get SMP** you must have been in the same employment without a break for at least 26 weeks up to and including the 15th week before the week your baby is due. You must be earning enough on average to be relevant for NI contributions (this is lower than the amount when you have to start **paying** NI contributions). Show your employer your maternity certificate MATB1.

If you cannot get SMP you may be able to get **Maternity Allowance**. To qualify you must have:

been employed or self-employed for at least 26 weeks in the 66 week period ending with the week before the week your baby is due

**and** earn at last £30 a week on average.

To claim get form MA1 from a Jobcentre Plus, Jobcentre, social security office, maternity or child health clinic. If you are employed, your employer should give you form SMP1 to put with form MA1. You will also need to send in your maternity certificate MATB1.

If your claim for Maternity Allowance is not allowed, you will automatically be considered for Incapacity Benefit for the period beginning 6 weeks before your baby is due and ending 2 weeks after the birth.

You may be able to get a Sure Start Maternity Grant from the Social Fund if you are getting Income Support, income-based Jobseeker's Allowance, Pension Credit, Working Tax Credit where there is a disability or a severe disability element included in the award, or Child Tax Credit at a rate higher than the family element.

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### **More information**

Get leaflet BC1 *Babies and children* from a social security office, maternity or child health clinic. For more detailed information see NI17A *A guide to maternity benefits* at [www.dwp.gov.uk/advisers/ni17a](http://www.dwp.gov.uk/advisers/ni17a). SB16 also provides more information about qualifying for Sure Start Maternity Grants at [www.dwp.gov.uk/advisers/sb16](http://www.dwp.gov.uk/advisers/sb16)

### **STATE PENSION**

If both you and your husband, wife or civil partner were getting the basic state pension when they died, you may be able to use their NI contributions to get extra basic pension. If you were over state pension age when your husband, wife or civil partner died you may be able to get basic state pension based on your own or their NI contributions, or a combination of both, which is subject to an upper limit.

You may be able to inherit some or all of your late spouse's or civil partner's additional pension – you may know this as State Earnings-Related Pension (SERPS) or State Second Pension. If you were both over state pension age when you were widowed or became a surviving civil partner, you can inherit SERPS straightaway. The amount you can inherit depends on the date your husband, wife or civil partner reached state pension age and the date you were widowed or became a surviving civil partner. For more information, see leaflet SERPS L1 *Inheritance of SERPS – Important information for married or civil partnership people*.

A husband or civil partner may also be entitled to a Bereavement Payment of £2,000 where a wife or civil partner was in receipt of a Category BL pension and satisfies the contribution conditions.

### **How to claim**

Fill in form BD8 which the registrar gave you and hand it to your Jobcentre Plus, Jobcentre or social security office without delay. If for any reason you do not have form BD8 from the registrar, **do not delay** in making your claim.

### **More information**

See leaflet NP46 *A basic guide to State Pensions*.

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## INCAPACITY BENEFIT

If you cannot get Incapacity Benefit on your own NI contributions and you have been incapable of work for 52 weeks, you may qualify for long-term Incapacity Benefit on your late husband's, wife's or civil partner's contributions if: you were incapable of work when Widowed Parent's Allowance ended

- or** if you were not entitled to an allowance, you were incapable of work when your husband, wife or civil partner died
- and** you were not entitled to a Bereavement Allowance, or only got a reduced one, because you were under 55 when your husband, wife or civil partner died, or when your Widowed Parent's Allowance ended.

You may also qualify if you are:

under 45 and not entitled to Widowed Parent's Allowance or have ceased to qualify for it

- and** you were incapable of work at the time of your husband's, wife's or civil partner's death.

Incapacity Benefit is normally replaced by State Pension when you retire or reach state pension age.

### **How to claim**

If you are an employee and cannot get Statutory Sick Pay get claim pack SSP1 from your employer. Everyone else should claim on form SC1 – get it from a doctor, hospital, or social security office. Enclose a doctor's statement with your claim if you have been sick for more than 7 days.

## PNEUMOCONIOSIS (INCLUDING ASBESTOSIS), BYSSINOSIS AND MISCELLANEOUS DISEASES BENEFIT

If your husband, wife or civil partner died as a result of pneumoconiosis, byssinosis or one of certain other diseases which they got from work before 5 July 1948, see DB1 at [www.dwp.gov.uk/advisers/db1](http://www.dwp.gov.uk/advisers/db1). This tells you how to claim.

### **More information**

See DB1 *A guide to Industrial Injuries Disablement Benefits* at [www.dwp.gov.uk/advisers/db1](http://www.dwp.gov.uk/advisers/db1)

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## INDUSTRIAL INJURIES DISABLEMENT BENEFIT

If your husband, wife or civil partner:

was disabled as a result of an industrial accident or industrial disease that occurred before their death

**and** was not getting Industrial Injuries Disablement Benefit

you may be able to claim it now for a period before their death. Do not delay in making your claim or you may lose benefit.

### **More information**

For more details of the Industrial Injuries Scheme see leaflets ILDBA5JP *Ill or disabled because of a disease or deafness caused by work* and IIBAA5JP *Disabled because of an accident at work*. The diseases covered by the Industrial Injuries Scheme are listed in DB1 *A guide to Industrial Injuries Disablement Benefits* at [www.dwp.gov.uk/advisers/db1](http://www.dwp.gov.uk/advisers/db1).

If you want to know more or want to make a claim, ask at your social security office straightaway.

## **HELP FOR RELATIVES OF WAR PENSIONERS OR CUSTOMERS IN RECEIPT OF ARMED FORCES COMPENSATION PAYMENT SCHEME**

### **WAR PENSIONS FOR WIDOWS**

War Widow's Pension is paid if any of the following applies before 6 April 2005:

your husband's death was due to or hastened by his service in HM Armed Forces

**or** your husband's death resulted from a war injury or war risk injury as a merchant seaman

**or** your husband was getting a War Disablement Pension at the 80 per cent rate or higher and was getting Unemployability Supplement

**or** your husband's death was due to or hastened by his service with the Polish Forces under British command in the 1939–45 war, or with the Polish Resettlement Forces

**or** your husband was in receipt of or entitled to Constant Attendance Allowance under the War Pension Scheme at the time of his death

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**or** your husband was a Civil Defence Volunteer or a civilian and his death was due to or hastened by a war injury or war service injury sustained in the 1939–45 war.

How much you get depends on your age, your husband's rank in the Armed Forces and the number of children you have. If your husband was getting war pensioner's Constant Attendance Allowance or Unemployability Supplement, you will get a temporary allowance for the first 26 weeks after his death, whatever the cause of his death. If you qualify for a social security bereavement benefit, your temporary allowance will be reduced each week to take back the money you have already had. The amount of money paid is normally more than a War Widow's Pension or bereavement benefit. After 26 weeks you may receive a War Widow's Pension or bereavement benefit.

#### **ARMED FORCES COMPENSATION SCHEME**

The Armed Forces Compensation Scheme is a new compensation package for members of HM Armed Forces. The scheme provides benefits for illness, injury or death caused by service in the Armed Forces on or after 6 April 2005.

The scheme replaces the previous arrangements under the War Pensions Scheme; however, those who are receiving a current War Disablement Pension or War Widow's Pension will not be affected by the new scheme. They will continue to receive their War Disablement Pension or War Widow's Pension and any associated benefits in the normal way.

For an attributable death, a taxable Survivor's Guaranteed Income Payment will be paid to the surviving spouse or surviving civil partner, including unmarried and same-sex partners, where the service person's death was caused by service in HM Armed Forces. An additional tax-free bereavement grant of £20,000 would be paid for death in retirement.

For deaths in service, if a member of Armed Forces Pension Scheme 05, the widow, widower, surviving civil partner or partner will receive a lump sum payment of four times

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pensionable pay from the pension scheme. Part of the bereavement grant would only be payable if the member's salary was below £20,000. If a member of Armed Forces Pension Scheme 75, the full bereavement grant would be payable. There will also be a Child's Payment.

### **How to claim**

Contact:

Veterans Agency

Norcross

Blackpool FY5 3WP

Email: [help@veteransagency.gsi.gov.uk](mailto:help@veteransagency.gsi.gov.uk)

Website: [www.veteransagency.mod.uk](http://www.veteransagency.mod.uk)

or phone the **Veterans Helpline** free on **0800 169 22 77**.

### **More information**

For War Pensions see WPA Leaflet 1 *Notes about War Disablement and War Widow's Pensions* and WPA Leaflet 9 *Rates of War Pensions and allowances*. For the Armed Forces Compensation Scheme see MMP/125 *Your Compensation Scheme Explained* and MMP/132 *Armed Forces Compensation Scheme* (see page 72).

Families of people who have served in the Armed Forces can also get advice from SSAFA (see page 69).

## **WAR PENSIONS FOR OTHER DEPENDANTS**

In certain circumstances war pensions may also be paid to the children or widowers of someone who died as a result of service in the Armed Forces or as a result of injury as a merchant seaman in a war or as a civilian in the 1939–45 war.

### **How to claim and more information**

See under 'War pensions for widows' (page 54).

## **HELP FOR LONE PARENT FAMILIES**

### **CHILD BENEFIT (LONE PARENT)**

Child Benefit (Lone Parent) was a higher rate of Child Benefit for the only or eldest child of a person bringing up children on their own. From 6 July 1998 this is not available to new lone parents but in some circumstances you may still be able to receive it.

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If you were a lone parent getting a specified benefit since before 6 July 1998 and that benefit has now stopped, you may be entitled to Child Benefit (Lone Parent) **provided you claim within one month of coming off the specified benefit.**

The specified benefits are:

- ◆ Child's Special Allowance
- ◆ Widowed Parent's Allowance
- ◆ War Widow's Pension
- ◆ Carer's Allowance
- ◆ State Pension
- ◆ Unemployability Supplement paid with Industrial Injuries Disablement Benefit at the higher rate for a child (paid with Industrial Injuries Widow's Pension).

Some lone parents coming off benefit to start work may also be able to claim Child Benefit (Lone Parent).

#### **How to apply**

Use the form CH11 *Child Benefit for lone parents – notes and claim form* which you can get from HM Revenue and Customs. Do not delay in making your claim or you may lose benefit.

#### **More information**

See CH11 *Child Benefit for lone parents – notes and claim form*. Lone parent families on a low income may also be able to claim the benefits on pages 57–63.

## **HELP TO BRING UP SOMEONE ELSE'S CHILD**

### **GUARDIAN'S ALLOWANCE**

If you are bringing up someone else's child you may qualify for Guardian's Allowance. You must be entitled to Child Benefit for the child.

Normally both the child's parents must be dead but sometimes Guardian's Allowance may be paid if one parent is dead and the other cannot be traced or is serving a long prison sentence, or if the child's parents were divorced or persons whose civil partnership has been dissolved and the parent still alive was

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not awarded custody of the child. It may also be paid if the child's mother is dead and the father is not known.

**How to claim**

Claim at the same time as you apply for Child Benefit or as soon after this as possible. Fill in claim form BG1. If you have not already claimed Child Benefit you will also need the pack *Claiming Child Benefit*.

**NOT ENOUGH MONEY TO LIVE ON?**

**INCOME SUPPORT**

Income Support is a social security benefit for people aged between 16 and 60 whose income is below a certain level. You may be able to get Income Support if you are not expected to sign on as unemployed and you are, for instance: incapable of work due to sickness or disability

- or** bringing up children on your own
- or** looking after a person who has a disability
- or** registered blind.

You cannot normally get Income Support if you are working on average for 16 hours or more a week or if you have a partner (we use partner to mean a person you are married to or a person you are living with as if you are married to them, or a civil partner or a person you live with as if you are a civil partner) who works on average 24 or more hours a week. You can get Income Support on top of other benefits or on top of earnings from part-time work. You must not have over £8,000 in savings. Special rules apply if you live in a residential care home or nursing home.

**How to claim**

Contact your Jobcentre Plus, Jobcentre or social security office for a claim form. Do not delay in making your claim or you may lose benefit.

**More information**

See IS20 *A guide to Income Support* at [www.jobcentreplus.gov.uk/jcp/partners/allowancesandbenefits/dev\\_009929.xml.html](http://www.jobcentreplus.gov.uk/jcp/partners/allowancesandbenefits/dev_009929.xml.html)



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## JOBSEEKER'S ALLOWANCE

If you are under state pension age, unemployed and looking for work you may be able to get Jobseeker's Allowance (JSA). You cannot normally get JSA if you are working on average for 16 or more hours a week or if you have a partner (we use partner to mean a person you are married to or a person you are living with as if you are married to them, or a civil partner or a person you live with as if you are a civil partner) who works on average for 24 or more hours a week.

If you have paid enough NI contributions you may be able to get contribution-based JSA for yourself for up to 6 months. If you are not entitled to contribution-based JSA, or it does not meet your needs, you may qualify for income-based JSA. You can get income-based JSA on top of some other benefits or on top of earnings from part-time work. You must not have over £8,000 in savings (£12,000 if you are aged 60 or over).

### **How to claim**

Contact your Jobcentre Plus, Jobcentre or social security office for a claim form. Do not delay in making your claim or you may lose benefit.

### **More information**

See leaflet JSAL5 *Jobseeker's Allowance – Helping you back to work*.

## PENSION CREDIT

People aged 60 and over will be able to apply for Pension Credit.

Pension Credit tops up the weekly income of people aged 60 and over to a minimum level set by the government. This level is called the 'appropriate amount'. It means that you are guaranteed to get a certain level of income. We compare the amount you already have coming in each week with the appropriate amount. If your income is less than the appropriate amount, we make up the difference with a guarantee credit.

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### How to apply

Contact the Pension Credit Application Line on **0800 99 1234**.

### More information

See leaflet PC1L *Pension Credit. Pick it up. It's yours.*

## NEW TAX CREDITS

In April 2003, two new tax credits, Working Tax Credit and Child Tax Credit, were introduced to replace Working Families' Tax Credit, Disabled Person's Tax Credit and the Children's Tax Credit. Both of these new credits are administered by and claimed from the HM Revenue and Customs.

### WORKING TAX CREDIT

Working Tax Credit is a tax credit to top up the earnings of working people. It is intended to make work pay more than benefits.

Working Tax Credit can be claimed if you:

are aged 16 or over

work at least 16 hours a week

**and** are responsible for a child or young person or you have a disability which puts you at a disadvantage in getting a job

**or** are aged 50 or more and are returning to work after a 6-month period on qualifying out-of-work benefits.

If you do not have children or a disability that puts you at a disadvantage in getting a job and you are not aged 50 or over and are returning to work after a 6-month period on qualifying out-of-work benefits, you can also claim Working Tax Credit if you:

are aged 25 or over

**and** work at least 30 hours a week.

Working Tax Credit is available to self-employed people and employees.

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## CHILD TAX CREDIT

Child Tax Credit is a payment to support families with children. It can be claimed by those responsible for one or more child or young person.

Child Tax Credit:

- ◆ is paid in addition to Child Benefit
- ◆ can provide income for families with children, whether in or out of work
- ◆ is normally paid to the main carer

### How to claim

To find out more about Working Tax Credit and Child Tax Credit and to get the application form, visit: [www.hmrc.gov.uk](http://www.hmrc.gov.uk). You can claim online too.

If you'd rather ring HM Revenue and Customs, call the Helpline on the following numbers:

England, Scotland and Wales **0845 300 3900**

Northern Ireland only **0845 603 2000**

Textphone for people with hearing or speech difficulties:

England, Scotland and Wales **0845 300 3909**

Northern Ireland only **0845 607 6078**

If you need help or a form in Welsh, please telephone **0845 302 1489**

All lines open: 8am–8pm seven days a week (except Christmas Day, Boxing Day, New Year's Eve and Easter Sunday).

The Welsh language line is only open weekdays 8.30am–5pm.

You can also claim by contacting your local Jobcentre, Jobcentre Plus or social security office.

## HOUSING BENEFIT

You may be able to get help with your rent from your council. Even if you work or have savings, you can still get help. If you are aged under 60 and you have more than £16,000 in savings and investments you will not be able to get Housing Benefit. If you are aged 60 or above and have more than

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£16,000 in savings you may still get help if you receive Pension Credit. If you get Income Support, Jobseeker's Allowance or Pension Credit you may be able to get help with other housing costs such as some of your mortgage interest, some maintenance or insurance or both. This will be included in your Income Support, Jobseeker's Allowance or Pension Credit entitlement.

### **How to claim**

If you apply for Income Support, Jobseeker's Allowance or Pension Credit (see pages 58–60), the application forms will include a form to claim Housing Benefit. Otherwise contact your local council. For details of help towards other housing costs ask at your Jobcentre Plus, Jobcentre, Pension Service or social security office.

### **More information**

See leaflet GL16 *Help with your rent*. You can get it from the council, Pension Service, Jobcentre Plus, Jobcentre, social security office or an advice centre.

## **COUNCIL TAX BENEFIT**

Most owner-occupiers or tenants, including joint tenants, have to pay council tax. There is one bill for each dwelling. If you are on a low income and find it hard to pay your full council tax, you may be able to get help from your local council, whether you are working or not.

Nearly all the rules which apply to Housing Benefit also apply to Council Tax Benefit. The amount of help you can get depends on how much money you have coming in, your personal circumstances, your savings and how much council tax you have to pay. If you have a partner, your combined income and savings will be looked at to see what help you and your partner could get.

You may get a **Second Adult Rebate** if someone over 18 on a low income lives with you but is not your partner and does not pay you rent. If you qualify for Council Tax Benefit and

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Second Adult Rebate, the council will award you the bigger amount of the two.

### **How to claim**

If you apply for Income Support, Jobseeker's Allowance or Pension Credit (see pages 58–60), the application forms will include a form to claim Council Tax Benefit. Otherwise contact your local council.

### **More information**

See leaflet GL17 *Help with your council tax*.

## **HELP WITH HEALTH COSTS**

While you are getting:

- ◆ Income Support, or
- ◆ income-based Jobseeker's Allowance, or
- ◆ Pension Credit which includes guarantee credit, or
- ◆ Working Tax Credit with Child Tax Credit, or
- ◆ Working Tax Credit with a disability element, or
- ◆ Child Tax Credit and are not eligible for Working Tax Credit **and** your gross annual income does not exceed the figure shown on the front of your tax credit award notice, or
- ◆ you are named on a Tax Credit NHS Exemption Certificate

you can get help with health costs.

If not, you may be able to get help with health costs through the NHS Low Income Scheme.

You can get a claim form HC1 from Jobcentre Plus offices.

**For information about help with health costs phone the Advice Line on 0845 4647.**

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## TAX

You may have to pay tax on social security benefits.

If you are in any doubt, you can ask any Tax Enquiry Centre, Tax Office or Citizens Advice for free advice. (Tax offices are listed under **HM Revenue and Customs** or **Inland Revenue** in the business numbers section of the phone book.) The HM Revenue and Customs website is: **[www.hmrc.gov.uk](http://www.hmrc.gov.uk)**

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# Practical advice, support and comfort

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## PRACTICAL ADVICE

You can get practical help from a funeral director, the family doctor, a solicitor, welfare officers and personnel departments at workplaces, your minister of religion, a social services department or Citizens Advice. A health visitor or district nurse who attended the deceased may be able to help. If death was in hospital ask the sister or hospital chaplain.

## SUPPORT AND COMFORT

You may feel that you want more than practical advice, and that you need to talk with someone sympathetic who is outside your immediate family or with other people who have been through a similar experience. In addition to ministers of religion and hospital chaplains there are several organisations in England and Wales which give this kind of support.

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**Age Concern**  
a national organisation for older people.

Age Concern England  
Astral House  
1268 London Road  
London SW16 4ER  
Telephone: 020 8765 7200  
Fax: 020 8765 7211  
Email: [ace@ace.org.uk](mailto:ace@ace.org.uk)  
Website: [www.ageconcern.org.uk](http://www.ageconcern.org.uk)

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**Age Concern**  
a national organisation for older people.

Age Concern Scotland  
113 Rose Street  
Edinburgh EH2 3DT  
Telephone: 0131 220 3345  
Helpline: 0800 00 99 66  
Website:  
[www.ageconcernscotland.org.uk](http://www.ageconcernscotland.org.uk)

Age Concern Cymru  
4th Floor, 1 Cathedral Road  
Cardiff CF1 9SD  
Telephone: 029 2037 1566  
Helpline: 0800 00 99 66  
(run by Age Concern England)  
Website: [www.accymru.org.uk](http://www.accymru.org.uk)

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**The Bereavement Register** is a service specifically designed to remove from databases and mailing files the names and addresses of people who have died. You can register by accessing the website.

Freepost SEA8240  
Sevenoaks  
TN13 1YR  
Telephone: 0870 600 7222  
Fax: 0870 400 5644  
Website: [www.the-bereavement-register.com/uk](http://www.the-bereavement-register.com/uk)

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**The British Association of Cancer United Patients (CancerBACUP)** provides a Cancer Information Service which gives information, practical advice and emotional support to patients, their families and friends, including those bereaved by the illness.

3 Bath Place  
Rivington Street  
London EC2A 3JR  
Telephone:  
Information: 020 7696 9003 or  
freephone: 0808 800 1234  
Website:  
[www.cancerbacup.org.uk](http://www.cancerbacup.org.uk)

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**British Organ Donor Society (BODY)**, a self-help and support group for families of organ donors and for those who have received organs. They will also welcome calls from people waiting to receive organs and those whose relatives have died after a transplant or whilst waiting.

Balsham  
Cambridge CB1 6DL  
Telephone: 01223 893636  
The phone is in a family home and there is an answerphone when no one is in.  
Email: [body@argonet.co.uk](mailto:body@argonet.co.uk)  
Website: [www.bodyuk.org](http://www.bodyuk.org)



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**Child Death Helpline** is a helpline for all those affected by the death of a child of any age from pre-birth to adult.

Telephone: 0870 600 7222  
Website:  
[www.childdeathhelpline.org.uk](http://www.childdeathhelpline.org.uk)

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**Cruse – Bereavement Care** 180 branches and nearly 7,000 volunteers provide a nationwide service of the highest standard of emotional support, counselling and information to anyone bereaved by death, regardless of age, race or belief. Cruse also offers training, support, information and publications to those working to care for the bereaved.

126 Sheen Road  
Richmond, Surrey TW9 1UR  
Telephone: 0870 167 1677  
Fax: 020 8940 7638  
Website: [www.crusebereavementcare.org.uk](http://www.crusebereavementcare.org.uk)

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**The Foundation for the Study of Infant Deaths (Cot Death Research and Support)** supports the families of a baby who has died suddenly and unexpectedly, with a 24 hour helpline, a network of befrienders countrywide, meetings, advice and leaflets for the bereaved.

Artillery House  
11-19 Artillery Row  
London SW1P 1RT  
Helpline: 0870 787 0554  
General: 0870 787 0885  
Email: [fsid@sids.org.uk](mailto:fsid@sids.org.uk)  
Website: [www.sids.org.uk/fsid](http://www.sids.org.uk/fsid)

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**Lesbian and Gay Bereavement Project** offers support and advice to lesbians and gay men bereaved by the death of a same-sex life partner. All members are comfortable with their own gayness and are well trained and supervised. Group also offers speakers and has prepared a free will form to encourage life partners to write wills (send SAE to project).

c/o THT Counselling  
111-117 Lancaster Road  
London W11 1QT  
Telephone: 020 7403 5969

A trained volunteer is on call Monday, Tuesday and Wednesday evenings from 7.00 pm to 10.30 pm.

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**The Miscarriage Association** offers support and information on all aspects of pregnancy loss (miscarriage up to 24 weeks and ectopic pregnancy).

c/o Clayton Hospital  
Northgate, Wakefield  
W Yorkshire, WF1 3JS  
Telephone: 01924 200799  
Website:  
[www.miscarriageassociation.org.uk](http://www.miscarriageassociation.org.uk)

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**The National Association of Widows** offers information and support through local branches.

48 Queens Road  
Coventry  
CV1 3ER  
Tel: 024 7663 4848  
Website: [nawidows.org.uk](http://nawidows.org.uk)

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The **Probate Helpline** can offer advice on Probate and Inheritance Tax matters.

HMRC Capital Taxes  
Ferrers House  
PO Box 38  
Castle Meadow Road  
Nottingham NG2 1BB  
Tel: 0845 30 20 900  
[www.hmrc.gov.uk](http://www.hmrc.gov.uk)

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**RoadPeace** is the national charity for road traffic victims. Trained volunteers give practical and emotional support, information on legal procedures and other help organisations, and arrange contact with local people similarly bereaved or injured.

PO Box 2579  
London NW10 3PW  
Telephone:  
Helpline: 0845 4500 355  
Administration: 020 8838 5102  
Fax: 020 8838 5103  
Email: [info@roadpeace.org](mailto:info@roadpeace.org)  
Website: [www.roadpeace.org](http://www.roadpeace.org)

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**The Samaritans**, for someone you can talk to who will give you support. There are over 180 branches which are open 24 hours a day. Look up **Samaritans** in the phone book.  
Website: [www.samaritans.org.uk](http://www.samaritans.org.uk)

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**SSAFA Forces Help** is the national charity helping serving and ex-Service men, women and their families in need.

19 Queen Elizabeth Street  
London SE1 2LP  
Telephone: 020 7403 8783 or  
check local phone book.  
Email: [info@ssafa.org.uk](mailto:info@ssafa.org.uk)  
Website: [www.ssafa.org.uk](http://www.ssafa.org.uk)

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**The Stillbirth and Neonatal Death Society (SANDS)** offers support for bereaved parents and families when a baby dies at or soon after birth, with a national telephone helpline, a network of self-help groups UK-wide run by and for bereaved parents, and information for the bereaved and health professionals.

28 Portland Place  
London W1N 4DE  
Telephone:  
Helpline: 020 7436 5881  
(10am–5pm Mon–Fri)  
Fax: 020 7436 3715  
Email: [support@uk-sands.org](mailto:support@uk-sands.org)  
Website: [www.uk-sands.org](http://www.uk-sands.org)

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**Support After Murder & Manslaughter (SAMM)** offers understanding and support to families who have been bereaved as a result of murder and manslaughter.

Cranmer House  
39 Brixton Road  
London SW9 6DZ  
Telephone: 020 7735 3838  
Email:  
[samm@victimsupport.org.uk](mailto:samm@victimsupport.org.uk)  
Website: [www.samm.org.uk](http://www.samm.org.uk)

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**The Terrence Higgins Trust** is a charity providing practical support, help, counselling and advice for anyone with or concerned about AIDS or HIV infection.

52–54 Grays Inn Road  
London WC1X 8JU  
Telephone: 0845 1221 200  
Administration and advice  
centre: 020 7812 1600  
Helpline: 0845 1221 200  
(10am–10pm Mon–Fri  
noon–6pm Sat–Sun)  
Email: [info@tht.org.uk](mailto:info@tht.org.uk)  
Website: [www.tht.org.uk](http://www.tht.org.uk)

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**The War Widows Association of Great Britain** gives advice, help and support to all war widows and dependants.

c/o 48 Pall Mall  
London  
SW1Y 5JY  
O.S.C  
Website:  
[www.warwidowsassociation.org.uk](http://www.warwidowsassociation.org.uk)

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**The WAY Foundation** provides a self-help social and support network for men and women widowed up to the age of 50 and their children. The main aim is to help those widowed at a young age to rebuild their lives by helping one another.

PO Box 6767  
Brackley  
NN13 6YW  
Telephone: 0870 0113450  
Email:  
[info@wayfoundation.org.uk](mailto:info@wayfoundation.org.uk)  
Website:  
[www.wayfoundation.org.uk](http://www.wayfoundation.org.uk)

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## LOCAL BRANCHES

For local branches of these organisations, look in your phone book or ask at an advice centre or library.

## USEFUL WEBSITES

See also pages 65–70 for descriptions and full contact details of organisations that can give practical advice, support and comfort.

Age Concern	<a href="http://www.ageconcern.org.uk">www.ageconcern.org.uk</a>
The Bereavement Register	<a href="http://www.the-bereavement-register.com/uk">www.the-bereavement-register.com/uk</a>
British Association of Cancer United Patients (CancerBACUP)	<a href="http://www.cancerbacup.org.uk">www.cancerbacup.org.uk</a>
British Organ Donor Society (BODY)	<a href="http://www.bodyuk.org">www.bodyuk.org</a>
Cancerlink	<a href="http://www.canlink.demon.co.uk">www.canlink.demon.co.uk</a>
The Child Death Helpline	<a href="http://www.childdeathhelpline.org.uk">www.childdeathhelpline.org.uk</a>
The Compassionate Friends	<a href="http://www.tcf.org.co.uk">www.tcf.org.co.uk</a>
Cruse Bereavement Care	<a href="http://www.crusebereavementcare.org.uk">www.crusebereavementcare.org.uk</a>
The Foundation for the Study of Infant Deaths	<a href="http://www.sids.org.uk/fsid">www.sids.org.uk/fsid</a>
Help the Aged	<a href="http://www.helptheaged.org.uk">www.helptheaged.org.uk</a>
The Miscarriage Association	<a href="http://www.miscarriageassociation.org.uk">www.miscarriageassociation.org.uk</a>
The National Association of Widows	<a href="http://www.nawidows.org.uk">www.nawidows.org.uk</a>
The Probate Helpline	<a href="http://www.hmrc.gov.uk">www.hmrc.gov.uk</a>
RoadPeace	<a href="http://www.roadpeace.org">www.roadpeace.org</a>
The Samaritans	<a href="http://www.samaritans.org.uk">www.samaritans.org.uk</a>

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Soldiers, Sailors, Airmen and Families Association (SSAFA) Forces Help	<a href="http://www.ssafa.org.uk">www.ssafa.org.uk</a>
The Stillbirth and Neonatal Death Society (SANDS)	<a href="http://www.uk-sands.org">www.uk-sands.org</a>
The Terrence Higgins Trust	<a href="http://www.tht.org.uk">www.tht.org.uk</a>
The War Widows Association of Great Britain	<a href="http://www.warwidowsassociation.org.uk">www.warwidowsassociation.org.uk</a>
The WAY Foundation	<a href="http://www.wayfoundation.org.uk">www.wayfoundation.org.uk</a>

## LEAFLETS AND HOW TO GET THEM

The leaflets mentioned in this leaflet are all free. You can get social security leaflets and some others from your Jobcentre Plus office (see page 47).

You can also get leaflets on Housing Benefit and Council Tax Benefit from your council.

You can get more information from the DWP website:  
**[www.dwp.gov.uk](http://www.dwp.gov.uk)**

To contact us by email see the *Contact Us* section of the website.

Community advisers who belong to an organisation that gives benefits information to the public can join the Department for Work and Pensions Publicity Register (DWPPR). The DWPPR gives advisers access to information from the DWP and its agencies. To join call the Hotline on **0845 602 4444** 9am–6pm Mon–Fri.

If you are abroad, write to:

DWP  
International Pension Centre  
Newcastle upon Tyne  
NE98 1BA

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The following **Department of Health** leaflets are available as shown:

- HC11 *Are you entitled to help with health costs?* from social security offices, main post offices, NHS hospitals, dentists, doctors, opticians and pharmacists; available from the address below in large print as HC11(LP)
- HC12 *NHS charges and optical voucher values* from the same places as leaflet HC11

If you have problems in getting Department of Health leaflets, or need a large quantity, please order by letter or fax from:

Department of Health  
PO Box 777  
London SE1 6XH  
Telephone: 08701 555 455  
Fax: 01623 724524

**Veterans Agency** leaflets can be ordered from:

Customer Services Unit  
Veterans Agency  
Norcross  
Blackpool FY5 3WP  
Fax: 01253 332014

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